

TOM REED
23RD DISTRICT, NEW YORK

COMMITTEE ON
WAYS AND MEANS

SUBCOMMITTEE ON SOCIAL SECURITY, REPUBLICAN LEADER

SUBCOMMITTEE ON HEALTH

SUBCOMMITTEE ON WORKER FAMILY SUPPORT

DLA
Congress of the United States

House of Representatives

Washington, DC 20515

January 22, 2020

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Received & Inspected

JAN 28 2020

FCC Mailroom

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Pai,

I am deeply concerned by your recent decision to make all of New York State ineligible for Phase I Rural Digital Opportunity Fund (RDOF) awards. Phase I funding represents the vast majority all RDOF funds, or \$16 billion out of the program's total \$20.4 billion. This funding is designated to build broadband infrastructure in census blocks not currently served with internet speeds meeting the Federal Communication Commission's (FCC) standards, and this decision will no doubt increase the digital divide, hinder economic growth and opportunity, and stall quality of life improvements for residents in our state, particularly those living in rural communities.

In 2015, Verizon Wireless declined \$170 million in Connect America Fund (CAF) dollars for broadband build out across New York State. Rather than reauctioning this funding, the FCC allowed New York State to disburse the \$170 million as part of the State's existing Broadband Initiative. State officials were never informed that disbursing CAF funding in this way would have any impact on future RDOF funding eligibility. New York State is committed to furthering the development of broadband infrastructure and used the CAF funding to accomplish the FCC's goal of expanding service in unserved areas. That the State was able to efficiently deploy funding after it was turned away by a private company should have no impact on service providers' eligibility to participate in the current RDOF auction.

Although the State has made progress toward achieving universal broadband access, there are many communities without broadband access whatsoever and even more whose service does not meet the Commission's minimum speed standards. I urgently request that these communities be considered eligible areas for the purposes of Phase I. It is our understanding that Phase II is not set to begin for several years, making it even more important that 100% of unserved blocks in New York State are made eligible for Phase I funding.

RDOF was established to bring communities across the country into the modern technological age, and you have described the program as the "boldest step yet" to bridge the digital divide. As such, I cannot overstress the importance of New York State's inclusion in the Commission's auction. I ask that you reply before the Commission proceeds with a vote on the RDOF rollout on January 30, 2020. I look forward to your prompt and detailed response.

Sincerely,

Tom Reed
Member of Congress

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