Congress of the United States
Washington, DC 20515

May 15, 2018

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

Dear Chairman Pai:

We write to raise concerns about your stewardship of the broadband deployment programs administered by Federal Communications Commission (FCC), and specifically your delay in addressing a 15 percent cut to the program that brings internet access to the most rural and hard to reach parts of the country (the Legacy Rate of Return Program). While we appreciate your willingness to give voice to the importance of rural broadband, your actions do not seem to reflect the same urgency to connect people in rural America. In the end, your actions have spoken louder than your words.

Broadband internet access is critical for participating in everyday life and serves as the engine of America's modern economy. In your first address to FCC officials after assuming the title of Chair in January 2017, you rightly noted that closing the digital divide must be a "core priority" of the Commission. We were pleased to hear that you would focus the FCC's attention where it belongs.

Yet your actions so far do not match your rhetoric. You have overseen the imposition of broadband funding cuts to the Rural Healthcare Program that helps fund the broadband necessary to support telehealth at rural health centers. You have sought to dismantle the Lifeline program that helps provide broadband for struggling families and veterans. And now, you delayed action that could have prevented slashing 15 percent of the FCC's support to areas where broadband is most desperately needed.

Rather than taking responsibility for fixing this looming problem, we were troubled that after spending over 15 months as Chairman, you still resort to blaming previous administrations. If you truly feel as strongly about rural broadband as you claim, you should have had time to mitigate and correct for the current cut to rural support. Instead you waited nearly a year to even begin consideration of a fix to this cut.

We therefore request answers to the following questions about your decision to allow a 15 percent cut to rural broadband deployment.

1. You issued a statement claiming that the upcoming cut to the Legacy Rate of Return Program was due to decisions made several years ago. How long after this years-old decision was made did you or your staff first realize that it would lead to a cut in funding to rural carriers? Please provide all supporting documentation.

PRINTED ON RECYCLED PAPER

2. How long after this realization did you instruct your staff to act to correct this problem?

3. When you learned of the cut, did you or your staff undergo any effort to inform Congress of the forthcoming shortfall? Please provide all supporting documentation.

4. What specific mechanisms does the Commission employ for monitoring the uptake in use of broadband support programs administered by the FCC? Please provide explanations of such mechanisms and all supporting documentation.

I appreciate your attention to this important matter. Please provide responses to this letter within three weeks of sending.

Sincerely,

Ben Ray Luján
Member of Congress

Peter Welch
Member of Congress