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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

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July 8, 2021

The Honorable Evelyn Remaley
Acting Assistant Secretary of Commerce for Communications and Information
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Acting Assistant Secretary Remaley:

Accurate broadband maps are a critical tool for bridging the digital divide. Without these maps, policymakers cannot identify where broadband is available and where it is not, and at what speeds. Unfortunately, the federal government's broadband maps are woefully inaccurate. Improving these maps has been one of my top priorities. Last year, Congress enacted my bipartisan Broadband DATA Act (P.L. 116-130), which reforms how the Federal Communications Commission (FCC) collects broadband availability data and develops its maps. Although Acting FCC Chairwoman Jessica Rosenworcel previously suggested that the FCC could complete new maps within months,¹ the FCC more recently has indicated it expects to release new maps next year.

Since 2018, the National Telecommunications and Information Administration (NTIA) has received funding from Congress to update its own National Broadband Availability Map in coordination with the FCC. Recently, NTIA released its "Indicators of Broadband Need" interactive map. This map represents a compilation of a variety of datasets depicting the state of broadband access in the United States. Although it is a novel approach to the challenge, I am concerned that this map is as inaccurate as previous federal maps. Indeed, releasing it has only created confusion regarding the state of broadband availability in the United States.

NTIA's map suffers from several major flaws. First, the data used in the map is outdated. The map includes data from the Census Bureau's American Community Survey, which the Census last compiled in 2019—two years ago.² The state of broadband has changed significantly since then.

¹ See, e.g., *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).

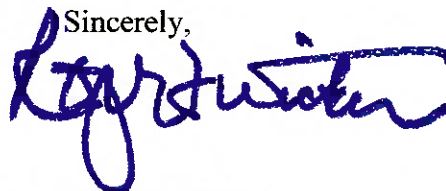
² *About This Map: Indicators of Broadband Need*, NTIA, <https://broadbandusa.maps.arcgis.com/apps/webappviewer/index.html?id=ba2dcd585f5e43cba41b7c1ebf2a43d0> ("The ACS layers shown on the map are based on the collective results of the U.S. Census American Community Survey taken from 2015-2019"); see also *Types of Computers and Internet Subscriptions*, Census Bureau, <https://data.census.gov/cedsci/table?q=broadband&tid=ACSSST1Y2019.S2801> (last accessed June 29, 2021) (showing most recent data, collected in 2019).

Second, the map relies on the FCC's census-block level availability data. This data vastly overstates broadband coverage, and the FCC is actively replacing it with more granular, accurate data.³ Finally, the map uses speed-test and usage data that can be affected by a number of variables, including the end-user's equipment.⁴ As a result, we have a map that overstates coverage in some areas and understates it in others, leaving us with a skewed picture. NTIA recognizes these problems, noting that it "does not warrant the accuracy, adequacy, or completeness of this information and expressly disclaims any liability for any errors or omissions."⁵

Over the past year, Congress has provided NTIA with over \$1.5 billion to expand broadband access to minority communities, Tribal lands, and unserved areas. But NTIA's lack of accurate data threatens the effectiveness of these programs, as well as other broadband programs Congress is currently contemplating as part of an infrastructure bill. This is not the first time NTIA has faced this threat. The same problem plagued NTIA's Broadband Technology Opportunities Program, which faced criticism for the way it provided grants—often subsidizing overbuilds of existing network infrastructure. Indeed, a Government Accountability Office report examining that program found that NTIA "lack[ed] detailed data on the availability of broadband service throughout the country, making it difficult to determine whether a proposed service area is unserved or underserved."⁶ We cannot afford to make this same mistake again.

I urge NTIA to reassess its data collection processes and sources, and use only the most up-to-date and accurate data as it updates its Indicators of Broadband Need map and begins administering its broadband grant programs. I look forward to your response by July 22, 2021.

Thank you for your attention to this important matter.

Sincerely,


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

³ *Establishing the Digital Opportunity Data Collection*, WC Docket Nos. 19-195, 11-10, Report and Order and Second Further Notice of Proposed Rulemaking, 34 FCC Rcd 7505 (2019).

⁴ See, e.g., *Speedtest Frequently Asked Questions*, Ookla, (last accessed June 29, 2021), <https://www.speedtest.net/about/knowledge/faq> (noting that internet speed can be affected by programs running, and equipment like the user's phone, computer, modem, or router); see also ; see also Richard Bennett, *NTIA Map Has Real but Limited Value*, High Tech Forum (June 17, 2021), <https://hightechforum.org/ntia-map-has-real-but-limited-value/> (discussing flaws with data sources used in NTIA's map).

⁵ *Indicators of Broadband Need Frequently Asked Questions*, NTIA (June 2021), <https://broadbandusa.ntia.gov/sites/default/files/2021-06/Indicators%20of%20Broadband%20Need%20-%20FAQs.pdf>.

⁶ U.S. Gov't Accountability Office, GAO 10-823, *Recovery Act: Further Opportunities Exist to Strengthen Oversight of Broadband Stimulus Programs at 2* (2010), <https://www.gao.gov/assets/310/308512.pdf>.