

PETER WELCH
AT-LARGE, VERMONT

CHIEF DEPUTY WHIP

HOUSE DEMOCRATIC
STEERING & POLICY COMMITTEE

COMMITTEE ON
ENERGY AND COMMERCE

COMMITTEE ON
OVERSIGHT AND GOVERNMENT
REFORM

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Congress of the United States
House of Representatives
Washington, DC 20515-4500

2303 HAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4500
202-225-4115

DISTRICT:
128 LAKEVIEW AVENUE
SUITE 235
BURLINGTON, VT 05401
(802) 852-3460
(888) 606-7270

January 22, 2018

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

Dear Chairman Pai:

I write to urge you not to act on recommendations from the Broadband Deployment Advisory Committee (BDAC) until the group reaches a consensus on how best to spur broadband deployment and define the Commission's goal of bringing "reasonably comparable" broadband service to rural America.¹ Improving broadband access for the millions of Americans who lack adequate service is critical and the Federal Communications Commission (FCC) would be better suited to address this issue with a unified Committee position.

Broadband is a vital resource for all Americans, and the FCC must do everything it can to speed the deployment of broadband in unserved and underserved parts of the country. Indeed, the principle of universal service is a cornerstone of the Communications Act.² I am concerned, nevertheless, that without consensus among the experts that comprise the BDAC, the FCC will fall short of its goals.

In particular, I was disturbed by reports that BDAC leadership suggested that the BDAC move ahead without reaching a consensus of working group members.³ The value of an advisory group is in its ability to draw experts with disparate perspectives to give the Commission the best advice possible. When recent Commission advisory committees have issued recommendations prematurely and without consensus among their experts, subsequent actions have created unnecessary confusion and division on policy matters. In short, for the BDAC to be a successful policy instrument, it must function as a consensus body.

¹ 47 U.S.C. § 254(b)(3).

² See generally 47 U.S.C. § 254.

³ *BDAC Approves First Recommendations, But Disagreements Surface*, Communications Daily, (Nov. 13, 2017) ("We don't have unanimous consent . . . and I don't anticipate that we will, and that's fine. What we hope we will be able to provide you in January will be something that a Majority of our members have approved.").

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In addition, I reaffirm my request that the Commission use the BDAC as a tool to help define the FCC's statutory mission to provide "reasonably comparable" service for rural Americans. When you originally chartered the BDAC, I wrote to your office to support your effort and to request that you task the BDAC with defining what it will mean to have successfully deployed broadband in rural America.⁴ I still believe the BDAC should undertake and complete that important work.

For those reasons, I request that you require the BDAC to continue its work until it finds consensus and until it defines what it will mean to have reasonably comparable broadband service in rural areas. I appreciate your assistance with this inquiry. Should you have any questions regarding this request, please contact Patrick Satalin in my Office at (202) 225-4115.

Sincerely,



Peter Welch
Member of Congress

Cc: The Honorable Mignon Clyburn, Commissioner, Federal Communications Commission
The Honorable Michael O'Rielly, Commissioner, Federal Communications Commission
The Honorable Brendan Carr, Commissioner, Federal Communications Commission
The Honorable Jessica Rosenworcel, Commissioner, Federal Communications Commission

⁴ Letter from Peter Welch, Member of Congress, et. al., to Ajit Pai, Chairman, Federal Communications Commission (Feb. 7, 2017) ("We therefore urge you to task the Broadband Deployment Advisory Committee to . . . define successful broadband deployment in rural American before moving on to more detailed policies").