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**Carr Commission Answers in the Affirmative Congress's Question
Concerning the Pace of Broadband Deployment**

by

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On August 14, the Federal Communications Commission (FCC) once again [reported](#) on "the availability of advanced telecommunications capability to all Americans" – a narrowly tailored annual inquiry assigned to the agency by Congress in 1996. In a welcome return to the specific congressionally-mandated task at hand, it reached the obvious conclusion that "advanced telecommunications capability *is* being deployed to all Americans in a reasonable and timely fashion" (emphasis added). In his [Separate Statement](#), FCC Chairman Brendan Carr emphasized that "[b]y returning to that straightforward directive, we are able to better evaluate whether new deployments across a range of technologies are delivering meaningful results for Americans."

I, and my fellow Free State Foundation scholars, could not have said it better. But as the report's numerous citations to the [comments](#) that FSF President Randolph May and I filed in this proceeding attest, we did make similar points. (And as the *Further Readings* section below demonstrates, by no means for the first time.)

Under the leadership of then-Chairwoman Jessica Rosenworcel, the Biden Administration FCC set off on a dangerously misguided detour away from the relevant statutory text, in the process

conflating "availability" with policy predilections – regarding affordability, adoption, and equitable access, among others – that are well outside Section 706 of the Communications Act's intended scope. Thereby far off course, it was able to suggest that, despite abundant record evidence to the contrary, the pace of broadband deployment somehow was not "reasonable and timely."

Thankfully, the current Commission has righted the ship. Emphasizing that the actual question posed – in the present progressive tense – is whether broadband "is being deployed," it returned the focus to the incremental availability of broadband to all Americans. In doing so, it reached the inevitable conclusion that, yes, broadband is available to more locations, via more providers, using more distribution technologies, than at the time of the previous report.

Some highlights:

- From June 2024 to June 2025, the number of Americans with access to "broadband" – defined as providing at least 100 Megabits per second (Mbps) downstream and 20 Mbps upstream (100/20 Mbps) – via fixed wireline service (that is, delivered over copper wire, cable, or fiber) increased by nearly 3 million to just shy of 323 million, representing 93.9 percent of all Americans.
- In addition, competition is expanding: the number of households with two fixed wireline options grew by 2.6 percent, from 41.7 percent to 44.3 percent, between June 2024 and June 2025. The percentage of households with three or more fixed wireline options increased by 2.4 percent, from 7.0 percent to 9.4 percent, during the same period.
- Factoring in fixed wireless, which includes 5G fixed wireless access (FWA), increases that June 2025 total by more than 10 million, up more than 3 million from June 2024, for a total of 96.9 percent of all Americans.
- Including low-Earth orbit (LEO) satellite service adds over 10 million more locations to the list – meaning that broadband is available to virtually all locations: 99.7 percent.
- Relatively faster deployment rates in rural areas than in urban areas, meanwhile, reveal that the digital divide is shrinking: the availability of fixed terrestrial service grew by 4 percent in rural areas versus 0.1 percent in urban areas. Incorporating ubiquitous LEO satellite service into the equation, meanwhile, renders the digital divide essentially nonexistent.
- The number of Americans with access to 5G mobile broadband, defined as providing at least 35/3 Mbps, grew by more than 3 million, to 95.2 percent of all Americans, between June 2024 and June 2025.

Notably, the findings set forth in the 2026 edition of the Section 706 report align with other positions advocated by Free State Foundation scholars, in this proceeding and elsewhere.

One such area of agreement: the increasing convergence of fixed and mobile offerings and its impact on product market definitions. Over time, FSF scholars have made the case, with growing urgency, that fixed and mobile offerings compete for customers in a single broadband marketplace. For example, in the context of the Commission's pending communications

marketplace proceeding, Mr. May and I argued that the "next ... report should not repeat the familiar refrain that fixed and mobile broadband services ['are either complementary or independent of each other.'](#)"

While the Commission, in the 2026 Section 706 report, stopped short of declaring fixed and mobile offerings to be full substitutes, it did acknowledge that "technology silos continue to merge as technologies [become] more advanced" and emphasized that "[o]ur conclusion ... does not necessarily mean that we consider access to both types of broadband services to be necessary for a location (or person) to have access to advanced telecommunications capability, as the Commission concluded in the *2024 Report*."

Another instance of agreement, regarding which the report cited our filing: the need to "abolish without replacement" the Biden FCC's aspirational 1,000/500 Mbps goal. As we noted in our comments, broadband speed benchmarks "should be drawn based upon a real-world evaluation of actual typical use by consumers in the marketplace."

Relatedly, we argued in a [Perspectives from FSF Scholars](#) back in August 2023 that:

For purposes of Section 706, how much bandwidth is needed for a connection to be deemed 'advanced telecommunications capability'? The FCC should develop an evidence-based response to this question by soliciting from the interested public detailed and highly specific factual information regarding current and near-future real-world usage.

Finally, we applaud the report's appropriate – and surprisingly unprecedented – consideration of the impact of the \$42.45 billion Broadband Equity, Access, and Deployment (BEAD) Program on its inquiry. As we wrote in our comments, "[t]he BEAD Program's raison d'être is to subsidize broadband deployment to *all* of the relatively few, prohibitively high cost, locations as yet unserved despite over \$2.2 trillion in private investment as of 2023" (emphasis added). Yet inexplicably, prior reports failed to fold this imminent infusion of taxpayer dollars into their analyses.

The 2026 report touches upon this shortcoming, pointing out that the Broadband Funding Map, about which I wrote in a [May 2023 Perspectives](#), "does not yet include all of the funding commitments made as part of" the BEAD Program. In doing so, however, it raises another issue about which I have written on numerous occasions, most recently in [January 2025](#): the importance of interagency coordination regarding potentially overlapping broadband subsidy programs and the specter of waste, fraud, and abuse.

All in all, the Commission's newly-released Section 706 report – as a matter of law and policy, and consistent with Free State Foundation scholars' long-time advocacy – is a vast improvement over Biden-era reports.

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Further Readings

[Comments of the Free State Foundation](#), *In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, GN Docket No. 25-223 (September 8, 2025).

Andrew Long, "[The Failure's in the Footnote: Agencies Must Improve Broadband Expenditure Coordination Efforts](#)," *Perspectives from FSF Scholars*, Vol. 20, No. 4 (January 22, 2025).

[Reply Comments of the Free State Foundation](#), *In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, GN Docket No. 24-214 (November 6, 2024).

[Comments of the Free State Foundation](#), *In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, GN Docket No. 24-214 (October 7, 2024).

Seth L. Cooper, "[FCC Opens New Inquiry into the State of Broadband Deployment](#)," *FSF Blog* (September 10, 2024).

Andrew Long, "[Two Wrongs Don't Make a Right: NTIA's Endorsement Can't Save the FCC's Flawed Read of Section 706](#)," *Perspectives from FSF Scholars*, Vol. 19, No. 2 (January 19, 2024).

[Comments of the Free State Foundation](#), *In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion*, GN Docket No. 22-270 (December 1, 2023).

Seth L. Cooper, "[Pitfalls of FCC's Proposal to Sharply Raise Broadband Benchmark Speed](#)," *FSF Blog* (November 8, 2023).

Randolph J. May and Andrew Long, "[The FCC Should Define 'Broadband' Based on Actual Consumer Usage](#)," *Perspectives from FSF Scholars*, Vol. 18, No. 35 (August 24, 2023).

Andrew Long, "[Wasteful Duplication by Design: A Case Study on Overlapping Federal Broadband Subsidies](#)," *Perspectives from FSF Scholars*, Vol. 18, No. 19 (May 8, 2023).