



NOV - 9 2007

The Honorable John D. Dingell
Chairman, Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515-6115

Dear Mr. Chairman:

This letter sets forth the Administration's views on H.R. 3919, the *Broadband Census of America Act of 2007*, which the Energy and Commerce Committee reported favorably to the House of Representatives on October 30, 2007. The Administration supports efforts to obtain improved broadband data and looks forward to working with the Congress to accomplish this task efficiently. To this end, we recommend that the effort build upon existing data collection efforts. In addition, the Administration believes that the substantial grant funding authorized in H.R. 3919 is unnecessary to achieve the objectives of the bill.

Although the Administration supports the collection of improved data, H.R. 3919 creates two separate federal data collection efforts: one by the Federal Communications Commission (FCC) pursuant to Section 2, the other by the National Telecommunications and Information Administration (NTIA) pursuant to Section 3. There is likely to be substantial overlap between the two efforts, creating the potential for duplication of work by the FCC and NTIA and for multiple information requests on private sector respondents, with the accompanying costs and burdens. The FCC is proposing to improve its collection of broadband data in ways that may be similar to many of those outlined in H.R. 3919. The FCC has the institutional expertise and the authority to compel production of the desired data.

H.R. 3919 also requires NTIA to develop and maintain a map depicting broadband deployment "for each State, and for each county and parish of each State" at the nine digit zip code or census tract level. While NTIA would use every reasonable effort to collect that data, the bill does not provide NTIA sufficient authority to compel production of the information needed to develop that map, and thus, the required map may be incomplete in significant respects.

In addition, we believe that the funding authorized in Section 10 of the bill is unnecessary to achieve the bill's data collection objectives. Section 4 authorizes grants for the purposes of data collection at the State level. However, such data can be successfully obtained by the FCC. Section 5 authorizes \$275 million in grants for stimulation of demand for broadband services and related activities. Demand stimulation and related activities are best performed by the service providers, which have every incentive to do

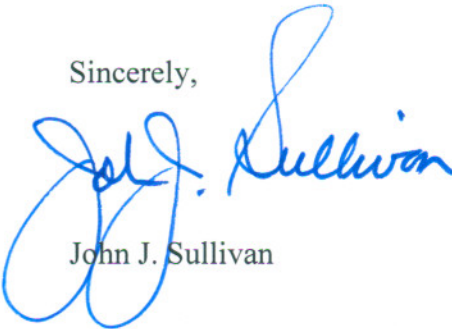
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so. The Administration asks that Sections 4, 5, and 10 of the bill be removed as the bill proceeds.

Because the Administration shares the fundamental goals of H.R. 3919, we remain committed to working closely with you and your colleagues to address these and other concerns as the bill moves through the legislative process. Working together I am certain that we can craft legislation that ensures the collection of reliable broadband deployment data in an efficient and cost-effective manner.

We have been advised by the Office of Management and Budget that there is no objection to the submission of this letter from the viewpoint of the Administration's program.

Sincerely,

A handwritten signature in blue ink, appearing to read "John J. Sullivan". The signature is stylized with large loops and a prominent "S" at the end.

John J. Sullivan

cc: The Honorable Joe Barton
Ranking Member