

Opening Statement Chairman Bob Latta
Subcommittee on Communications and Technology
“Oversight of NTIA”
December 5, 2023

(As prepared for delivery)

Good morning, and welcome back before this subcommittee, Assistant Secretary Davidson. The National Telecommunications and Information Administration has been busy since you last appeared before us in May.

In June, NTIA allocated the money for the Broadband Equity, Access, and Deployment program to the states. This amounts to \$42.45 billion dollars. . Since then, states have submitted their 5-year action plans and initial proposals. The infrastructure law placed strict requirements on NTIA, such as ensuring that this funding achieves universal connectivity and prohibiting rate regulation. However, I am concerned that buried in some of these state plans are calls for more federal funding, attempts to stray from the technology neutrality principles required by the law, and blatant efforts by states to engage in rate regulation of broadband service.

Thankfully, NTIA has so far rejected some of these attempts – including from my home state of Ohio – that would have overbuilt existing networks and prevented wireless options from being used to bring broadband to rural America. But I remain concerned that NTIA may allow states to push the boundaries of what conditions they can impose on broadband providers who receive BEAD dollars.

Attempts to regulate rates and impose net neutrality requirements, union mandates, and other liberal wish list items will ultimately fail the American people by increasing costs and leaving them on the wrong end of the digital divide. The requirements will undermine the effectiveness

of the BEAD program. Mr. Davidson, it is your responsibility to administer this program to the letter of the law, following the intent of the law, and to reject state plans that stray from these goals.

NTIA has also adopted a conditional, programmatic waiver of the letter of credit requirements that would have made it difficult for smaller, rural providers to participate in BEAD. The success of this program depends on a wide range of large and small providers serving the communities in which they operate. I appreciate NTIA giving providers flexibility without sacrificing accountability so that taxpayer dollars are not wasted. I look forward to working with you to ensure accountability in the BEAD program.

With the billions of dollars available for broadband deployment being managed by a variety of federal agencies, interagency coordination and removing barriers to deployment is going to be key to make sure that this money isn't wasted.

One promising development is NTIA's leadership on removing permitting barriers to broadband deployment on Federal lands. This subcommittee has led the charge on reforming the broadband permitting process across the United States, and I am pleased to see NTIA taking action on many items laid out by legislation advanced through our Committee earlier this year. These reforms will lead to more efficient and timely deployments. By working with Federal agencies to streamline their processes and prioritize broadband permitting applications, our providers will be able to focus on deployment instead of navigating a maze of red tape.

Finally, I want to acknowledge the National Spectrum Strategy and Presidential Memorandum released last month by the administration. Although this is a good first step, we must be aggressive in identifying a spectrum pipeline to maintain U.S. wireless leadership. We share your goal of restoring the regular order process for managing spectrum, including NTIA's role leading this effort for the executive branch.

However, we expect that you and other agencies will be responsive to our requests in a timely manner, which has not been the case recently on certain spectrum matters pending before this Administration.

Thank you, Mr. Davidson, for appearing before us today. I look forward to the discussion.