United States Senate

WASHINGTON, DC 20510

March 5, 2026

The Honorable Howard Lutnick
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

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, N.W.
Washington, D.C. 20230

Dear Secretary Lutnick and Assistant Secretary Roth:

We write to urge the Department of Commerce and the National Telecommunications and Information Administration to make remaining funds allocated to states under the Broadband Equity, Access, and Deployment (BEAD) Program available for additional rounds of broadband deployment.

While we laud the Department's and NTIA's efforts to achieve the "Benefit of the Bargain" for the taxpayer in implementing BEAD, we are concerned that, if the cost savings secured in the restructuring are not reserved for the primary statutory purpose of the BEAD Program – deploying broadband to unserved[1] and underserved[2] Americans – then millions of Americans, particularly in rural locations, will continue to lack reliable internet connectivity.

Due to the sequencing of mapping requirements between the Federal Communications Commission's National Broadband Map, and the timeline of BEAD Program implementation that NTIA was obligated to follow under the Bipartisan Infrastructure Law, a significant number of eligible unserved and underserved broadband-serviceable locations (BSLs) remain unfunded under current proposals. States should be allowed to use remaining BEAD funds under the new program rules to address this gap.

A recent study[3] published by the Advanced Communications Law and Policy Institute of New York Law School highlights the consequences of this mapping disparity. The study estimates that, after BEAD awards are disbursed in accordance with final BEAD plans approved by NTIA, more than 1.1 million unserved or underserved BSLs will remain unfunded.

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[1] An "unserved" location is defined in 47 U.S.C. § 1702(a)(1)(A) as a broadband-serviceable location (BSL) without reliable access to download speeds of 25 megabits per second (Mbps) and upload speeds of 3 Mbps.
[2] An "underserved" location is defined in 47 U.S.C. § 1702(a)(1)(C) as a broadband-serviceable location (BSL) without reliable access to download speeds of 100 Mbps and upload speeds of 20 Mbps.
[3] Broadband Expanded, "Updated Analysis Estimates 1.1 Million Locations Could Remain Without 100/20 Mbps Terrestrial Service after BEAD," February 2026, accessed February 18, 2026, https://broadbandexpanded.com/posts/unservedafterbeadfeb2026.

As the Department and NTIA evaluate the best uses for remaining amounts of BEAD allocations, we urge you to make additional rounds of broadband deployment to connect unserved and underserved Americans an eligible use of these remaining amounts. This is the fundamental purpose of the BEAD Program.

We also urge the Department and NTIA to work with the Federal Communications Commission and other federal agencies with jurisdiction over federal broadband programs to iteratively refresh their data regarding remaining unserved and underserved locations, after accounting for locations funded by all federal broadband programs, to support additional rounds of broadband deployment.

In order to achieve the "Benefit of the Bargain" for the taxpayer, it is critically important that federal funds allocated to states under the BEAD Program are made available to states to effect the baseline goal of BEAD: connecting all unserved and underserved Americans. We strongly urge the Department and NTIA to make remaining amounts of BEAD allocations available to states for additional rounds of broadband deployment.

Thank you for your consideration and your attention to these important matters, and we look forward to your reply.

Sincerely,

Jerry Moran
United States Senator

Susan M. Collins
United States Senator

Deb Fischer
United States Senator