

United States Senate

WASHINGTON, DC 20510

April 1, 2021

The Honorable Jessica Rosenworcel
Acting Chairwoman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20054

Dear Acting Chairwoman Rosenworcel,

For almost one year after the passage of the Broadband Deployment Accuracy and Technological Availability Act (Broadband DATA Act),¹ the Federal Communications Commission (FCC), under the previous administration, took little action towards fulfilling its congressional mandate to update nationwide flawed broadband maps. We applaud you for taking decisive action in your first meeting as Acting Chairwoman of the FCC to begin implementing the Broadband DATA Act. You have long recognized the important role broadband maps play in our efforts to close the digital divide and championed the need for aggressive action to ensure that Universal Service Fund dollars are distributed to the communities that need them most.

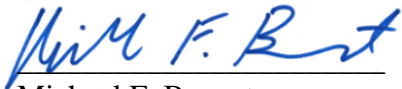
As the FCC considers how to best design a new broadband mapping data collection system, we strongly urge you to incorporate the voices of state, local and tribal governments and provide them with an opportunity to meaningfully challenge the data filed by internet service providers (ISPs). Many state and local governments know exactly who do and do not have access to reliable high-speed broadband within their communities. In fact, some states have created their own maps with granular data.² Their valuable insights will be integral in creating accurate data maps that accurately reflect broadband services as experienced by consumers and ensuring that federal dollars are efficiently targeted and leveraged.

In 2000, the FCC created the Form 477 Data Program to collect data from ISPs. However, there is widespread agreement that Form 477 data is deeply flawed. Self-reported coverage maps submitted by ISPs, and rarely verified for accuracy by the FCC, resulted in deficient maps that did not reflect real-world broadband availability. Tests of mobile wireless services underscores the need for robust input from state, local and tribal entities. An FCC coverage map investigation revealed that FCC staff were unable to obtain the minimum download speed for almost 40% of drive tests despite service providers reporting coverage in the relevant areas.³ Furthermore, FCC methodology that considers a census block served if only one home or business in that census block has broadband access overstates coverage nationwide and blocks funding from otherwise qualified communities.

¹ P.L. 116-130

² Shara Tibken, "States couldn't afford to wait for the FCC's broadband maps to improve. So they didn't," *Cnet*, February 2020, available at <https://www.cnet.com/features/states-couldnt-afford-to-wait-for-the-fccs-broadband-maps-to-improve-so-they-didnt/>

³ "Mobility Fund Phase II Coverage Maps Investigation Staff Report," Federal Communications Commission, May 2020, available at <https://docs.fcc.gov/public/attachments/DOC-361165A1.pdf>



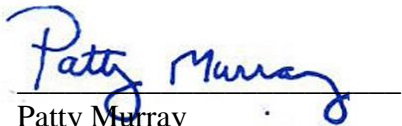
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