United States Senate

WASHINGTON, DC 20510-3203

March 4, 2021

The Honorable Tom Vilsack
Secretary
Uc 1400 Independence Avenue, SW
Washington, DC 20250

The Honorable Gina Raimondo
Secretary
United States Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230

The Honorable Jessica Rosenworcel
Acting Chairwoman
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

The Honorable Brian Deese
Director
National Economic Council
1650 Pennsylvania Ave, NW
Washington, DC 20500

Dear Secretary Vilsack, Secretary Raimondo, Commissioner Rosenworcel, and Director Deese:

We welcome the Biden Administration's commitment to deploying affordable, high-speed broadband across the country to help bridge America's digital divide and remedy persistent digital inequities. As you pursue this important goal, we strongly urge you to update federal broadband program speed requirements to reflect current and anticipated 21st century uses and align the definition of what constitutes high-speed broadband service across federal agencies.

Going forward, we should make every effort to spend limited federal dollars on broadband networks capable of providing sufficient download and upload speeds and quality, including low latency, high reliability, and low network jitter, for modern and emerging uses, like two-way videoconferencing, telehealth, remote learning, health IoT, and smart grid applications. Our goal for new deployment should be symmetrical speeds of 100 megabits per second (Mbps), allowing for limited variation when dictated by geography, topography, or unreasonable cost. While we recognize that in truly hard-to-reach areas, we need to be flexible in order to reach unserved Americans, we should strive to ensure that all members of a typical family can use these applications simultaneously. There is no reason federal funding to rural areas should not support the type of speeds used by households in typical well-served urban and suburban areas (e.g., according to speedtest.net's January 2021 analysis, average service is currently 180 Mbps download / 65 Mbps upload with 24 milli-sec latency[1]).

Broadband is increasingly critical to every aspect of our society and economy. During the COVID-19 pandemic, Americans have relied on high-speed broadband more than ever. It has allowed millions of Americans to continue working to support themselves and their families.

[1] https://www.speedtest.net/global-index/united-states#fixed

Broadband has helped millions of students maintain their education and provided patients access to vital care through telemedicine services. It has also given family and friends a way to connect in this difficult time while supporting social distancing. All of these vital economic, social, and healthcare-related functions are only possible with access to adequate broadband, the demands for which only continue to increase. Over the next five years, if current trends hold, data needs are expected to increase annually by at least 25% per year, according to the International Data Corporation.[2] The goal of universal service requires that all Americans have affordable broadband with the technical capacity to meet those needs equitably.

The pandemic has reinforced the importance of high-speed broadband and underscored the cost of the persistent digital divide in our country. According to the Federal Communications Commission (FCC), roughly 14.5 million Americans still lack access to broadband, and other studies estimate this number could be as high as 162 million.[3][4] Unfortunately, the FCC data continually overestimates broadband connectivity due to outdated mapping and poor data collection methods. We now have multiple definitions across federal agencies for what constitutes an area as served with broadband, resulting in a patchwork without one consistent standard for broadband. For example, the FCC defines high-speed broadband as download speeds of up to 25 megabits per second and upload speeds of up to 3 megabits per second (25/3 Mbps). Alternatively, the U.S. Department of Agriculture (USDA) defines it as just 10/1 Mbps. While it is important to update standards for federally funded projects, we also recognize that there are many Americans who lack access to even minimal service. If we do not prioritize unserved Americans before upgrading to higher speeds, then we will only increase the digital divide further.

Ask any senior who connects with their physician via telemedicine, any farmer hoping to unlock the benefits of precision agriculture, any student who receives livestreamed instruction, or any family where both parents telework and multiple children are remote learning, and they will tell you that many networks fail to come close to "high-speed" in the year 2021. For any of these functions, upload speeds far greater than 3 Mbps are particularly critical. These challenges will not end with the pandemic. In the years ahead, emerging technologies such as cloud computing, artificial intelligence, health IoT, smart grid, 5G, virtual and augmented reality, and tactile telemedicine, will all require broadband networks capable of delivering much faster speeds, lower latency, and higher reliability than those now codified by various federal agencies.

We must learn from our experience during the pandemic and raise federal standards for new broadband service to require low latency, high reliability, and speeds that meet our expected 21st century needs. We should also insist that new networks supported with federal funds meet this higher standard, with limited exceptions for truly hard-to-reach locations. For years, we have seen billions in taxpayer dollars subsidize network deployments that are outdated as soon as they are complete, lacking in capacity and failing to replace inadequate broadband infrastructure.

We need a new approach. We urge you to work together to establish one consistent, modern baseline definition of high-speed broadband service and underlying infrastructure specifications

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[2] https://www.idc.com/getdoc.jsp?containerId=prUS46286020
[3] https://docs.fcc.gov/public/attachments/FCC-21-18A1.pdf
[4] https://news.microsoft.com/rural-broadband

across the federal government and a coordinated approach to deploy funding efficiently where it is most needed. This would also reduce redundancy and make it easier for state, local, and private partners applying for support, while complementing provisions in the end of year relief COVID-19 relief bill directing the National Telecommunications Information Agency to work with federal agencies to streamline existing broadband programs.

The United States has long taken pride in our position at the vanguard of technological innovation and global competitiveness. If we want to maintain that leadership in the 21st century and ensure every American has access to economic opportunity regardless of where they live, we need to make sure that federal standards and strategies for essential technology services like broadband reflect our true needs today and future demands for connectivity.

Sincerely,

Michael F. Bennet
United States Senator

Angus S. King, Jr.
United States Senator

Rob Portman
United States Senator

Joe Manchin III
United States Senator