

**Congress of the United States**  
**Washington, DC 20515**

January 17, 2020

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

Dear Chairman Pai,

As members of New York State's Congressional delegation, we are deeply disappointed 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 that vast majority all RDOF funds, or \$16 billion out of the program's total \$20.4 billion, to support the deployment of high-speed broadband to areas lacking access to service from a fixed provider at the FCC's minimum speeds of 25/3 Megabits per second (Mbps). 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 disperse 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 still areas of New York State meeting the FCC's stated eligibility requirement for RDOF insofar as they lack access to broadband from a fixed provider at speeds of at least 25/3 Mbps. We 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% 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, we cannot overstate the importance of New York State's inclusion in the Commission's auction. We ask that you reply before the Commission proceeds with a vote on the RDOF rollout on January 30, 2020. We look forward to your prompt and detailed response.

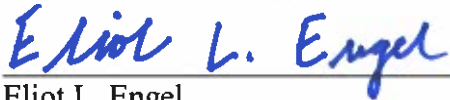
Sincerely,



Antonio Delgado  
Member of Congress



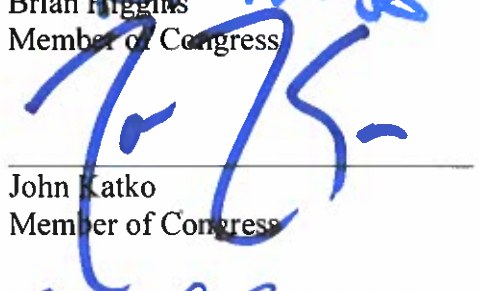
Paul D. Tonko  
Member of Congress



Eliot L. Engel  
Member of Congress



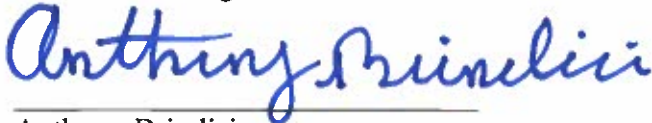
Brian Higgins  
Member of Congress



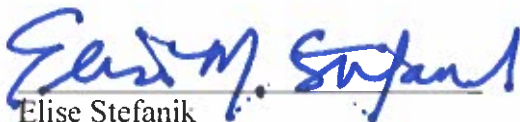
John Katko  
Member of Congress



Joseph Morelle  
Member of Congress



Anthony Brindisi  
Member of Congress



Elise Stefanik  
Member of Congress



Grace Meng  
Member of Congress



Sean Patrick Maloney  
Member of Congress



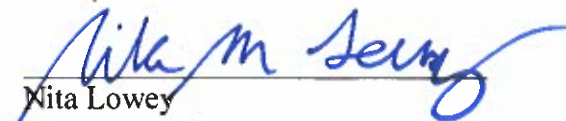
Adriano Espaillat  
Member of Congress




Thomas R. Suozzi  
Member of Congress



Max Rose  
Member of Congress



Nita Lowey  
Member of Congress



Kathleen Rice  
Member of Congress



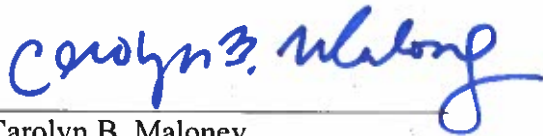
Jose E. Serrano  
Member of Congress



Nydia Velazquez  
Member of Congress



Yvette D. Clarke  
Member of Congress



Carolyn B. Maloney  
Member of Congress



Jerrold Nadler  
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Gregory Meeks  
Member of Congress



Peter King  
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