

FCC Investigating the Accuracy of the National Broadband Map

By Ross Stone

Individuals living in rural areas have long struggled to obtain sufficient internet access. Approximately 20% of rural Americans lacked broadband to conveniently enjoy services such as Netflix, Zoom, and telehealth in 2020.¹ In order to access the internet, these individuals often have to travel to the nearest town to continue their everyday activities. As more jobs and schools are rapidly relying on internet access in post-COVID America, the concern of broadband availability only continues to grow.

To address this growing concern, Congress adopted the Broadband Equity, Access and Deployment Program (BEAD) to “make high-speed internet affordable and available everywhere in America.”² BEAD distributes \$42.5 billion in federal funds across each U.S. state and territory, appropriated on the quantity of locations lacking adequate broadband.³ To help identify the areas that need improved broadband quality, the FCC created a national broadband map, which states had the opportunity to challenge by January 13, 2023, to receive more BEAD funding.⁴ The state of Virginia, for instance, claimed the broadband map overestimated that two million Virginia addresses receive reliable internet access.⁵ Similarly, Kansas’ Office of Broadband Development asserted that the broadband map misrepresented nearly 10% of Kansas’ population.⁶ Nevada has also identified 20,000 addresses that broadband maps mistakenly presented as having reliable internet.⁷

As a result of the many challenges brought by state and local officials across the country, the FCC is now investigating if broadband providers are exaggerating their level of coverage.⁸ While the FCC has declined to disclose which broadband providers it is investigating, state and local officials have been critical of particular providers.⁹ Peggy Schaffer, who has experience with Maine’s broadband program, claimed that “T-Mobile has been very aggressive” since the company claims to serve 45 million of the 114 million addresses that were identified as lacking sufficient internet access by the FCC’s national broadband map after the passage of BEAD.¹⁰ Verizon claims it serves nearly 19 million of those addresses.¹¹ These bold estimates from

¹ Katie Peikes, *Broadband Map Holds the Key to How Much Federal Funding States Will Get to Expand Internet Service*, INDIANA PUBLIC MEDIA (Jan. 19, 2023), <https://indianapublicmedia.org/earthshots/broadband-map-holds-the-key-to-how-much-federal-funding-states-will-get-to-expand-internet-service.php>.

² Todd Shields & Scott Moritz, *Verizon, T-Mobile Overstate Claims with \$43 Billion at Stake*, BLOOMBERG LAW (Feb. 9, 2023, 10:11 AM), <https://www.bloomberglaw.com/product/blaw/bloomberglawnews>.

³ Peikes, *supra* note 1.

⁴ *Id.*

⁵ Cianna Morales, *Virginia Says Broadband Coverage Map Is Unrealistic*, GOVERNING (Feb. 9, 2023), <https://www.governing.com/community/virginia-says-broadband-coverage-map-is-unrealistic>.

⁶ Peikes, *supra* note 1.

⁷ Shields & Moritz, *supra* note 2.

⁸ *Id.*

⁹ Michaela Ross, *Hill Tech & Cyber Briefing: FCC Investigating Internet Providers*, BLOOMBERG LAW (Feb. 17, 2023, 6:37 AM), <https://www.bloomberglaw.com/product/blaw/bloomberglawnews>.

¹⁰ Shields & Moritz, *supra* note 2.

¹¹ *Id.*

broadband providers complicate identifying the rural locations in need of sufficient internet as they prevent potential competitors from providing long-awaited service.¹² With hope, the FCC will conduct a successful investigation which results in the continuation of BEAD's policy initiative.

¹² *Id.*