



THE UNITED STATES CONFERENCE OF MAYORS

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August 17, 2009

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The Honorable Gary Locke
Secretary
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Locke:

On behalf of The United States Conference of Mayors, we write to urge you to give careful attention to reconsidering the restrictive criteria that requires public safety and anchor institutions meet an underserved or unserved test before being eligible for broadband funding in the first round of the Broadband Technology and Opportunities Program (BTOP) in the American Recovery and Reinvestment Act of 2009 (ARRA).

The U.S. Conference of Mayors believes that Congress intended to give public safety and anchor institutions such as schools, libraries, and medical and healthcare providers the highest funding priority in the BTOP. Section 6001 of the ARRA specifically lists public safety and anchor institutions as two of the five priorities for funding. Under the ARRA, the underserved and underserved test only applies to residential consumers. In addition, the underserved test to determine the availability of broadband by census block depends on data that the U.S. Census does not gather. Unless amended, these critical institutions, which in many cases serve our most vulnerable populations, will not meet ARRA requirements for funding under the BTOP.

Cities and their metropolitan areas, are where 84 percent of our people live and more than 90 percent of future economic growth will occur. The nation's mayors do not believe Congress or the Obama Administration intended to deny these anchor institutions, and the vulnerable populations they serve in our cities, the ability to compete for the broadband funding, in effect excluding large portions of the population from receiving the benefits of the BTOP funding.

We are committed to working with the Administration to correct this issue through an addendum to the Notice of Funds Availability (NOFA) that would waive the underserved prerequisite for public safety and anchor institutions. We also intend to work with the Administration to ensure the second and third rounds better reflect what we believe the goals of Congress and the Administration to be. Please contact our CEO and Executive Director Tom Cochran or Assistant Executive Director for Communications Policy Ron Thaniel at (202) 293-7330 to discuss this further.

Sincerely,

Greg Nickels
Mayor of Seattle
President

John Hickenlooper
Mayor of Denver
Chair, Transportation and Communications
Committee

Cc: Thomas Power

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