

United States Senate

WASHINGTON, DC 20510

February 15, 2022

The Honorable Alan Davidson
Assistant Secretary of Commerce for Communications and Information
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Assistant Secretary Davidson:

We write to you today regarding your invitation for public comment on the new broadband programs authorized and funded by the bipartisan Infrastructure Investment and Jobs Act (IIJA, P.L. 117-58). Signed into law on November 15, 2021, this legislation represents the combined work of many of the bipartisan group's members, and we look forward to working with you to make our legislative efforts a reality. Reliable high-speed internet is necessary for Americans to do their jobs, fully participate in remote and in-school learning, connect and stay connected to health care, and achieve their full potential in the 21st century economy. The IIJA meets today's connectivity challenges by delivering the most comprehensive and ambitious broadband legislation ever passed by Congress—one that will put high-speed accessible and affordable broadband within reach of all Americans.

It all starts with getting the maps right. The Federal Communications Commission (FCC) has consistently overstated broadband coverage around the United States. We represent states with significant areas that lack even the barest level of service. That's why, for the first time, we made clear that funding for deploying broadband infrastructure must be contingent on updated maps by the FCC. We know the Administration is eager to implement the IIJA, and so are we. That's why we seek to impress upon NTIA the need to continue working with the FCC to move quickly on updating the maps, as the impact of this investment is reliant on their timely and accurate completion. In order to make sure the data we are utilizing for these broadband projects is as accurate as possible, we also included a robust challenge process to give states and localities, as well as providers, a voice in this process.

As Senators representing small rural towns, large cities, and everything in between, we know that local input will be key to effective implementation. The IIJA provides unprecedented levels of funding for broadband directly to states. We knew in crafting these programs that this level of grant management would require additional capacity across the board—from NTIA to city halls. That's why the law provides for a minimum allocation of \$100 million to every state, a portion of which can be used to kickstart a robust planning process and technical assistance, allowing these funds to be used to stand up and build out state broadband offices, promote state-local coordination, increase mapping efforts, and improve the expertise and capacity at a local level.

The IJA requires states to prioritize unserved locations before spending that money elsewhere, safeguarding responsible stewardship of Federal dollars and making good on our longtime promise of universal service for the American people. Importantly, the law also sets aside 10 percent of the overall funds to give additional assistance to states with the highest costs of deployment—whether that is to remote islands off the coast of Maine, tribal nations in Nevada, or the National Radio Quiet Zone in West Virginia. We recognized from the initial conversations around infrastructure that responsible investments should provide a return on investment in our communities for decades. That’s why we set forth a high level of service for participating providers—including the requirement that local communities and participating providers are contributing to the future viability of the networks deployed through the program.

There is no single answer to connectivity issues across a country as broad and diverse as ours. That’s why the IJA takes an “all of the above” approach to our connectivity needs, remaining technology neutral while also including robust speed thresholds and prioritizing networks that can meet our technology needs well into the future. In much the same vein, this represents a careful bipartisan balance that all providers—whether governmental, non-profit, cooperative, or commercial—be held on equal footing. In order to help guide states in making these decisions, the law lays out several interrelated metrics for prioritizing projects, including deployment to high poverty areas, speeds of proposed service, expediency with which a project can be completed, and a demonstrated record of compliance with Federal employment laws.

For the first time in history, the IJA ensures that we will know every location in the nation without service, tie funding directly to helping those locations, and require every state to have a plan in place to ensure that every American, no matter how rich or poor, urban or rural, gets access to the affordable, high-speed broadband that they need and deserve. As members of the bipartisan group of Senators that helped author these provisions in the IJA, we welcome the chance to continue to work with you and your team on the task of implementing these critical programs.

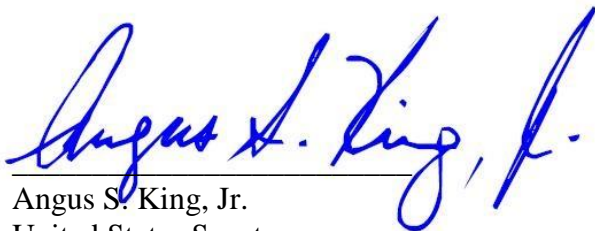
Sincerely,



Joe Manchin III
United States Senator



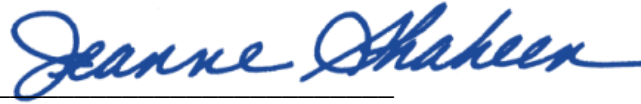
Susan Collins
United States Senator



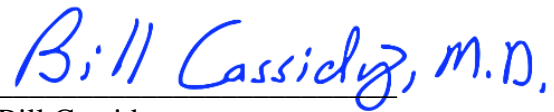
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Margaret Wood Hassan
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Mark Warner
United States Senator



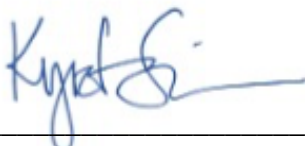
Thom Tillis
United States Senator



Jackie Rosen
United States Senator



Lisa Murkowski
United States Senator



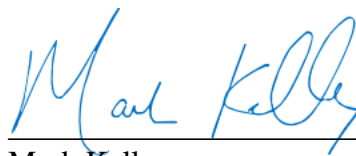
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John Hickenlooper
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Jon Tester
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Mark Kelly
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