

United States Senate

WASHINGTON, DC 20510

December 21, 2022

The Honorable Jessica Rosenworcel
Chairwoman
Federal Communications Commission
45 L St., NE
Washington, DC 20554

Dear Chairwoman Rosenworcel,

We write today to highlight important next steps in ensuring that the national broadband map being developed by the Federal Communications Commission (FCC) ultimately satisfies the goals of the Broadband DATA Act and provides a reliable depiction of broadband availability across the country.

As an initial matter, we appreciate the efforts of you, your colleagues on the FCC, and the FCC staff in seeking to develop a nationwide Fabric that identifies serviceable locations and in amassing data detailing the level of broadband service available to each of them. We appreciate that this has involved the creation of a new means of capturing and presenting such data, and we are pleased that the public can now view a preliminary version of the map reflecting initial location estimates and initial service coverage reports from providers.

But for all of the work done to date, as you and others have noted on multiple occasions, this is an “iterative” process. We have heard from constituents, state and local governments, and service providers alike of continuing concerns about the accuracy of the map, ranging from persistent issues with missing or incorrect serviceable locations to potentially overstated claims of coverage by providers. To ensure the map can be used for decisions about where to direct tens of billions of dollars for broadband deployment, it is critical that these issues be examined and addressed in a systematic and thorough manner.

Accountability and accuracy must be paramount moving forward. A more granular map will be of little use if there is little confidence in the results and if providers are not accountable for reporting accurately. We encourage you therefore to work with stakeholders of all kinds to make sure that all serviceable locations are in fact represented on the map, such as by making it relatively simple for adjustments to be made to the Fabric. We also recommend that the Fabric be updated more than twice each year and that such updates, especially when adding new locations, also enable the identification of the locations as served or not.

Similarly, we encourage you to make sure that providers are accountable for their reports – not just after the fact if they are found to have overreported coverage, but on the front end even prior to the map being finalized. This is especially important precisely because choices as to how billions of broadband dollars will be spent or not will turn on these claims. We therefore ask, for example, that you not allow a provider to claim coverage at locations where challengers can

demonstrate they have tried to request service and been told the service is unavailable or cannot be delivered within 10 business days. Likewise, if a challenger submits robust testing data or publicly available coverage data indicating that a provider's signals cannot in fact be received at a given location as promised, this should disqualify the provider from claiming to serve that location. In addition, the Commission should ensure that its crowdsourcing process works effectively and promptly in response to parties filing robust testing data regarding performance of services that are available.

We recognize that these steps will require more work now in ensuring all serviceable locations are represented and in sorting through challenges as to the availability of service and to the underlying Fabric data. But these processes must not be short-cut or millions of Americans in need of broadband risk being short-changed.

Thank you again for your work thus far in developing the map and for your attention to this letter. We look forward to continuing to work with you to promote accountability on the part of reporting providers and to ensure that we are working from a map that is both granular and accurate in making responsible decisions about distributing valuable taxpayer resources for broadband deployment.

Sincerely,



Shelley Moore Capito
United States Senator



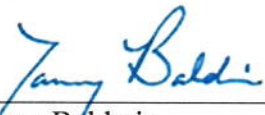
Jacky Rosen
United States Senator



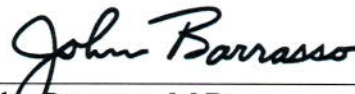
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