

**STATEMENT OF
COMMISSIONER JESSICA ROSENWORCEL
APPROVING IN PART, DISSENTING IN PART**

Re: *Rural Digital Opportunity Fund Phase I Auction Scheduled for October 29, 2020; Notice and Filing Requirements for Auction 904, AU Docket No. 20-34; WC Docket Nos. 19-126, 10-90.*

It is an open secret that the Federal Communications Commission has a big problem. The agency doesn't know with certainty where broadband is and is not across the country. We don't have accurate data. We don't have reliable maps. That means in the United States we lack an honest picture of the communities that are consigned to the wrong side of the digital divide and the people and places most at risk of falling further behind.

That matters. Now more than ever. Because we are a nation in crisis. A public health emergency has strained our hospitals and crashed our economy. Protests have filled our streets in our largest cities and smallest towns.

We need connections now—physical and digital—that strengthen our mutual bonds. We need connections that remind us that our states are united and our interdependence is powerful. That's because networks that connect more people in more places lift us all. And that's why we need a plan for broadband for all.

You know how we do it? We roll up our sleeves and get to work. Job one is good data. Because we will never manage the problems we do not measure.

We should have started collecting better data and fixing our maps years ago. After all, we have known our methodology is flawed for a really, really long time. Because when a single subscriber in a census block has broadband we assume service is available throughout. This systematically overstates service. It also leaves disconnected millions of people across the country who get stuck when our maps say they have broadband when they clearly do not.

This needs attention. A year ago the FCC acknowledged as much when it committed to updating its broadband data efforts to get correct maps in place. Then Congress built on this foundation when it passed the Broadband DATA Act.

But instead of doing even the bare minimum to comply with this law, improve our data, and fix our maps, the FCC threw up its hands. We gave up.

That means that despite having made no efforts to improve our nation's dubious broadband data, with the new Rural Digital Opportunity Fund we are about to hand out billions in broadband support based on maps we know are wrong. In fact, we are poised to give out \$16 billion less than a week before election day. That's a lot. That's 80 percent of these total funds we have to support rural broadband during the next ten years. This approach is not thoughtful policy, it's rush-it-out-the-door electioneering.

It doesn't have to be this way. We can do two things at once. We could have expanded creative ways to support broadband buildout while we also fix our maps. But that's not what we do here and it's a shame. Because we have an infrastructure problem we really need to fix. Ignoring consumer and congressional pleas for better data is not going to help. Worse, there are millions of households nationwide that our maps erroneously suggest are served by broadband and as a result of our actions now it could be ten years before this agency is able to offer any further assistance.

I get it. I understand wanting to do more to address the nation's digital divide. We need to fix this problem. But there's a wrong way to do it and a right way to do it. This is the former—and it's

irresponsible.

If we addressed the digital divide responsibly, we would put a premium on good data. Because having the facts is the only real way to solve our nation's rural broadband crisis. We are spending down our resources before even taking the time to get this right. This is not the way to do it. We need maps before money and data before deployment.

If we addressed the digital divide responsibly, we would acknowledge that we are not going to do it on our own. We need to work with state and local authorities and not fight their efforts to help bring broadband to their communities. But that's not what we do here. That's because the FCC decided that the Rural Digital Opportunity Fund would not be available in places where states have their own programs. By some counts, that's as many as 30 states. That's crazy and we have no idea how it will play out on the ground. We should be encouraging states to work with us and not penalizing them for their efforts to bring broadband to communities that are struggling. We have this exactly backwards.

If we addressed the digital divide responsibly, we would devote the same energies to broadband adoption as broadband deployment. As today's effort demonstrates, the FCC is rushing to address broadband inequity in rural areas. But you'll find none of the same interest when it comes to the millions of households without broadband access in more populated communities. By some estimates, there are three to four times as many households without internet access in urban and suburban areas across the country. This cruel pandemic has revealed this like nothing before. We saw so many people sitting in cars in parking lots with free wi-fi because it is the only place they have to catch a signal and get online. We saw millions of children stuck in the homework gap because they do not have internet access at home and were locked out of the virtual classroom. We saw so many households metering out life in this crisis with capped data plans shared by a family on a prepaid mobile phone. I hope in the future the FCC finds a way to address these problems with the same urgency we devote to our nation's rural broadband challenge.

I support universal service. I support the instinct behind today's effort. Because we need more powerful networks that connect us all. We need a plan for broadband for all. And the auction process devised here in this Public Notice represents a lot of hard work by our staff to make sense of the distribution of the Rural Digital Opportunity Fund. They deserve loads of credit for their efforts. But underlying them is a fatal flaw. Because we are rushing billions out the door with a brazen disregard for our legal obligation to do so based on accurate data and that means when it comes to broadband we are going to leave millions behind.

I approve in part and dissent in part.