February 18, 2026

To: National Telecommunications and Information Administration U.S. Department of Commerce

Re: NTIA Listening Session on the Use of BEAD Funds Saved Through the Trump Administration's Benefit of the Bargain Reforms

Written Comments of Open Technology Institute at New America

The Open Technology Institute at New America appreciates this chance to weigh in on how best to spend the roughly $21 billion in funding that will remain after broadband deployment under the BEAD program is complete. This so-called "non-deployment" funding was originally allocated by Congress to address the non-infrastructural causes of the digital divide. Specifically, in the Infrastructure Investment and Jobs Act of 2021, a bipartisan Congress clearly stipulated the allowable uses of the funds, including a variety of uses centered around adoption barriers, digital upskilling, affordability programs, and other initiatives intended to prepare the U.S. population to receive the broadband networks to be built. Congress directed that states be given flexibility to target the spending to those and other use cases depending on the direct needs of their communities after conducting extensive research into what kinds of barriers to digital usage those communities are facing.

The bipartisan Congress wrote the law in this way because it understood the scope of the problem. Finishing broadband deployment is an expensive—and important—part of closing the digital divide, but it is not the only, or even the most significant, part. NTIA's own data consistently shows that the majority of the digital divide is in fact driven by non-infrastructural barriers to adoption including subscription affordability, digital literacy, concerns over online privacy and safety, and other hesitations stemming from disinterest or uncertainty over the benefits of a broadband subscription. Some of these barriers to adoption are solvable with a targeted approach: some are not. None of them will be addressed by the construction of one more network with prices too high for the intended recipients to afford, or a

connection beamed to a household whose residents lack the requisite connected devices or digital skills to be able to use it.

Congress realized this, which is why the bipartisan IIJA mandated two broad uses of the BEAD funding: for initial network deployment, and for other targeted use cases as the states saw fit. These secondary use cases are varied and critical. Digital navigation and affordability programs to create demand for the broadband programs being built and ensure the intended recipients actually get online. Cybersecurity training programs to protect the aging population from becoming the victim of fraud and scams. Telehealth initiatives to ensure remote Americans can access healthcare. Computer science and coding education to prepare the next generation of the American workforce. And the states showed up in force through their BEAD plans, engaging their populations to map out specific problem areas and suggest the solutions that would best meet those needs.

NTIA asks what to do with the $21 billion it has yet to commit, but the question it should first ask is how to ensure the $21 billion that NTIA has *already committed* to broadband deployment accrues benefits to the American people rather than going to unused networks that sit gathering dust. It is important to consider that the "non-deployment" funds were intended to solve a particular problem—the persistent broadband *adoption* gap—that simply building more networks without addressing demand will do nothing to address. States know where these adoption gaps are and what mechanisms need to be funded to solve them, and NTIA must permit them to spend the funding as they see fit consistent with Congressional intent.

For an administration opposed to wasteful spending, there should be no greater fear than building $20 billion networks that connect nothing and nobody. And yet those are exactly what the BEAD program threatens to buy if NTIA chooses to ignore the adoption side of the program altogether. There is still time to turn the ship around and set BEAD back on course.

NTIA now faces a choice. Waste tens of billions of dollars constructing expensive networks that ultimately fail to address the barriers that keep millions of Americans offline, and steward a program that falls short of its goals—or follow the law.

Thank you for your consideration.

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