

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act*, GN Docket No. 15-191.

Today, it is especially noteworthy that we are launching this annual Inquiry to determine “whether advanced telecommunications capability is being deployed to *all* Americans in a reasonable and timely fashion.”¹ The language in the statute is unequivocal when it comes to “all Americans” having access to these services. What is also crystal clear is that too many of our citizens, who are low-income or living in rural and on Tribal lands, remain on the wrong side of the connectivity divide.

The data from the *2015 Broadband Progress Report* shows that access to a fixed 25/3Mbps connection is unavailable to 53% of Americans in rural areas, and 63% of Americans on Tribal lands and in the U.S. Territories. There is much more work left to do, and we cannot afford to declare victory until we address and close these persistent opportunity gaps.

This Notice also triggers the FCC’s annual obligation to pause and evaluate this dynamic, rapidly-changing ecosystem, and determine what factors, such as speed, are appropriate for the “advanced telecommunications” capabilities of today. When the FCC first began to adopt these reports, the agency was criticized for using the outdated speed of 200 kbps until 2008. And perhaps some of you in the room can remember when this was increased to a lightning speed of 768 kbps until 2010. Particularly through today’s lenses, there would be few who argue that this criticism was not warranted because the FCC must be forward-looking, and recognize the realities of today and the demands of an evolving marketplace.

With this in mind, I am pleased that the Notice seeks comment on including access to mobile broadband services in the definition of “advanced telecommunications capability,” and asks whether this analysis should be on par with fixed broadband or based on a different standard. Mobile broadband usage is significant in the United States, and for many, especially those of limited financial means, their primary access to the Internet may be mobile-only. According to the Pew Research Center, approximately 10% of all smartphone users, and 13% of low-income users, have no other access to the Internet, outside of their mobile device. And since over 40% of all households and 56% of low-income households are wireless-only, excluding mobile services in our analysis of “advanced telecommunications capability” would not be keeping up with the letter or spirit of the statute when it comes to considering the communications experiences and needs of “all” Americans.

The next report will mark the first time that the FCC has the opportunity to review updated information from the revised Form 477 deployment data. It is my hope, that we evaluate mobile broadband service in our analysis to be more inclusive as we determine whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion.

Thank you.

¹ 47 U.S.C. § 1302. Section 706 of the Telecommunications Act of 1996, Pub. L. No. 104-104, § 706, 110 Stat. 56, 153 (1996), as amended by the Broadband Data Improvement Act, Pub. L. No. 110-385, 122 Stat. 4096 (2008), as codified in Title 47, Chapter 12 of the United States Code. *See* 47 U.S.C. § 1301 *et seq.* (emphasis added).