

**STATEMENT OF  
COMMISSIONER JESSICA ROSENWORCEL,  
DISSENTING**

Re: *Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, GN Docket 19-285, 2020 Broadband Deployment Report.

This report is baffling.

We are in the middle of a pandemic. So much of modern life has migrated online. As a result, it has become painfully clear there are too many people in the United States who lack access to broadband. In fact, if this crisis has revealed anything, it is the hard truth that the digital divide is very real and very big.

But you'll find no evidence acknowledging that in today's Broadband Progress Report from the Federal Communications Commission. Instead, you'll find a glowing assessment that all is well. According to this rosy report the nation's broadband efforts are all good. They are proceeding in a reasonable and timely fashion and they are reaching all Americans.

This is just not right.

Check the headlines decrying the lack of broadband in this country. Look at Congress constantly pressing for new programs to extend the reach of internet access in the United States. See governors establishing committees and support systems to expand broadband to those who are not connected. Take note of mayors everywhere clamoring for better broadband so their communities have a fair shot at digital age success.

Then look all around us. Because this crisis is exposing what has long been obvious: too many Americans across the country do not have access to broadband.

In this disaster, Parking-Lot Wi-Fi has become a thing. So many people in so many cars sitting in front of shuttered libraries and coffee shops, just to pick up a free wi-fi signal. It is the only way they have to connect.

Schools have shuttered and more than 50 million students have been told to head online for class. But millions of them can't get there because they fall into the Homework Gap and lack internet access at home. It's not just a problem in rural America, it's a challenge in urban America too, where in cities like Detroit more than half of the students live in homes without broadband.

The use of telemedicine has exploded as doctors and patients seek safe ways to deliver and secure care without the risk of viral transmission. But in rural communities this is often not possible. Changes to laws in Iowa, for instance, recently expanded telehealth in the state but also demonstrated that one in five Iowans lack the bandwidth required for video consultations.

Businesses everywhere are trying to hold on in this economy. But if connectivity is limited so are revenue opportunities. With more than seven million small businesses at risk of closing during this crisis, we need to ensure they have every tool at their disposal to reach consumers safely and effectively.

All of this adds up. It means this report ignores the lived experiences of so many people struggling to get access to the broadband in they need right now for work, education, healthcare, and more. On top of this, the agency's methods for concluding that broadband deployment is reasonable are seriously flawed.

For starters, the FCC concludes that there are only 18 million people in the United States without access to broadband. This number wildly understates the extent of the digital divide in this country. That's because if a broadband provider tells the FCC that it can offer service to a single customer in a census block, the agency assumes that service is available throughout. The result is data that

systematically overstates service across the country. Other studies have shown that the true number of people without broadband access is 42 million or even as high as 162 million.

Making matters worse, the FCC relies on information submitted by providers without a system to independently verify the data. Last year, this allowed one company overstate its service coverage by tens of millions of people. This year, one of the country's largest providers found that it too had overstated its coverage in thousands of areas.

So it's no wonder the FCC's broadband data has been the subject of nonstop criticism from consumers and Congress. In fact, just last month Congress passed the Broadband DATA Act directing the FCC to clean up its act and develop data and maps that reflect the true state of broadband access in the United States. But you'll find no evidence of that effort in this report. Instead, the FCC ignores this mandate from Congress and presses forward with data that have repeatedly been shown to be wrong.

The FCC is also using a broadband standard that is too low for a nation that has moved so much of life online. Many households with multiple users are video calling, streaming entertainment, and searching online at the same time. Yet the FCC's report uses a download standard of 25 megabits per second that it adopted more than five years ago. We need to set audacious goals if we want to do big things. With so many of our nation's providers rolling out gigabit service, it's time for the FCC to adjust its baseline upward, too. We need to reset this standard to 100 megabits per second. While we're at it we need to revisit our thinking about upload speeds. At present, our standard is 3 megabits per second. But this asymmetrical approach is dated. We need to recognize that with extraordinary changes in data processing and cloud storage, upload speeds should be rethought.

Last but not least, the FCC fails to meaningfully discuss big issues that contribute to the digital divide. It refuses to consider price and affordability. It barely mentions digital literacy. If the agency is serious about living up to its duty under the law to report on the state of broadband in this country, these omissions render its conclusions suspect.

Crises can reveal a lot. This pandemic has demonstrated conclusively that broadband is no longer nice-to-have. It's need-to-have. What we also need is an honest accounting from the FCC about the state of broadband in this country. Because when we get to the other side of this crisis, we need to rebuild our economy and closing the digital divide is the right place to start. I wish that this report could contribute to that effort. I wish it could provide accurate data to inform our action. I wish it could provide a meaningful template for broadband for all. But it does not. I dissent.