

Congress of the United States
Washington, DC 20515

April 6, 2021

Marybel Batjer
President
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Ms. Batjer:

Telehealth provided through the Department of Veterans Affairs' VA Video Connect application has been a lifeline for hundreds of thousands of veterans during the COVID-19 pandemic, and VA's partnerships with AT&T, TracFone, T-Mobile, and Verizon have helped increase video telehealth usage to over 40,000 daily appointments. These strategic partnerships between VA and the carriers to waive data consumption for VA Video Connect have significantly increased access for veterans who rely on smart phones but cannot afford unlimited data plans.

The passage of the California Internet Consumer Protection and Net Neutrality Act of 2018 should not invalidate these partnerships, and we have long warned that net neutrality mandates could have these types of impacts. It is hard to imagine that inhibiting the expansion of telehealth access to veterans was anyone's intention when writing the law, and a clear signal is needed to dispel the regulatory uncertainty.

We respectfully request that you refrain from enforcing the law's prohibition on zero-rating in its section 3101(a)(6). VA Video Connect is VA's preferred telehealth application, and the carriers should be lauded for their willingness to exempt it from data limits. If you determine you do not have administrative discretion, we urge you to immediately send a legislative proposal to the California State Legislature to fix this urgent issue affecting veterans. We may disagree on the adverse impacts net neutrality laws have on consumers, but we should be able to agree that this aspect of the law must be reexamined. Telehealth is an increasingly vital part of any health care delivery system, and we should expect its usage to continue to increase and plan accordingly. We should be thoughtful about imposing burdensome laws that inhibit its growth.

Thank you for your attention to this important matter. If you have any questions, please do not hesitate to contact William Mallison, of the House Committee on Veterans' Affairs Republican staff, at william.mallison@mail.house.gov.

Sincerely,



KEVIN McCARTHY
House Republican Leader



MIKE BOST
Ranking Member
House Committee on Veterans' Affairs



KEN CALVERT
Member of Congress



JIM BANKS
Member of Congress



MIKE GARCIA
Member of Congress



JACK BERGMAN
Member of Congress



DARRELL ISSA
Member of Congress



GUS BILIRAKIS
Member of Congress



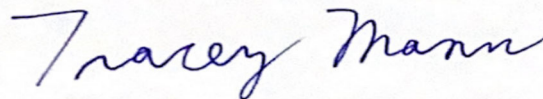
YOUNG KIM
Member of Congress



MADISON CAWTHORN
Member of Congress



DOUG LaMALFA
Member of Congress



TRACEY MANN
Member of Congress



TOM McCLINTOCK
Member of Congress



MARIANETTE MILLER-MEEKS
Member of Congress



DEVIN NUNES
Member of Congress



TROY NEHLS
Member of Congress



JAY OBERNOLTE
Member of Congress



MATTHEW ROSENDALE, SR.
Member of Congress



DAVID G. VALADAO
Member of Congress



MICHELLE STEEL
Member of Congress

Cc: The Honorable Gavin Newsom, Governor;
Dr. Vito Imbasciani, Secretary, CalVet