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**The \$21 Billion Question:
What Should NTIA's Roth Do With the BEAD Program Surplus?**

by

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At a [Free State Foundation luncheon address on December 2, 2025](#) (video available [here](#), prepared remarks available [here](#)), Arielle Roth, Assistant Secretary of Commerce and Administrator of the National Telecommunications and Information Administration (NTIA), offered a promising preliminary response to what she described as "the million dollar – or rather, \$21 billion – question": What should her agency do with the substantial savings it has realized from reforming the \$42.45 billion Broadband Equity, Access, and Deployment (BEAD) Program?

As an initial matter, it is important to note that the very existence of such a large potential surplus – nearly half of the total appropriated by Congress in the [Infrastructure Investment and Jobs Act](#) (IIJA) – is itself clear evidence that recent course corrections to the BEAD Program implemented by NTIA are working as intended. It also reflects the ongoing substantial progress made by commercial broadband providers, [fueled by \\$89.6 billion in investment in 2024 alone and over \\$2.2 trillion overall](#), to connect any locations that remain unserved.

According to Ms. Roth's remarks at the Free State Foundation event, any BEAD Program surplus:

- Should not be spent "wastefully";
- Should "produce real, measurable value";
- Should "not duplicate investment the private sector is already making"; and
- Should not "distort investment or stifle innovation."

From a policy perspective, these principles did not emerge in a vacuum. They also motivated the reforms underlying the "[Benefit of the Bargain Round](#)" of revisions to states' infrastructure deployment proposals that produced the \$21 billion surplus in the first place, reforms for which I and other Free State Foundation scholars have advocated for years. They included the elimination of extraneous Biden Administration requirements imposing so-called "net neutrality," rate regulation, labor, and other burdensome obligations and – critically – restoring the technological neutrality that Congress clearly intended when it passed the IIJA.

As Commerce Secretary Howard Lutnick [recently posted on X.com](#), "we are fixing the broadband mess left behind by the Biden administration.... Money is only deployed when the American taxpayer gets the benefit of the bargain." In practice, that regulatory philosophy can, should, and – according to Ms. Roth – will apply not just to decisions regarding who is most qualified to receive broadband infrastructure deployment subsidies – which, as it turns out, in many cases is a provider utilizing unlicensed spectrum or low-Earth orbit (LEO) satellites rather than fiber – but also to decisions regarding the use of surplus BEAD Program funds for "non-deployment" purposes, which potentially might appropriately include network security, public safety, workforce training, adoption, and other closely related purposes. As Ms. Roth pointed out, "[o]ur approach to the BEAD savings will complement the program and reflect the same principles that made the reforms successful."

During her remarks, Ms. Roth also [indicated](#) that NTIA is "operating under the assumption that the states will get to use their BEAD savings. But again, nothing has been finalized." Importantly, as noted above, she emphasized that the surplus should "not duplicate investment the private sector is already making." She also urged everyone to "stay tuned. We'll have much more to share in early 2026."

Meanwhile, and given the stakes involved, it is perhaps not surprising that others have weighed in on what should be done with surplus BEAD Program funds:

- On December 18, 2025, Senator Roger Wicker (R-MS) [announced](#) that he and Senator Shelley Moore Capito (R-WV) had introduced the Supporting U.S. Critical Connectivity and Economic Strategy and Security for BEAD Act ([SUCCESS for BEAD Act](#)). The legislation would expressly permit states to use surplus BEAD subsidies "for projects that support [a] state's deployment plan by enhancing public safety, improving network resiliency, strengthening national security, and developing a qualified workforce for emerging technologies." Five days later, Representative Andy Barr (R-KY) and co-

sponsor Representative Hal Rogers (R-KY) introduced an [identical companion bill](#) in the House.

- As I noted in a [November 2025 post to the FSF Blog](#), Senator Joni Ernst (R-IA) [reportedly](#) has drafted, but not introduced, [legislation](#) that would require the return to the U.S. Treasury, "for the sole purpose of deficit reduction," of funds whose use is not specified in states' final proposals and approved by NTIA.
- In "[How to 'Spend' Unused BEAD Funding](#)," an October 2025 *Perspectives from FSF Scholars*, Free State Foundation Adjunct Senior Fellow (and former FCC Commissioner) Michael O'Rielly – who provided commentary after Ms. Roth's luncheon address – similarly advocated for the return of excess funds to the Treasury, with the possible exception of a modest contingency set-aside in the event that, at the end of the day, there remain locations still unserved. Citizens Against Government Waste's Vice President of Government Affairs Deborah Collier, who joined Mr. O'Rielly and Free State Foundation President Randolph May on stage following Ms. Roth's remarks, in a blog post the next day expressed the view that "[the 'BEAD bonus' should be returned to the taxpayers](#)."

Whether or not Congress ultimately provides additional statutory guidance, Administrator Roth's remarks should provide considerable reassurance that, after several years of mismanagement, NTIA is now operating under a more disciplined, economically grounded, and fiscally disciplined approach. Specifically, that the agency, under her leadership, will administer the BEAD Program – and any resulting surplus – in a manner that prioritizes efficiency and fiscal restraint, reinforces private investment incentives, and avoids the regulatory excesses injected by the Biden Administration that for a time drove the program off course. As Ms. Roth rightly explained:

First and foremost, these dollars belong to the American people, and they should reap the benefit. We didn't work as hard as we did just to spend the savings wastefully; any spending must produce real, measurable value – not duplicate investment the private sector is already making.... Our approach to the BEAD savings will complement the program and reflect the same principles that made the reforms successful.

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Further Readings

Andrew Long, "[Draft Bill Would Reclaim BEAD Program Nondeployment Funds](#)," *FSF Blog* (November 10, 2025).

Andrew Long, "[NTIA's Roth Targets Net Neutrality, Duplicate Funding](#)," *FSF Blog* (November 4, 2025).

Randolph J. May, "[USTelecom Report: Broadband Investment Continues to Rise Rapidly](#)," *FSF Blog* (October 22, 2025).

Michael O’Rielly, "[How to 'Spend' Unused BEAD Funding](#)," *Perspectives from FSF Scholars*, Vol. 20, No. 40 (October 14, 2025).

Andrew Long, "[Roth's NTIA Takes Early Aim at Rate Regulation](#)," *FSF Blog* (August 7, 2025).

Andrew Long, "[House Commerce, Commerce Department Commence BEAD Reforms](#)," *FSF Blog* (March 13, 2025).