

**Statement of
Chairman Edward J. Markey (D-MA)
House Subcommittee on
Telecommunications and the Internet
House Floor Consideration of
S. 1492, companion to the
“Broadband Census of America Act of 2007 (HR 3919)
September 29, 2008**

Madam Speaker, I rise to in support of S. 1492, “the Broadband Data Improvement Act.” This is companion legislation to HR 3919, the “Broadband Census of America Act of 2007,” which passed the House unanimously last November.

Madam Speaker, an overarching telecommunications policy goal for the United States is achieving ubiquitously available, competitive, high speed, affordable broadband service for all Americans. Such broadband service capability is indispensable to various aspects of the United States economy, including public safety, education, entrepreneurial investment, innovation, job creation, health care delivery and energy efficiency.

The ability of the United States to promote and achieve a competitive, high speed broadband infrastructure will also be a key factor in determining our nation’s success in the fiercely competitive global economy. International competitors to the United States are achieving progress in broadband deployment and adoption. Many countries have broadband service capability superior to the United States in terms of choice, speed, and price.

For the United States, offering broadband service capability at ever higher transmission speeds could spur new growth and investment in cutting-edge applications, services, and technologies that utilize higher bandwidth functionality.

The Senate bill contains several provisions which directly stem from HR 3919, including the international comparison and the consumer survey. While I wish the Senate bill contained the more rigorous data collection and disclosure that was contained in the House-passed bill, I believe the Senate bill makes sorely-needed progress in bolstering the data collection needed for policymakers to have a better sense of America’s progress, or lack thereof, in broadband deployment, speed, and affordability.

Without question, ascertaining whether the nation is achieving its broadband policy goals has been stymied by a significant lack of data about the nature and extent of broadband service deployment and adoption throughout the country. The Government Accountability Office (GAO), in a May 2006 report, assessed the available data about broadband deployment and concluded that while such deployment is present in some form across the nation, it remains difficult to decipher which geographic areas are unserved or underserved. Also difficult to determine is the type of service, the speed, and the price of broadband service capability available in discrete urban, suburban, and rural areas of the country,

More and better data about the nature and extent of broadband deployment and adoption is clearly needed and this legislation is a first step in getting the better data policymakers need. Indeed, the dearth of basic information available to the public and policymakers concerning availability, speed, price, and type of broadband service technology is highly problematic for a nation which ostensibly has competitive, affordable broadband service for every citizen as its highest telecommunications policy goal.

The fact that such information has not been obtained and is not readily available adversely affects the ability of policymakers to make sound decisions. For instance, the Federal government could achieve significantly better performance from its multibillion dollar grant and subsidy programs, and effectively reform them, if better and more comprehensive data were readily available. Discerning which parts of the country are served by broadband service capability and which parts are un-served has proven elusive to policymakers.

This goal of this legislative effort from the start was the creation of a nationwide map of broadband data. I believe the Secretary of Commerce should create a website through the National Telecommunications and Information Administration (NTIA) depicting broadband inventory maps of all the States as outlined in the House-passed bill. The House-passed bill provides a roadmap for the ideal type of searchable map and the mechanisms by which the NTIA could achieve this objective. NTIA has authority today to pursue this worthwhile endeavor and the Bush Administration should have sought to implement this idea long ago, using information readily available from public sources, from the States, from the FCC, or from industry participants or organizations themselves. At a minimum, and as a first step, the pending legislation would require that the Secretary of Commerce should create a website to depict such nationwide data by including those maps created by grant recipients where appropriate. Ideally, grant recipients for State-wide efforts will be found in all the States and much of the rudimentary data to begin creating a truly robust national map can be developed at the state level and simply uploaded or linked to the website map or maps that NTIA creates.

In addition, a concomitant goal of this legislative effort from the beginning was to improve the quantity and quality of broadband data collected by and available to the Federal Communications Commission. When we began this effort, the FCC's available data was woefully inadequate with respect to broadband deployment, availability, speed, price and other metrics. Worse, the data collected was in a form that often misrepresented the reality of broadband deployment in the country. The FCC took action this year to improve the data it collects but it did not go far enough in my opinion. This legislation also does not go far enough and certainly is not as thorough and complete with respect to the collection and reporting of data as the House-passed bill. Yet it does represent additional progress. Obviously nothing in this bill is designed or should be construed to in any way limit the ability of the FCC to collect better and more accurate data, or to utilize such data internally, or to publicly report such data in a way that is

conducive to wise policymaking or otherwise consistent with its precedents for making non-proprietary data public.

Again, this bill represents an important step in developing an overarching blueprint for broadband policy in the United States. As such, it is worthy of passage. Enacting this bill will also avail lawmakers of the opportunity to jump right into developing broader legislation early next year. By not having to re-pass this measure all over again, we will be able to more immediately pursue additional concrete broadband policy proposals legislatively, including those to promote greater broadband and voice competition, to rekindle the prospects for broadband innovation, affordability, and consumer choice, and to ensure that architectural openness and consumer privacy are hallmarks of our nation's broadband policy.

The legislation also includes language on Internet child safety. This is language that is similar to provisions spearheaded by our House colleague Representative Melissa Bean (D-IL) and we are pleased that her multi-year efforts have resulted in the inclusion of this language in the bill.

I again want to thank Mr. Barton, Chairman Dingell, Mr. Stearns, Mr. Upton for their cooperation in working on this bill. I again want to commend Senator Inouye and his staff, Jessica Rosenworcel, Margaret Cummisky, and Alex Hoehn-Saric, and the staff for the House Republican side, Neil Fried, David Cavicke, and Courtney Reinhard, and on the Democratic side I want to salute the excellent work of Amy Levine, Tim Powderly, Mark Seifert and David Vogel. I urge members of the House to support the bill.

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