



Perspectives from FSF Scholars
December 2, 2022
Vol. 17, No. 61

FCC Broadband Map Paves the Way for BEAD Grants, Better Oversight

by

Andrew Long *

On November 18, 2022, the Federal Communications Commission (FCC or Commission) at long last [released](#) a "pre-production draft" of its new broadband service availability map. Dubbed the [National Broadband Map](#) (Map), its aim is to provide more granular, and therefore more accurate, information than previous efforts regarding the availability of both fixed and mobile broadband offerings. And as Chairwoman Jessica Rosenworcel noted in the [News Release](#), "[b]y painting a more accurate picture of where broadband is and is not, local, state, and federal partners can better work together to ensure that no one is left on the wrong side of the digital divide" – ideally, while minimizing undue waste, fraud, abuse, and duplication.

While the version of the Map released by the Commission is but an initial draft subject to ongoing revisions to improve its accuracy, it nevertheless accomplishes three important tasks. One, it confirms the unprecedented success realized by private investment in deploying broadband rapidly to the vast majority of Americans. Two, it enables the National Telecommunications and Information Administration's (NTIA) \$42.45 billion Broadband Equity, Access, and Deployment (BEAD) Program to proceed. And three, it establishes a common dataset upon which informed interagency coordination, as well as congressional and Biden Administration oversight, can be grounded.

The Free State Foundation
P.O. Box 60680, Potomac, MD 20859
info@freestatefoundation.org
www.freestatefoundation.org

Notably, according to [The Wall Street Journal](#) (subscription required), the Map indicates that, as of June 30, 2022, 98 percent of all U.S. locations had access to broadband. This corroborates the Commission's [determination](#) that 96 percent of Americans had access to fixed terrestrial broadband connections at speeds of at least 25 megabits per second (Mbps) downstream and 3 Mbps upstream at the end of 2019.

Going forward, and assuming it will be further improved through revisions, the Map is intended to serve as the definitive source of information as to which locations are "served" or "underserved" and therefore eligible for subsidies from NTIA's \$42.45 billion BEAD Program. It also should facilitate greater coordination between and across the many federal programs doling out high-speed Internet infrastructure construction subsidies – and thereby prevent waste, fraud, abuse, and redundant "overbuilding" of existing, often privately financed, facilities.

Mandated by Congress in March 2020 through the [Broadband Deployment Accuracy and Technological Availability \(DATA\) Act](#), the Map consists of two components: (1) the [Broadband Serviceable Location Fabric](#) (Fabric), which aims to serve as a comprehensive list of every house, apartment building, business, and other structure to which high-speed Internet service is, or could be, provided, and (2) data submitted by Internet service providers (ISPs) indicating where they currently offer broadband connections.

The FCC has established [challenge processes](#) by which interested parties, including individual members of the public, can dispute the accuracy of both the [Fabric](#) and ISP-reported service availability ([fixed](#) and [mobile](#)). On Halloween, New York's ConnectALL Program announced that it had notified the FCC of 31,798 locations not included in the Fabric. However, [according to CostQuest Associates](#), the company contracted by the Commission to create the Fabric, that number represents roughly only 0.66 percent of all locations in New York.

ConnectALL identified those locations using the [New York State PSC Broadband Map](#), which indicates that 97.4 percent of locations in the state have access to high-speed Internet service at speeds of at least 100 Mbps upstream and 10 Mbps downstream – incidentally, a speed-based definition of "broadband" inconsistent with the FCC's current, and [proposed](#), thresholds. In addition, the Colorado Broadband Office [reportedly](#) submitted roughly 11,000 challenges. Other states, however, [reportedly](#) are unable to submit location challenges using their own broadband service availability maps due to contractual restrictions imposed by the vendors hired to create those maps.

Significantly, the Map defines which areas are "unserved" and "underserved" for purposes of NTIA's BEAD Program. The [Infrastructure Investment and Jobs Act](#), which established the BEAD Program, requires that NTIA reply upon the Map as the definitive source of service availability data. With the release of the Map, NTIA now can move forward. In a [press release dated November 10, 2022](#), noting the impending release of the Map by the FCC, NTIA announced that it "expects to communicate [BEAD] allocation levels to eligible entities by June 30th." NTIA has established January 13, 2023, as the date by which challenges should be submitted if they are to be factored into that decisionmaking process.

Bigger picture, the Map also should facilitate effective interagency coordination and prevent waste, fraud, abuse, and the overbuilding of existing, privately financed broadband infrastructure. As I pointed out in "[Absent Oversight, the Broadband Funding Faucet Likely Will Overflow](#)," a recent *Perspectives from FSF Scholars*:

In the absence of adequate oversight and coordination by the Biden Administration and Congress of the many federal programs charged with doling out these massive subsidies, there is a substantial risk that the money will continue to flow – and the potential for waste, fraud, and abuse, along with duplicative "overbuilding" on top of existing broadband networks, will continue to grow.

It would be difficult to overstate the need for such coordination. In a [June 2022 post to the FSF Blog](#), I highlighted a May 2022 report by the Government Accountability Office entitled "[Broadband: National Strategy Needed to Guide Federal Efforts to Reduce Digital Divide](#)," which identified "at least 133 funding programs that could support increased broadband access" overseen by 15 different agencies.

The promise of the Map is greater accuracy – which, in turn, should impose greater cross-agency discipline on the many federal programs distributing funds for the construction of broadband infrastructure in areas at present unserved. In the past, efforts to determine broadband service availability relied upon FCC Form 477 data, which is reported only on a census-tract basis. As noted above, however, the Map is based upon specific information regarding the offerings available at every serviceable location in the United States.

The version of the Map released on November 18th is only a first draft, which will be improved through the process of further revisions. But it still advances three important objectives. As emphasized above, it confirms the unprecedented success realized by private investment in building out broadband infrastructure rapidly throughout our nation. In addition, it allows NTIA to begin distributing BEAD Program subsidies. And it establishes a common dataset that can serve as the foundation for not only better informed interagency coordination, but also improved congressional and Biden Administration oversight. As the Map is revised in response to the challenge processes established by the FCC, it therefore is critical that greater accuracy – not partisan policy objectives – serve as the lodestar.

* Andrew Long is a Senior Fellow of the Free State Foundation, an independent, nonpartisan free market-oriented think tank located in Rockville, Maryland. The views expressed in this *Perspectives* do not necessarily reflect the views of others on the staff of the Free State Foundation or those affiliated with it.

Further Readings

Seth L. Cooper, "[FCC Broadband Maps Receive a November 2022 Release Date](#)," *FSF Blog* (September 7, 2022).

Seth L. Cooper, "[A Case for Modest Speed Benchmarks in the FCC's Next Broadband Report](#)," *Perspectives from FSF Scholars*, Vol. 17, No. 44 (September 7, 2022).

Seth L. Cooper, "[#FSFConf14 Panelists Offer Perspectives on Broadband Mapping](#)," *FSF Blog* (June 22, 2022).

Andrew Long, "[GAO Protest Resolved: FCC Sets Due Date for Broadband Map Data](#)," *FSF Blog* (March 17, 2022).

Andrew Long, "[Overlapping Broadband Appropriations Demand Agency Coordination: New FCC Maps Can Track Grants, Avert Waste](#)," *Perspectives from FSF Scholars*, Vol. 17, No. 12 (March 2, 2022).

Andrew Long, "[Waiting for Updated FCC Broadband Maps](#)," *FSF Blog* (February 7, 2022).

Randolph J. May and Andrew Long, "[Congress Should Fund Needed Broadband Maps This Session](#)," *Perspectives from FSF Scholars*, Vol. 15, No. 62 (November 30, 2020).