

June 25, 2025

The Honorable Howard Lutnick
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, D.C. 20230

Dear Secretary Lutnick:

We write to express our opposition to the Department of Commerce's recently announced BEAD Restructuring Policy Notice. The Broadband Equity, Access, and Deployment (BEAD) program was established by Congress in the Bipartisan Infrastructure Law to provide high-quality, affordable, and sustainable broadband to connect the nearly 25 million Americans that continue to wait for high-speed internet access. We urge you to ensure that states receive the full funding and flexibility they retained prior to the issuance of the restructuring notice to fully meet these statutory objectives.

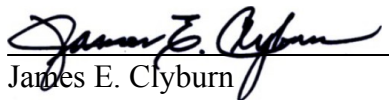
The broadband division of the Bipartisan Infrastructure Law begins with this congressional finding: "Access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States." This fundamental reality is why the BEAD program was established to fulfill the subsequent finding that "the benefits of broadband should be broadly enjoyed by all." To achieve this goal, the statute states that funding recipients must "ensure coverage of broadband service to all unserved locations" before using any funds for other purposes. The restructuring notice appears to violate this requirement by allowing applicants to exclude certain unserved locations. Such an allowance would defy bipartisan congressional intent, which was predicated on the understanding that public investment was needed to achieve universal service precisely because building the infrastructure to cover many rural areas was too costly to be profitable.

In addition to excluding unserved, predominantly rural locations, the restructuring notice would likely result in others receiving worse service. The Bipartisan Infrastructure Law requires that "priority broadband projects" funded by the program be "designed to provide broadband service that meets speed, latency, reliability, consistency in quality of service, and related criteria as the Assistant Secretary shall determine; and [to] ensure that the network[s] built by the project[s] can easily scale speeds over time to meet the evolving connectivity needs of households and businesses, and support the deployment of 5G, successor wireless technologies, and other advanced services." Of currently available technologies, fiber-optic networks are faster and more reliable and can scale speeds much more easily. We made the decision to invest larger sums now in broadband infrastructure that would be resilient and capable of meeting Americans' growing digital demands for decades.

The restructuring notice also undermines the Bipartisan Infrastructure Law’s provisions designed to ensure that broadband service is affordable and put to good use. The new rules remove specific requirements that ensured that participating providers would provide a low-cost internet option for low-income customers as required by the statute. Additionally, while the Bipartisan Infrastructure Law specifically allows funds to be spent on “broadband adoption, including programs to provide affordable internet-capable devices,” the notice rescinds approval of previously approved “non-deployment activities” and puts all funding for these activities on hold. For example, this provision of the notice puts on hold a South Carolina plan to use BEAD program funds for virtual primary health—equipping low-income households in rural health deserts with access to the full suite of virtual health services at no cost to the patients. If the broadband infrastructure being built by BEAD program funds isn’t put to good use, much of the investment will have been wasted.

As reflected in the Bipartisan Infrastructure Law’s congressional findings, high-quality internet access is a requirement to fully participate in the world, and the BEAD program is our once-in-a-century opportunity to finish closing the digital divide. We fear this opportunity would be squandered by the restructuring notice and its changes to coverage, quality, and affordability. We therefore urge you to implement the BEAD program in accordance with the best reading of the statute so we can make high-quality internet accessible and affordable for all Americans.

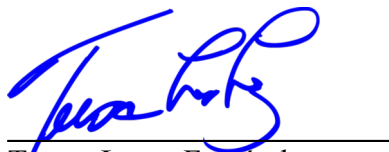
Sincerely,



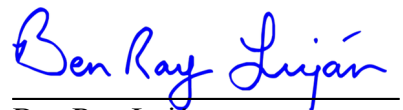
James E. Clyburn



Amy Klobuchar
United States Senator



Teresa Leger Fernández
Member of Congress



Ben Ray Lujan
United States Senator



Maria Cantwell
United States Senator



Richard Blumenthal
United States Senator



Lisa Blunt Rochester
United States Senator



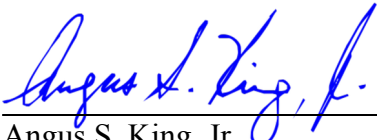
Christopher A. Coons
United States Senator



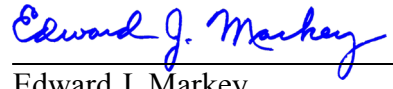
Martin Heinrich
United States Senator



Mazie K. Hirono
United States Senator



Angus S. King, Jr.
United States Senator



Edward J. Markey
United States Senator



Jon Ossoff
United States Senator



Gary C. Peters
United States Senator



Elissa Slotkin
United States Senator



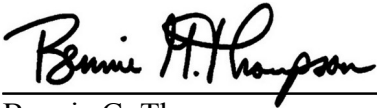
Tina Smith
United States Senator



Raphael Warnock
United States Senator



Terri A. Sewell
Member of Congress



Bennie G. Thompson
Member of Congress



Maggie Goodlander
Member of Congress



Frank J. Mrvan
Member of Congress



Darren Soto
Member of Congress



Andre Carson
Member of Congress



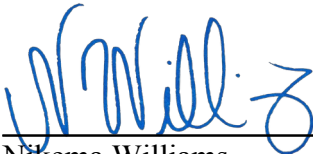
Cleo Fields
Member of Congress



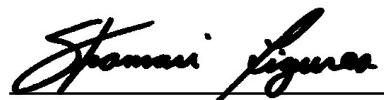
Emanuel Cleaver, II
Member of Congress



Rashida Tlaib
Member of Congress



Nikema Williams
Member of Congress



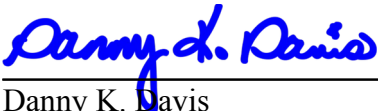
Shomari Figures
Member of Congress



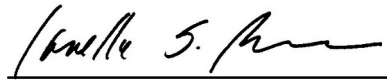
Dina Titus
Member of Congress



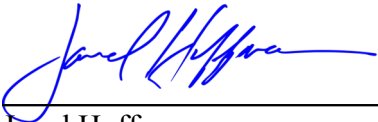
Val Hoyle
Member of Congress



Danny K. Davis
Member of Congress



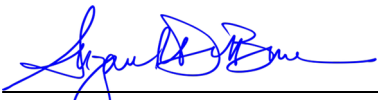
Janelle S. Bynum
Member of Congress



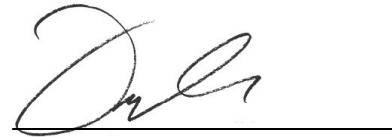
Jared Huffman
Member of Congress



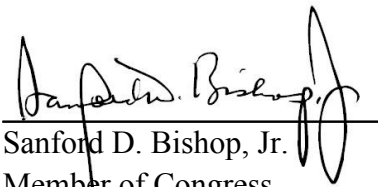
JM Tokuda
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Suzan K. DelBene
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Zoe Lofgren
Member of Congress



Sylvia R. Garcia
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James P. McGovern
Member of Congress



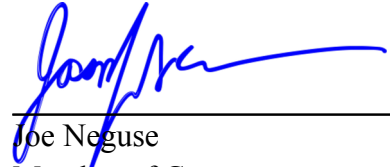
Robert J. Menendez
Member of Congress



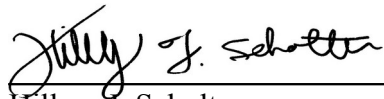
Frederica S. Wilson
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Chris Pappas
Member of Congress



Joe Neguse
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Hillary J. Scholten
Member of Congress



Dwight Evans
Member of Congress