Congress of the United States
Washington, DC 20510

December 16, 2025

The Honorable Arielle Roth
Assistant Secretary of Commerce for Communications and Information
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, D.C. 20230

Dear Administrator Roth:

On behalf of Nebraska communities that continue to lack reliable, high-speed broadband access, we write to urge NTIA to allow states to retain BEAD Program funds that are not already committed to broadband deployment in priority unserved or underserved areas in compliance with the Bipartisan Infrastructure Law (BIL).

The BIL authorizes the BEAD Program to fund broadband expansion across unserved and underserved areas, with a required prioritization of deployment to those areas and, as needed, connection of eligible community anchor institutions. The statutory allocation framework assumes that funds are first applied toward deployment, and only after those priorities are satisfied do remaining resources become available for alternative "non-deployment" uses.

Given this structure and the express purpose of BEAD as a historic investment to close the digital divide, we request clarification of how NTIA intends to ensure that non-deployment funds are appropriately retained by states to expand connectivity across the nation.

In this context, we urge NTIA to clarify that precision agriculture connectivity constitutes an eligible use of remaining BEAD non-deployment funds. The BIL defines eligible locations and permissible activities in ways that encompass broadband needed for agricultural operations on farmland and ranchland. The statute directs funding toward areas lacking service with connections that are capable of supporting "real-time, interactive applications" and "enhancing economic growth" (47 U.S.C. § 1702).

Precision agriculture operations – including field-level sensors, automated equipment guidance, telemetry, livestock monitoring, and real-time remote management – clearly fall within these parameters. They require reliable high-speed connectivity across the last acre, directly leveraging last mile deployment connections.

This approach aligns closely with the objectives reflected in the LAST ACRE Act (S.1617; H.R. 3212), as introduced by Senator Fischer and inspired by Nebraska's own Precision Agriculture Infrastructure Grant Program. The federal legislation has received bipartisan, bicameral support in Congress, seeking to ensure that agricultural producers have robust connectivity not just at the farmstead, but across the acreage where modern, data-driven operations occur.

While this legislation is separate from the BIL, its underlying rationale is wholly consistent with BEAD's statutory purpose: to ensure that broadband infrastructure fosters economic competitiveness, technological adoption, and resilience, particularly in hard-to-reach rural economies.

For these reasons, we respectfully request that NTIA:

1. Clarify whether states may direct unobligated BEAD funds toward connectivity that enables precision agriculture applications, including deployment extensions beyond residential structures to operational acreage;
2. Affirm that precision-ag connectivity falls within BIL-authorized BEAD activities supporting broadband adoption and economic development;
3. Provide guidance for states on documenting and approving such uses, especially in areas where household-level broadband availability maps do not capture agricultural operational needs, and including where the challenge process in the LAST ACRE Act may provide a viable tool; and
4. Outline the process by which any remaining BEAD funds should be applied, consistent with BIL statutory requirements and congressional intent.

Ensuring that BEAD funds reach the agricultural landscapes will strengthen rural economies, promote technological efficiency, and uphold the BIL's directive to close the digital divide in ways that support American productivity and competitiveness.

Thank you for your attention to this matter and for NTIA's continued role in implementing this historic national investment in broadband.

Sincerely,

Deb Fischer
United States Senator

Pete Ricketts
United States Senator

Adrian Smith
Member of Congress

Mike Flood
Member of Congress

Don Bacon
Member of Congress