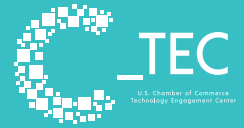


# 3 UP/3 DOWN:



## WHAT POLICYMAKERS SHOULD AND SHOULDN'T DO TO CONNECT ALL AMERICANS

America's broadband networks led the world during the height of the COVID-19 pandemic. While networks in Europe asked websites to slow traffic to keep pace to prevent network overload, America's private-sector driven digital infrastructure met the task of keeping Americans connected. Unfortunately, according to the FCC, nearly 14.5 million Americans lack access to adequate high-speed broadband access. Policymakers in Congress, the federal government, and states should work to bridge the Digital Divide in a way that provides maximum coverage, affordability, and quality. Only a private-sector led connected economy can enable all three.

### 3 UP: SOLUTIONS POLICYMAKERS SHOULD ADOPT TO CONNECT ALL AMERICANS



- **Invest in Unserved Areas.** Congress and States should take the appropriate step of funding the build out of connected networks in areas of the country that truly lack access to high-speed broadband, defined as 25 Mbps/3Mbps. Due to geographic and cost barriers it is necessary for public-private partnerships to deploy broadband where access is nonexistent. Congress must base funding on mapping conducted by the Federal Communications Commission under the Broadband DATA Act.



- **Improve Permitting:** Many state and local permit offices are experiencing bottlenecks in permitting communications projects due to the pandemic. State and local governments should use American Rescue Plan funding to bolster staff and resources in permitting offices. Additionally, states should employ shot clocks that deem approval for broadband projects granted in appropriate circumstances.



- **Increase Adoption:** The COVID-19 pandemic highlighted that broadband is essential in order to connect students virtually, search for jobs online, and start a business. Steps have been taken to address the urgent pandemic affordability needs like the FCC's Emergency Broadband Benefit. The current long-term model for providing assistance to lower income Americans is outdated and Congress should reform its current Lifeline program in order to provide a more sustainable support. States should deploy funding for digital literacy programs to prepare future workers and connect Americans to essential services.

## 3 DOWN: WHAT IDEAS POLICYMAKERS SHOULD AVOID



▸ **Moving the Digital Goalposts:** Policymakers should focus on connecting the unserved and not technology mandates. There are calls to require symmetric speed standards at a level outpacing the FCC’s definition of broadband in determining where funding should be deployed. Such an approach would deem nearly 58% of the nation as unserved by adequate broadband.<sup>1</sup> This hurts communities, particularly rural ones, that already completely lack access to broadband because dollars for connectivity will be diverted to areas of the country in which there already is access at the current 25 Mbps/3Mbps standard and not fully from those that lack access outright.



▸ **Government Owned Networks:** Policymakers should avoid establishing government owned networks (“GONS”), particularly in areas of the country that already have service. Governments can endlessly tax their residents to pay for broadband networks– even if the network is likely to fail. That means that taxpayers ultimately pay the costs of failure and taxpayers that choose to subscribe to a private provider in such circumstances end up paying twice. 70 percent of Americans agree that private-sector companies are the best to provide the fastest and most technologically advanced broadband networks.



▸ **Rate and Public-Utility Regulation:** From 2015 to 2017, the FCC experimented with regulating broadband like a public utility and for the first time in history, outside of a recession, private-sector investment declined in broadband infrastructure.<sup>2</sup> A smart and light-touch, 21st century approach to regulating the internet is crucial to bridging the digital divide because treating broadband like a public utility will discourage investment, particularly in areas where costs are high to deploy. While some in government say that those without a profit motive are better suited to build networks, the evidence is clear that the private sector provides the best quality in terms of connectivity which benefits all.

One aspect of a public-utility approach policymakers should particularly avoid is rate regulation. According to polling, 76 percent of Americans believe that consumers will be harmed by rate regulation.

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1. Scott Wallsten, You’ve Been Served: Defining Broadband as 100/100 is not 100, Technology Policy Institute (Mar. 29, 2021), <https://techpolicyinstitute.org/2021/03/29/youve-been-served/>.

2. Mark Jamison, Title II’s real-world impact on broadband investment, American Enterprise Institute (Sept. 1, 2015), <https://www.aei.org/technology-and-innovation/telecommunications/title-iis-real-world-impact-broadband-investment/>

