March 26, 2024

The Honorable Alan Davidson  
Assistant Secretary of Commerce for Communications and Information  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue NW  
Washington, DC 20230

Dear Administrator Davidson:

We write in support of your ongoing focus on internet affordability as you work to administer the Broadband Equity, Access, and Deployment (BEAD) Program enacted in the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law. For years, Democrats and Republicans expressed concern over the digital divide, and the $42 billion investment in the BEAD Program gives us a real opportunity to finally bridge this divide and connect every American to high-speed, reliable, and affordable internet. As recently as 2021, just before enactment of the Bipartisan Infrastructure Law, research indicated that one quarter of the U.S. population (about 80 million Americans) were on the wrong side of digital opportunity because they lacked a reliable, high-speed internet connection.¹

Access to internet service is meaningless to consumers if the cost of signing up is a barrier. Studies show that nearly half of all broadband non-adopters cited cost as the primary reason they did not have home internet service.² Congress has demonstrated a clear commitment to ensuring that internet service is available everywhere and also affordable, particularly for middle-class and low-income families. That’s why we were proud to support the Bipartisan Infrastructure Law to address the digital divide holistically with programs to advance access, affordability, and adoption. In the findings section of the broadband title, Congress

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² *Id.*
acknowledged that “access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States.”

The law devotes an entire section to provisions that would help Americans afford this critical service, including the creation of the Affordable Connectivity Program. Regrettably, unless Congress acts, the Affordable Connectivity Program will run out of funding soon, eliminating a monthly $30 discount 23 million low- and middle-income American households have used to make broadband more affordable.

The Bipartisan Infrastructure Law also includes separate affordability provisions that are specific to the BEAD program. Congress decided to allocate BEAD funds to states and territories since they are best situated to determine the needs of their communities, but it did not change any existing authority to oversee broadband or pricing. The National Telecommunications and Information Administration (NTIA) was given administrative oversight and programmatic support responsibilities to ensure the funds would be spent consistent with Congressional intent, including the review and approval of proposals after significant consultation between the state or territory and NTIA. These are critical procedures for NTIA to follow in determining whether low-cost plans are in fact affordable for the areas and markets where they are proposed. What is affordable in one community may not be considered affordable in another, so the Bipartisan Infrastructure Law gives NTIA the responsibility of reviewing and approving different approaches on a state-by-state basis.

As you will recall, Committee Democrats emphasized the importance of affordability in our March 2022 letter to you when we urged you to “make the low-cost offering requirement in the BEAD program as widely available as feasible,” empowering the agency to “ensure that as many people as possible benefit from these Congressional priorities.” This is particularly important now as NTIA is currently reviewing state broadband plans. It would be a significant missed opportunity in the administration of BEAD if these affordability provisions are not exercised to their fullest to help middle-class and low-income Americans afford the cost of internet service, consistent with the statute.

Therefore, we urge you to continue to prioritize affordability in your administration of this bipartisan program and look forward to seeing it connect people in all communities across America to affordable, reliable internet service. If you have any questions concerning this letter, please contact Dan Miller with the Committee Democratic staff at (202) 225-2927.

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6 Letter from Rep. Frank Pallone, Jr., Ranking Member, House Committee on Energy and Commerce et al., to Alan Davidson, Administrator, National Telecommunications and Information Administration (Mar. 21, 2022).
Sincerely,

Frank Pallone, Jr.
Ranking Member

Yvette D. Clarke
Member of Congress

Marc A. Veasey
Member of Congress

Darren Soto
Member of Congress

Anna Eshoo
Member of Congress

Tony Cárdenas
Member of Congress

Angie Craig
Member of Congress

Lizzie Fletcher
Member of Congress

Debbie Dingell
Member of Congress

Ann M. Kuster
Member of Congress

Robin Kelly
Member of Congress