

United States Senate

WASHINGTON, DC 20510

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May 19, 2020

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

Dear Chairman Pai:

In light of the continuing novel coronavirus (COVID-19) pandemic and to ensure Indian tribes in rural areas enjoy the same access to the Internet as the rest of the United States, we respectfully request that the Federal Communications Commission (FCC) extend the 2.5 GHz Rural Tribal Priority Window opened on February 3, 2020, by 180 days.

As you know, on July 10, 2019, the FCC adopted new rules to bring 2.5 GHz spectrum to auction. The agency established a “priority window” to serve rural tribal lands. In addition, the FCC committed to keeping that window open for 180 days to give tribes time to apply.

As the number of confirmed cases of COVID-19 in the U.S. continues to rise and more and more Americans are told to stay home, the true extent of the crisis is becoming more apparent daily. For most Americans, the immediate focus is on the health and safety of our families, our neighbors, and the nation as a whole. To that end, we are pleased to see that the FCC has extended the time for the public to prepare for and participate in some of its upcoming auctions, such as the 3.5 GHz band and the FM broadcast service. This will help ensure that the public has adequate time to participate as we get through this crisis.

These same challenges are also impacting the ability of Tribal governments to participate in FCC proceedings. Additionally, rural tribal communities represent some of the least connected people in America. For example, according to the FCC's most recent Broadband Progress Report, more than 60 percent of residents on New Mexico's tribal lands lack access to high-speed broadband. Furthermore, the Government Accountability Office (GAO) found that the broadband data collected by the FCC overstates service in tribal communities, meaning the number of residents without access is higher than what was reported by the FCC. All of this underscores the need for more comprehensive assistance and engagement on tribal lands.

As you know, this spectrum can deliver significant benefits to rural tribal communities. Tribal governments should not be precluded from having an opportunity to apply for spectrum as a result of this public health emergency. An extension of the 2.5 GHz priority window will help ensure that tribes have adequate time to make the most of this first-of-its-kind opportunity. Accordingly, we urge the FCC to extend the Rural Tribal Priority Window by 180 days and commit to ensuring every rural tribal community has an equitable opportunity to receive spectrum licenses.

Thank you for your prompt attention to this request.

Sincerely,

/s/ Martin Heinrich
Martin Heinrich
United States Senator

/s/ Maria Cantwell
Maria Cantwell
United States Senator

/s/ Jacky Rosen
Jacky Rosen
United States Senator

/s/ Angus S. King, Jr.
Angus S. King, Jr.
United States Senator

/s/ Bernard Sanders
Bernard Sanders
United States Senator

/s/ Ron Wyden
Ron Wyden
United States Senator

/s/ Amy Klobuchar
Amy Klobuchar
United States Senator

/s/ Edward J. Markey
Edward J. Markey
United States Senator

/s/ Jeffrey A. Merkley
Jeffrey A. Merkley
United States Senator

/s/ Tom Udall
Tom Udall
United States Senator

/s/ Richard Blumenthal
Richard Blumenthal
United States Senator

/s/ Elizabeth Warren
Elizabeth Warren
United States Senator

/s/ Catherine Cortez Masto
Catherine Cortez Masto
United States Senator

/s/ Kamala D. Harris
Kamala D. Harris
United States Senator

/s/ Patty Murray
Patty Murray
United States Senator

/s/ Brian Schatz
Brian Schatz
United States Senator

/s/ Cory A. Booker
Edward J. Markey
United States Senator

/s/ Mazie K. Hirono
Mazie K. Hirono
United States Senator