**DIRECTIONS FOR USE:** Draft your community’s comment letter using the below text as a guide for the kinds of information to include and how to structure your comments. Be sure to replace or remove all sample text. When the letter is completed, save as a PDF file and submit it online via regulations.gov. Visit this page to read the full Interim Final Rule and submit your comment by July 16, 2021: <https://www.regulations.gov/document/TREAS-DO-2021-0008-0002> . Click the blue “Comment” button to file and upload your letter and select the “Organization” button to provide the required information about your community. You can also view other public comments on that page. Please share a copy of your comment letter with the National League of Cities, your state municipal league, your members of Congress, and any local stakeholders after you have filed.

[DATE]

The Honorable Janet Yellen  
Secretary  
U.S. Department of the Treasury  
1500 Pennsylvania Ave. NW  
Washington, DC 20220

Dear Secretary Yellen:

[**INTRODUCTION**: Provide an introduction to your community/network/organization in 1-2 paragraphs. What kinds of broadband needs do you have that you hope to address using ARPA Local Fiscal Recovery Fund money?]

[**BODY**: Address the positive aspects and changes we would like to see in the rule. Treasury has asked a series of questions, which you may choose to address in your letter. Those are listed below. Be sure, whether you use the questions in your letter or not, to address the changes requested by our group. **DO NOT COPY AND PASTE THESE TALKING POINTS; PLEASE ARTICULATE THESE POINTS AND ANY ANSWERS TO QUESTIONS IN YOUR OWN WORDS.** Draw upon your city’s experiences and situation to articulate why the current Interim Final Rule would present barriers to using the broadband infrastructure eligible use category for the fund in your community.

**Good examples/points to include:**

* Does your community have planned projects/goals that you believe are incompatible with the current Interim Final Rule requirements? Describe those projects and the conflict.
* Is your community covered entirely or near-entirely by existing wireline services that reliably meet the 25/3Mbps threshold, but fall well below 100/20Mbps or 100/100Mbps and do not meet residents’ or businesses’ needs? Are existing services unaffordable for residents or businesses?
* Describe those circumstances and provide any supporting data or numbers if available.
* Have you encountered challenges that are not more easily solved by subsidy programs, such as residents who are disconnected and move frequently and would benefit from a neighborhood-wide solution, or scattered pockets of disconnection that would benefit from a larger community-level investment?
* Feel free to attach supporting documents, such as presentations or studies developed by your city, to your letter. Remember that these documents will be public and do not share any information that is confidential.

**Suggested changes to the rule:**

* Increase the threshold for “unserved and underserved” to 100/100Mbps to align with the project requirement standards.
* Include affordability of existing available broadband service as one mechanism by which reliability of service to an area may be determined.

**Questions posed by Treasury** (Note: You are encouraged, but not required, to answer any or all of the below):

Question 22: What are the advantages and disadvantages of setting minimum symmetrical download and upload speeds of 100 Mbps? What other minimum standards would be appropriate and why?

Question 23: Would setting such a minimum be impractical for particular types of projects? If so, where an on what basis should those projects be identified? How could such a standard be set while also taking into account the practicality of using this standard in particular types of projects? In addition to topography, geography, and financial factors, what other constraints, if any, are relevant to considering whether an investment is impracticable?

Question 24: What are the advantages and disadvantages of setting a minimum level of service at 100 Mbps download and 20 Mbps upload in projects where it is impracticable to set minimum symmetrical download and upload speeds of 100 Mbps? What are the advantages and disadvantages of setting a scalability requirement in these cases? What other minimum standards would be appropriate and why?

Question 25: What are the advantages and disadvantages of focusing these investments on those without access to wireline connection that reliably delivers 25 Mbps download by 3 Mbps upload? Would another threshold be appropriate and why?

Question 26: What are the advantages and disadvantages of setting any particular threshold for identifying unserved or underserved areas, minimum speed standards or scalability minimum? Are there other standards that should be set (e.g., latency)? If so, why and how? How can such threshold, standards, or minimum be set in a way that balances the public’s interest in making sure that reliable broadband services meeting the daily needs of all Americans are available throughout the country with the providing reciipients flexibility to meet the varied needs of their communities?]

Sincerely,

[SIGNATURE]  
[MAYOR/CEO/OTHER SIGNATORY]  
[CITY/ORGANIZATION NAME]