

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Establishing the Digital Opportunity Data Collection*, WC Docket No. 19-195;
Modernizing the FCC Form 477 Data Program, WC Docket No. 11-10.

The final item for consideration is perhaps one of the most important ones we will consider this year. Some would argue—and I can certainly sympathize with this perspective—that this item should have been front and center on today's agenda and not relegated to the very end of the meeting. No matter where it falls on July's list of items, fixing the Commission's maps, which are woefully inadequate for determining broadband coverage and service, remains a critical priority for the Commission.

Thanks to Congress' successful bipartisan efforts in the Broadband DATA Act, we are finally taking affirmative steps to fix the situation. It never should have come to this. For years, maybe even a decade or more, almost everyone has acknowledged that the Form 477 data was deficient to determine broadband coverage in America. That's because that specific data collection was never meant to be used for this purpose and provided, at best, just a raw snapshot of a provider's coverage. For instance, it served our purpose for establishing model-based support and tracking year-to-year progress in deployment. Unfortunately, when policymakers and even consumers began asking for, and in many cases demanding, more accurate data, we didn't pivot fast enough or with sufficient resolve to meet the real need.

Today, we restart the process of climbing out of the tremendous hole we've dug. Hopefully, we are doing so consistent with Congress' direction, which made a number of corrective changes to the data collection path we set upon just last year, for example, by requiring the establishment of a serviceable location fabric for fixed broadband and precluding the Commission from delegating its mapping responsibilities under the Act to USAC. At the same time, Congress expected the Commission to use the new maps for future decision making and not rush ahead in creating new subsidy programs absent this important data. The law is fairly clear on this point, but in case it wasn't, I've heard directly from a number of Senators on exactly what they expect from the Commission, and I intend to follow their expectations.

In terms of fixing our data deficiencies, I am grateful to the Chairman for accepting some of my requests to improve the item, particularly my requests to adopt more realistic maximum buffers for wireline networks and vastly pare down or seek further comment on the colossally burdensome and highly sensitive infrastructure information being requested from wireless providers, and at the very least, treat this information as presumptively confidential. The revised draft now appropriately reevaluates the need for such sensitive information, and I am grateful that our offices were able to work together to find a suitable landing spot on this issue. This approach is consistent with my longstanding philosophy that reporting requirements should not be unduly burdensome, as I have worked to minimize and eliminate unnecessary reporting across our rules, including in proceedings related to our Disaster Information Reporting System, submarine cable data, rate of return regulation, and Kid Vid rules. In fact, for those with time on their hands, I even wrote an entire blog post several years ago taking stock of the FCC's disproportionate paperwork burdens.

Speaking of my regulatory philosophy, the initially circulated draft was also at odds with my approach to delegation by punting certain major future mapping decisions to Commission staff, or, in other words, leaving those determinations completely up to the Chair and effectively cutting Commissioners out of the process. I thank Chairman Pai for agreeing to adopt my edits to eliminate certain inappropriate delegations and ensure our mapping decisions going forward are transparent and accountable.

In the end, I'm hopeful that we are turning the corner on the Commission's inaccurate mapping problems, and that the products of these efforts will allow us to make better decisions on how best to bring service to those Americans who remain unserved.