

June 11, 2021

President Joe Biden
The White House
1600 Pennsylvania Ave. NW
Washington, D.C. 20500

Vice President Kamala Harris
The White House
1600 Pennsylvania Ave. NW
Washington, D.C. 20500

Dear President Biden and Vice President Harris:

We write to convey the rapidly growing urgency to nominate a fifth commissioner to ensure a fully functional Federal Communications Commission.

We recognize the pressing and time-consuming challenges this administration has faced since its earliest days, combating the public health and economic crises caused by a historic pandemic. We also commend the administration on its aim to ensure everyone has affordable access to high-speed internet, as well as the work it has undertaken to meet this critical goal.

The emergency funding allocated and deployed through COVID-19 economic relief legislation and the billions proposed in the American Jobs Plan to close the digital divide are crucial measures. Time and again, your administration has demonstrated a deep understanding that broadband access is critical to education, work, health and wellbeing, and can literally be a matter of life and death.

Yet, as we move toward the second half of 2021 with no nomination for the fifth and final commissioner, the Federal Communications Commission remains below full capacity, which is incompatible with the goal of delivering open, affordable and reliable high-speed broadband to every home. This is all the more urgent given the fact poor families and people of color are disproportionately disconnected from high-speed internet access, compounding grave inequalities that were made worse during the pandemic.

Given the legislative calendar and the diminishing number of days for hearings and confirmation votes, we have reached a critical point to guarantee the agency charged with ensuring affordable communications access can do its work during your administration. Failing to nominate a fifth commissioner leaves the FCC less than fully operational and limits its capacity to most effectively:

- Remedy previous neglect of the Lifeline program that supports low-income access to communications;
- Create rules to make our nation's networks more reliable and resilient;
- Help guide the deployment of new broadband infrastructure built with federal dollars to make it as effective as possible;
- Approve emergency waivers for E-rate funded infrastructure to be opened up for remote education;
- Meet the challenge of the 2018 Broadcast Ownership Quadrennial Review and halt the dangerous trend towards consolidated ownership in broadcasting by reasserting principles of localism, competition and ownership diversity; and
- Reclassify broadband internet access as a Title II service to ensure fair and equitable access for everyone and to reinstate strong net neutrality protections.

If we are to reach the goal of having a country where everyone, no matter their address or size of their bank account, has affordable access to high-speed internet, we need a full commission as soon as possible.

The FCC, as an expert agency with a mandate from Congress, has the singular ability to act as an empowered advocate to ensure affordable and reliable communications for all. The pandemic showed us the unshakable image of children doing their classwork from fast-food parking lots using borrowed WiFi. We cannot let those students or any family wait any longer. We urge the administration to not lose any more time and to nominate a fifth commissioner who is dedicated to bringing open, affordable and reliable internet access to all and fulfilling all of these vital goals.

Sincerely,

18 Million Rising
Access Humboldt
Access Now
American Civil Liberties Union
American Family Voices
American Library Association
Asian Americans Advancing Justice - AAJC
Atlanta Coalition for Educational Equity
Baltimoreans for Educational Equity
California Center for Rural Policy
California Clean Money Campaign
Center for Accessible Technology
Center for Democracy & Technology
Center for Rural Strategies
Color Of Change
Common Cause

Communications Workers of America
Communities Closing the Urban Digital Divide
Consumer Reports (CR)
DECC
Demand Progress Education Fund
Detroit Community Technology Project
Electronic Frontier Foundation
Fight for the Future
Free Press Action
Future of Music Coalition
Greatest Possible Good
HEARD
Institute for Local Self-Reliance
Libraries Without Borders
Line Break Media LLC
MediaJustice
Media Alliance
Movement Alliance Project
Mozilla
National Consumer Law Center, on behalf of its low-income clients
National Digital Inclusion Alliance
National Hispanic Media Coalition
Native Public Media
New America's Open Technology Institute
NTEN
OpenMedia
Open Access Connections
Other98
PEN America
Presente.org
Progress America
Public Citizen
Public Knowledge
RootsAction.org
Social Security Works
SOMOS
The Baltimore Digital Equity Coalition
The Greenlining Institute
Tribal Digital Village Network
United Church of Christ, OC Inc.
Writers Guild of America West