

**SENATE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION**

Thursday, March 27, 2025 at 2:15 P.M.

REPUBLICAN QUESTIONS FOR THE RECORD

COVER PAGE
Arielle Roth

SENATOR JOHN THUNE (R-SD)

1. Can you detail NTIA's role in the federal government's administration of spectrum? Specifically, can you clarify how federal agencies coordinate to resolve issues when a conflict arises between commercial users and federal agencies' use of spectrum?

As mandated in its enabling statute, NTIA is the coordinator of federal spectrum and assigns spectrum to federal agencies. NTIA is also the President's advisor on spectrum and is tasked with promoting the best and most efficient use of spectrum. NTIA does not auction spectrum or have auction authority—that is the domain of the FCC—but has traditionally helped the FCC with identifying spectrum for auctions.

In its role as the coordinator of federal spectrum, NTIA plays a central role in ensuring that federal spectrum users are able to meet their critical missions and works to protect these missions when non-federal users, including commercial entities, seek access to federally held or adjacent spectrum. While balancing these interests is complex, NTIA works closely with other agencies on spectrum coordination primarily through the Interdepartment Radio Advisory Committee (IRAC)—an interagency committee that advises NTIA on frequency assignments for federal agencies and other policies and technical issues pertaining to spectrum management.

NTIA is also responsible for representing the view of the executive branch on spectrum matters before the FCC, including by maintaining clear and frequent channels of communication with the FCC.

This process helps ensure that spectrum is put to its best and highest use, supporting innovation and national priorities alike.

2. As the FCC looks to expand access to additional licensed spectrum, do you expect the same coordination that you have detailed to continue across agencies to ensure our national security interests are not compromised in the future?

If confirmed, I will work to not only maintain but, where possible, improve the close coordinating relationship with all federal agencies, including the Department of Defense, to protect national security and other critical federal missions.

3. How will you work to ensure more spectrum is used efficiently and made available for commercial use, including both licensed and unlicensed technologies?

If confirmed, I will work with NTIA's technical experts and other federal agencies to look for efficiencies in the federal government's use of spectrum while protecting national security and public safety. With advances in technology, there is likely to be an ever-increasing demand for a variety of users to access spectrum and opportunities to continue to evolve in our efforts to manage spectrum.

4. If confirmed, will you commit to working with Secretary Lutnick on his review of the Broadband Equity, Access, and Deployment program to ensure that broadband funds are deployed quickly and efficiently to truly unserved areas?

Yes.

5. The NTIA has not been reauthorized by Congress since 1992. What, if any, specific reforms should Congress consider if a reauthorization effort comes together, and will you commit to working with the members of this Committee on Commerce, Science, and Transportation on a reauthorization effort?

I commit to working with this Committee on any legislative efforts as requested. As I have not yet been confirmed, it would be premature for me to weigh in on reforms to NTIA for Congress to consider. I would welcome the opportunity to work with your office on this issue upon confirmation. And if Congress were to pass NTIA reauthorization legislation, I would faithfully implement it.

SENATOR DEB FISCHER (R-NE)

1. I appreciated meeting with you last week. As we talked about, you will have a crucial role managing federal government spectrum, if you are confirmed to lead the National Telecommunications and Information Administration (NTIA). I also appreciated your understanding of how critical the Iron Dome has been to Israel's missile defense, and how President Trump's plans for the United States' own Golden Dome – which will need to defend against different and more complex threats – are essential to our national security. As USSTRATCOM and USSPACECOM testified publicly on March 26, 2025, these plans involve key bands of Department of Defense spectrum, including the 3.1-3.45 gigahertz (GHz) and the 7/8 GHz bands. A few questions related to this matter are below:
 - a. In situations of potential reallocation, should DOD co-lead feasibility studies on its spectrum assignments with NTIA? Please answer yes or no.

The Department of Defense should have a seat at the table in any study or discussion affecting its use of spectrum. Per NTIA's enabling statute, NTIA oversees and leads the federal government's use of spectrum, assigns spectrum to agencies, and serves as the President's principal advisor on telecommunications and spectrum management.

If confirmed, I will work to not only maintain but, where possible, improve NTIA's close coordinating relationship with all federal agencies, including the Department of Defense, to protect national security and other critical federal missions.

- b. Are there segments of the 3.1-3.45 GHz band that should be auctioned for full-power use, in your view? If yes, would you please identify the specific frequencies?

As with any spectrum decision affecting federal missions, national security and public safety must be paramount. Since I have not yet been confirmed, I have not yet had an opportunity to review the status of studies affecting this band or consult with technical or national security experts at NTIA or the Department of Defense. As such, it would be premature for me to take a position on what, if any, segments of this band should be auctioned.

- c. Are there segments of the 7.125-8.4 GHz band that should be auctioned for full-power use, in your view? If yes, would you please identify the specific frequencies?

As with any spectrum decision affecting federal missions, national security and public safety must be paramount. Since I have not been confirmed, I have not yet had an opportunity to review the status of studies affecting this band or confer with technical or national security experts at NTIA or the Department of Defense. As such, it would be premature for me to take a position on what, if any, segments of this band should be auctioned.

2. Should the estimates of spectrum auction revenues also include calculations of the relocation costs for incumbent systems? Please answer yes or no.

Yes.

3. Do China's lower 3 band frequencies from 3.3-3.4 GHz have limits for low-power use for indoor coverage?

Yes.

4. Given that there is no statutory definition of low-, mid-, or high-band spectrum, what is your understanding of where mid-band spectrum begins and ends – which two frequencies, specifically?

My understanding of mid-band is functional, rather than focused on a defined set of frequencies. It refers to spectrum that offers a balance of coverage of speed, and is suitable for data-heavy, reliable, and low-latency mobile broadband communications. Most ranges I have seen focus on spectrum start between 1 GHz and 2 GHz and end between 7 GHz and 12 GHz.

5. Do you believe that exclusively licensed spectrum is more valuable than unlicensed spectrum? How would you prioritize them in managing federal spectrum, if you are confirmed?

I believe that U.S. global technology leadership depends on an efficient and effective use of spectrum through an all-of-the-above approach: licensed, unlicensed, full-power, low-power, and satellite use. The federal government also relies on a variety of spectrum use cases to perform critical missions. However, licensing and power rules regarding commercial spectrum are generally a matter for the FCC, not NTIA.

6. I am looking forward to Nebraska finally getting its BEAD program dollars out the door. The state has a strong plan that abides by its budget, includes robust stakeholder feedback, and would ensure broadband services reach all remaining unserved households.
 - a. How long do you expect to see the current review period on the BEAD program take?
 - b. If confirmed, would you commit to keeping Nebraska's current BEAD plan on track without delays?
 - c. If confirmed, would you implement a new per-location funding cap on initial BEAD plans that have already been approved? If so:
 - i. What would a reasonable threshold for a per-location cap be?
 - ii. Would such a cap be an overall maximum per location, or would it be a statewide average?

Connecting every American to broadband expeditiously is my top priority and I agree that the Department must move quickly to complete review of Nebraska's plan. If confirmed, I look forward to working with Secretary Lutnick and NTIA staff to expedite the BEAD program, get funding to the states, and expand broadband buildout, consistent with the law. I look forward to working with NTIA's career staff and state broadband offices to cut red tape and unnecessary bureaucracy, to avoid further delays and minimize work for states, consistent with the law.

If confirmed and the issue of a per-location cap were to come up, I would consult with legal counsel, NTIA's career staff, state broadband offices, and industry stakeholders, as appropriate. Moreover, a per-location cap, should it come up, would need to account for consideration of high-cost areas, including high-cost Tribal areas.

SENATOR DAN SULLIVAN (R-AK)

1. As I have shared with this Committee time and again, Alaska is different, and I need you to recognize that difference as you take the helm at NTIA. In Alaska, broadband access is critical for our communities, yet the terrain is unlike anywhere else. The weather is extreme. The building season is short. And, the permitting process is challenged by federal land ownership. No other state has so many remote communities that are unconnected from any other infrastructure such as roads or utilities.

In all likelihood, you're going to be put in charge of an unprecedented amount of broadband grant funding. It is critical that we get this right. Will you commit to come to Alaska to appreciate our unique challenges, and to evaluate Alaskan state and tribal applicants with these challenges in mind?

I recognize the uniqueness of Alaska's broadband challenges—something I came to learn through my years working at the FCC on programs like the Alaska Plan and the Rural Health Care Program. It would be my honor to visit Alaska. If confirmed, I commit to implementing all of NTIA's legal requirements, including by taking into account Alaska's unique challenges when reviewing the state's applications.

2. In October, NTIA announced that Alaska will be obligated over \$1 billion. I know you are aware of the criticisms that have been made that the Biden Administration layered on requirements that are beyond the IIJA law in the BEAD NOFO.

I ask that you remove the Biden-era extraneous regulations as you review the BEAD program, and do so quickly as time is money for applicants. We have great needs in Alaska with unserved areas. Will you commit to that?

Connecting every American to broadband expeditiously is my top priority. If confirmed, I look forward to working with NTIA's career staff and state broadband offices to cut red tape and unnecessary bureaucracy, to avoid further delays and minimize work for states, consistent with the law. If confirmed, I will work with Secretary Lutnick and NTIA staff to expedite the BEAD program, get funding to the states, and expand broadband buildout, consistent with the law.

3. The BEAD program's success depends on allowing states to lead. Alaska knows best where broadband is lacking and understands the challenges presented by our low population density, extreme weather, and difficult terrain. Federal requirements should not impose one-size-fits-all solutions but instead empower states to design deployment strategies that work for their specific circumstances.

Will you commit to me that NTIA will defer to states in making choices that they believe will deliver the best possible broadband for their consumers and communities given the amount of funding they have?

I recognize that every state is different and there is no one-size-fits-all solution. I agree that states should have flexibility to tailor solutions to their individual circumstances, consistent with the law.

If confirmed, I will work with states to deliver the best broadband service possible for their constituents, consistent with NTIA's statutory authority.

4. The unique challenges due to our vast, remote, and rugged terrain make technology neutrality truly critical to serving Alaskans. We need a combination of technologies to be available, including fiber, fixed wireless, and satellite.

Notably, Alaska lacks middle mile fiber, and these projects play a critical role bridging the gap between core internet networks and local communities. Given Alaska's vast and remote geography, reliable middle mile infrastructure is essential to connecting underserved and unserved areas and for supporting healthcare, education, and economic development. By addressing the unique challenges of Alaska terrain, middle mile fiber ensures internet access for generations to come.

If a one-sized-fits-all per location cap is put in place for fiber for projects in Alaska, it is hard to image how any projects will be built for my constituents. Will you commit to working with me to ensure that resources are allocated in a manner that takes into consideration the needs of Alaskans?

Yes.

5. The Tribal Broadband Connectivity Program (TBCP) is intended to spur economic development and create opportunities for remote employment, online entrepreneurship, remote learning, and telehealth in remote Tribal communities.

Given the size of the broadband challenge in Alaska—and given the limited resources available in Alaska to implement this program—some of Alaska's TBCP projects require attention by NTIA to make sure funding is deployed efficiently and effectively.

Will you commit to working with Alaska's Tribal entities to address the unique challenges of deploying broadband infrastructure in our state to make sure this program works as intended?

Yes.

SENATOR SHELLEY MOORE CAPITO (R-WV)

Question 1 – BEAD Review Status

Mrs. Roth, as we discussed in our meeting, I am very interested in seeing West Virginia benefit from the BEAD program. While I can't believe after 3 and a half years we still have not seen a single location connected from this program. I know that my state is right on the cusp of having its final proposal ready and will be granted a 90-day extension of its deadline in late April.

While I am all for improvements to BEAD to speed up deployment taking a long review and making states like mine wait longer does not make sense. The review started 3 weeks ago and not many details have been made public. I did have a productive call with Secretary Lutnick last week, but I expect that he will rely on your broadband expertise when it comes to BEAD.

- In your opinion, is July a reasonable deadline for the review to be completed?

As I have not yet been confirmed, I cannot commit to a specific timeline for such review. However, connecting every American to broadband expeditiously is my top priority. If confirmed, I look forward to working with Secretary Lutnick and NTIA staff to expedite the BEAD program, get funding to West Virginia, and expand broadband buildout, consistent with the law. I look forward to working with NTIA's career staff and West Virginia's broadband office to cut red tape and unnecessary bureaucracy, to avoid further delays and minimize work for states, consistent with the law.

Question 2 – BEAD State Control

My state has put in the work for the last 2 years jumping through every hoop since the Biden Notice of Funding Opportunity came out. While I am all for tech neutrality and easing lots of burdensome requirements like the labor mandates - if a state wants to use fiber they should be able to.

- Do you agree that NTIA's role is to make sure that states are executing their plans to connect people and not dictating that they use any specific technology that might cost less but may not be as reliable?

I recognize that every state is different and there is no one-size-fits-all solution. I agree that states should have flexibility to tailor solutions to their individual circumstances, consistent with the law.

I support an all-of-the-above solution, including fiber as well as alternative technologies where appropriate. If confirmed, I will work with states to deliver the best broadband service possible for their constituents, consistent with NTIA's statutory authority.

Question 3 - BEAD Deployment Cap

I know that many are concerned about waste and overbuilding in the BEAD program. West Virginia has nearly 97,000 locations that are unserved and BEAD eligible.

Overbuilding will NOT be an issue in my state though it could be in D.C. and other places that are receiving money and have hardly any locations that are unserved and underserved.

I am also against connecting a single remote cabin with fiber for \$100,000 – that doesn't make sense. NTIA's role should be working with states to prevent this kind of waste in their applications.

- Do you support an arbitrary deployment cost cap or should deployment costs be considered on a case by case basis and worked out with the states individually?

I do not support taking any arbitrary actions. If the issue of a per-location cap were to come up, I would consult with legal counsel, NTIA's career staff, state broadband offices, and industry stakeholders, as appropriate. Moreover, a per-location cap, should it come up, would need to account for consideration of high-cost areas, including high-cost Tribal areas.

Question 4 - Speeding up NTIA's Approval Process

In the last administration, West Virginia submitted their Initial Proposal Volume II to NTIA in January of 2024 and did not get it approved until April. I know there has to be some back-and-forth but waiting 3 months after lots of consultation on the front end is unacceptable.

- What ways can NTIA streamline its approval process so states like West Virginia do not have to wait and wait when they submit their final proposal?

Connecting every American to broadband expeditiously is my top priority. If confirmed, I look forward to working with Secretary Lutnick and NTIA staff to expedite the BEAD program, get funding to the states, and expand broadband buildout, consistent with the law. I look forward to working with NTIA's career staff and state broadband offices to cut red tape and unnecessary bureaucracy, to avoid further delays and minimize work for states, consistent with the law.

Question 5 - BEAD Speeding up Deployment

I am frustrated by the long delay of this program and I know it's been touched on already, but there are a number of things in the Biden NO-FO that are not only burdensome but will delay deployment.

- How can fiber deployment, for example be sped up?

I agree that NTIA's main focus should be on expediting deployment and making up for lost time. Reducing permitting burdens and delays might be one way to speed up fiber deployment. I would welcome the opportunity to work with your office on this issue.

Question 6 - BEAD Legislation

One policy area I care deeply about is permitting reform. Under Biden's American Rescue Plan broadband projects were exempted from NEPA approval. Yet right now BEAD projects would be subjected to the process. This will certainly slow down families from being connected.

- How much faster would NEPA exemptions speed up deployment?

Permitting reform is badly needed in the United States, and your leadership on that front has been critical in moving that effort forward. Regarding BEAD projects, it is unquestionable that NEPA exemptions would speed up deployment. As you noted in your recent Environment and Public Works Committee hearing "Improving the Federal Environmental Review and Permitting Processes," permitting delays significantly and adversely impact a multitude of important infrastructure projects from water line and bridge replacements to broadband deployment. While it is difficult to say precisely how much NEPA reviews delay a specific broadband deployment project, a 2024 report by the Department of Commerce Inspector General estimated delays could be two years or more just to complete the NEPA review.

- Do you support waiving the NEPA process for BEAD?

As you noted, under Biden's American Rescue Plan broadband projects were exempted from NEPA approval. In the last Congress, Senators Cruz and Kelly authored the Building Chips in America Act, which was enacted in October of last year, to exempt semiconductor projects receiving funds from the CHIPS and Science Act from NEPA reviews. Clearly, there is a bipartisan recognition that the NEPA process unnecessarily delays infrastructure projects, especially in those cases where the only element of the project triggering NEPA review is simply the provision of federal funds or the fact that a project crosses federal lands. As you highlighted in your recent Environment and Public Works Committee hearing, "Improving the Federal Environmental Review and Permitting Processes," expanding categorical exclusions, enacting real time limits on permitting approvals, and narrowing the scope of judicial review for legal challenges would also significantly help speed up federally supported infrastructure construction and deployment, including broadband deployment under the BEAD program.

Question 7 - BEAD State Allocations

West Virginia was awarded \$1.2 billion and has spent nearly 2 years coming up with a plan to serve 97,000 unserved locations plus over 15,000 underserved locations. The idea that NTIA would try to claw that money back goes against what Secretary Lutnick has told me on multiple occasions. This topic was brought up in the hearing.

- Can you commit to not changing the allocated amounts that states have been allocated?

If confirmed, I will work to release West Virginia's allocated funds consistent with NTIA's statutory authority.