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November 17, 2021

The Honorable Jessica Rosenworcel
Chairwoman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairwoman Rosenworcel:

I write you concerning the Federal Communications Commission's (FCC) effort to improve the way broadband data is collected and reported. The implications of this endeavor are important to policymakers and the ability for state and local governments to target broadband infrastructure investment to the communities and individuals most at need, especially in my community in western New York state. I write you to ensure that underserved communities in my district are not left out, or the lack of quality internet available to many in my district underrepresented, in the maps that FCC is now developing pursuant to passage of the Broadband Deployment Accuracy and Technological Availability (DATA) Act.

As you know, the recently passed *Infrastructure Investment and Jobs Act* (IIJA) is the largest investment in high-speed broadband access and affordability by Congress in the history of the United States. \$65 billion will be spent to build out the physical and digital broadband infrastructure needed to connect unserved and underserved communities, connect main street and side street neighborhoods to the internet, and make broadband access more affordable to all American families. This historic investment represents a determined effort to close the persistent digital divide that separates millions of American homes from the opportunity that accompanies access to broadband such as virtual education, job listings, work-from-home, and telehealth medicine.

While a view of New York's 26th congressional district via the FCC's current broadband data map shows that at least a quarter of residents have access to at least one provider offering broadband at acceptable speeds of 25/3mbps, I believe these maps are obsolete, incomplete, and fail to show how disparate the digital divide truly is. In many neighborhoods across Buffalo and Niagara Falls, entire census blocks go without access to internet or lack a connection.^[1] The service that exists is of an unacceptable quality – over a quarter of households surveyed in Buffalo had no internet

^[1] National Telecommunications and Information Administration, Indicators of Broadband Need, Erie County, NY
<https://broadbandusa.maps.arcgis.com/apps/webappviewer/index.html?id=ba2dcd585f5e43cba41b7c1ebf2a43d0>

access and for those with access, average download speeds across the city ranged from 17mbps to 8mbps in some neighborhoods, failing to meet the generally accepted definition of broadband.^[2]

Only by accurately capturing the true standard of service facing many urban communities, such as mine in Western New York, will the new broadband DATA maps be considered a success. A realistic and accurate representation of broadband access in the United States will allow state and local governments, as well as community non-profits, schools, and libraries, to access the much-needed funding set aside by the IJA to bring our nation's broadband infrastructure into the 21st century and guarantee quality, affordable internet access to all.

As the FCC continues to work on its methods of collecting and displaying access to broadband, I urge the Commission to consider the impact this endeavor will have on communities like mine – it will have a significant impact on my District's ability to maximize funding made available by the IJA. Thank you for your consideration and I look forward to hearing a progress update from the FCC on this important matter.

Sincerely,



Brian Higgins
Member of Congress

^[2] New broadband map further highlights digital segregation in Buffalo and WNY, WGRZ
<https://www.wgrz.com/article/news/local/ntia-broadband-map-further-highlights-digital-segregation-in-buffalo-and-wny/71-e4e1a653-7506-41e3-b7e5-bf194072c72b>