

Congress of the United States
Washington, DC 20510

March 8, 2021

The Honorable Jessica Rosenworcel
Acting Chairwoman
Federal Communications Commission
45 L Street N.E.
Washington, DC 20554

Dear Acting Chairwoman Rosenworcel:

As we begin the 117th Congress, completing accurate broadband maps remains a top priority in our ongoing efforts to close the digital divide. Almost a year has passed since Congress enacted Senator Wicker's bipartisan Broadband Deployment Accuracy and Technological Availability (DATA) Act.¹ This law reformed the Federal Communications Commission's (FCC) broadband data collection and mapping process to create more accurate and granular broadband availability maps. Congress also provided the FCC with \$98 million to fund this effort.² With so many Americans still lacking high-speed broadband, we are concerned that delays in completing these maps could lead to further delays in distributing critical broadband funds.

You have repeatedly stated that the FCC could quickly produce new broadband maps. On March 10, 2020, you testified before the Senate Appropriations Committee's Subcommittee on Financial Services and General Government (FSGG) that the FCC could "radically improve" its broadband maps "within three-to-six months."³ You repeated that statement the next day, testifying before the House Appropriations Committee's FSGG Subcommittee that the agency could fix its maps in "just a few months."⁴ You can imagine our surprise and disappointment when the FCC recently suggested the new maps would not be ready until 2022.⁵

The United States faces a persistent digital divide. The pandemic has made connectivity more important than ever, yet millions of Americans continue to live without high-speed broadband. Any delay in creating new maps would delay funding opportunities for unserved

¹ Pub. L. No. 116-130 (2020) (codified at 47 U.S.C. 641 et seq).

² Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, H.R. 133, Div. E, Tit. V; Div. N, Tit. V, § 906(1) (Dec. 27, 2020) (Consolidated Appropriations Act of 2021).

³ Review of the FY2021 Budget Request for the FCC: Hearing Before the Subcomm. on Fin. Servs. & Gen. Gov't of the S. Comm. on Appropriations, 116th Cong. (Mar. 10, 2020) (response of Comm'r Rosenworcel to Sen. Lankford)

⁴ FCC Budget Request for FY2021: Hearing Before the Subcomm. on Fin. Servs. & Gen. Gov't of the H. Comm. on Appropriations, 116th Cong. (Mar. 11, 2020) (statement of Comm'r Rosenworcel).

⁵ FCC Open Meeting (Feb. 17, 2021), <https://recapd.com/w-Lxkklp/9d363b57a2879929795e31998de271/>.

households, meaning they will have to wait even longer to access the economic and social opportunities broadband provides. The effect of this delay is especially troubling given your assertion last year that the FCC should reduce funding for the Rural Digital Opportunity Fund Phase I auction until the agency produces new maps.⁶ Such a decision would create additional delays to broadband deployment for millions of Americans.

The delay in developing new maps will affect other federal programs—such as those created in the COVID-19 stimulus⁷—that rely on these maps to ensure the federal government does not overbuild or duplicate other public funding or private investments. Indeed, Congress specifically directed the FCC to share its data with the National Telecommunications and Information Administration (NTIA) as that agency implements its new broadband grant program.⁸ We urge you to provide this information in a timely manner. Any delay could adversely affect NTIA's ability to provide important COVID relief.

Producing accurate broadband maps in an efficient way is critical to ensuring all Americans enjoy the benefits of broadband. Congress must ensure that the FCC gets this right. We therefore ask that your staff provide us with a quarterly briefing on the status of this implementation. Additionally, we ask that you provide the following information no later than March 22, 2021:

1. Detailed information on why your estimated timeline for completing new maps has changed from three-to-six months to at least one year.
2. A detailed timeline for the development of new maps.
3. Any steps you plan to take to expedite the timeline for completing new maps.
4. Detailed information on whether the contracting process required by statute will affect the timeline for completing the first new map. Please also provide the anticipated dates for completing the contracting process and development of the IT platforms for the collected data.
5. A detailed breakdown of how the FCC plans to spend the \$98 million Congress provided for the development of new maps.
6. Detailed information on whether the revised timeline will delay planned subsidy disbursements, including the 5G Fund and the Rural Digital Opportunity Fund Phase II Auction.
7. A detailed plan for how the Commission plans to incorporate its biannual data collections in a timely manner to ensure broadband maps remain up-to-date over time.

⁶ Oversight of the FCC: Hearing Before the S. Comm. on Commerce, Sci & Transp., 116th Cong. (June 24, 2020) (response of Comm'r Rosenworcel to Chairman Wicker).

⁷ *Supra*, Note 2, at Section 905.

⁸ *Id* at 905(d)(2).

8. Detailed information on how the FCC, as required by law, is coordinating with the NTIA and using NTIA's National Broadband Availability Map to inform the Commission's broadband mapping efforts. Please include information on the FCC's actions to coordinate with NTIA on their Broadband Infrastructure Program, and the Tribal Broadband Connectivity Program.

Your assistance is greatly appreciated. If you have any questions, please contact Olivia Trusty of the Senate Committee staff at (202) 224-1251 or Kate O'Connor of the House Committee staff at (202) 225-3641. Thank you for your attention to this important matter.

Sincerely,



Roger F. Wicker
Ranking Member
Committee on Commerce, Science
and Transportation
U.S. Senate



Cathy McMorris Rodgers
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives



John Thune
Ranking Member
Subcommittee on Communications, Media,
and Broadband
U.S. Senate



Robert E. Latta
Ranking Member
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and Technology
U.S. House of Representatives