



August 5, 2021

The Honorable Chuck Schumer
Majority Leader
U.S. Senate
Washington DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

Dear Leader Schumer and Leader McConnell:

We are writing to ask for your support for a small amendment to the “Infrastructure Investment and Jobs Act” that could have a big impact on the country’s schools, libraries, healthcare providers and other community anchor institutions.

The \$42.45 billion broadband funding program in the Infrastructure bill puts anchor institutions third in priority, after connecting unserved and underserved households. This third place status is a surprise and is very disappointing. We ask for your help in simply deleting this language in the bill.

The Infrastructure legislation properly recognizes that anchor institutions need gigabit broadband connections to serve their communities. The National Broadband Plan Goal #4 (issued in 2010) called for anchor institutions to have gigabit connections by the year 2020, but unfortunately, the nation did not reach that goal. We sincerely believed that the Infrastructure legislation would be the vehicle to upgrade anchor institution connectivity around the country.

Unfortunately, section 60102 of the legislation explicitly says that anchor institutions shall be given third priority. If all the money is used up for priorities 1 and 2, which is very likely, there will be no funding left to connect anchor institutions.

We are not asking for funding to be withdrawn from priorities 1 and 2. We believe that all residential consumers should have access to high-speed broadband. But anchor institutions should be eligible to be served at the same time as residential customers. Broadband networks are best deployed by serving everybody in the community, including the homes, businesses and anchor institutions. Aggregating multiple users on the same shared network lowers the costs for everybody (much like an anchor tenant in a shopping mall). In other words, Including anchor institutions will actually make it cheaper to serve the surrounding households. **As the bill stands right now, awardees of broadband funding will be PROHIBITED from connecting anchor institutions.** If we delete this third place treatment, then awardees of funding will at least have the choice whether or not to deploy broadband to anchors when building out their networks.

Finally, the process used to make this change was not ideal. The BRIDGE Act (S.2071), which we understand would be the starting point for the broadband provisions, gave anchor institutions co-secondary priority, along with underserved locations. But when the draft Infrastructure bill language circulated last week, we discovered anchors had been downgraded to third priority. There was no advance notice of this very important change.

Here is the text of the amendment we propose:

In Section 60102(h)(1)(A)(i), insert "and" after "prioritizes unserved service projects" in (I), and delete "and" after "underserved service projects" in (II), and delete clause (III), and in the following clause (ii), delete "and III".

We appreciate all the hard work by the bi-partisan group of 22 Senators to craft this language. We want this bill to pass – we are not proposing a poison pill that will make enactment more difficult. We understand, for instance, that NTCA—the Rural Broadband Association has no objection to deleting this language. We also understand that the House may pass the Senate language as is, so this may be the last opportunity to make this small but important change.

We hope you can support making this technical change to the legislation before its final passage.

Sincerely,



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Broadband (SHLB) Coalition



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