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Telecommunications and the 119th Congress: A Primer on Programs, Authorities, and Emerging Issues

The development and implementation of U.S. telecommunications policy involves a complex array of technologies, federal agencies, and private companies with varying goals and interests. Potential telecommunications issues the 119th Congress may consider include federal broadband programs, management of radio spectrum, public safety, and security of telecommunications networks.

Changes to the Broadband Equity, Access, and Deployment (BEAD) Program

P.L. 117-58 provided \$42.45 billion to the National Telecommunications and Information Administration (NTIA) for the BEAD Program, which aims to connect every American to broadband. Early in the 119th Congress, some Members expressed concerns about the implementation of the program. From March through June 2025, NTIA paused the program while the Department of Commerce reviewed it. NTIA then issued the BEAD Restructuring Policy Notice (Policy Notice), which made changes to the program (e.g., removed the preference for fiber to allow internet service providers [ISPs] to use any technology that can provide the required speed and latency to compete for subgrants). The Policy Notice requires states and territories to select the lowest-cost technological approach. The use of funding for non-deployment activities is under review, and NTIA plans to issue updated guidance. Policymakers and stakeholders have varying opinions on the program changes made by the Trump Administration. Congress may consider a range of options. Congress could opt to take no action and defer to NTIA and the Administration. Should Congress pursue action, potential options include conducting oversight hearings, including on the use of non-deployment-related funding, the range of technologies ISPs can use, and barriers to deployment. Congress may consider legislation that would amend the BEAD Program provisions in P.L. 117-58.

Universal Service Fund (USF) Reform

The Federal Communications Commission (FCC) has established four USF programs: the High Cost Program, the Lifeline Program, the Rural Health Care Program, and the Schools and Libraries Program. The USF is intended to ensure that all Americans have access to telecommunications services at just, reasonable, and affordable rates. In July 2024, the U.S. Court of Appeals for the Fifth Circuit ruled that the process for funding the USF was unconstitutional. That decision conflicted with decisions by the U.S. Courts of Appeals for the Sixth, Eleventh, and D.C. Circuits. On June 27, 2025, the U.S. Supreme Court issued a ruling in the case, upholding the constitutionality of the USF.

Some Members have proposed reexamining the USF and the fees it charges carriers (which may be passed on to

consumers) and evaluating the appropriateness of FCC authorities. For example, the 118th Congress considered expanding the contribution base (i.e., the types of entities that contribute to the fund), directing spectrum auction revenues to support the USF, and funding the USF through the appropriations process. In August 2025, the newly reestablished bipartisan, bicameral Congressional USF Working Group requested comments from interested parties regarding the future of the USF. Organizations representing a wide range of interests—public interest groups, industry associations, and local governments—submitted comments, due on September 15, 2025. Some of the discussion points addressed in the comments included modernizing the USF funding mechanism, prioritizing affordability and equity, addressing the “digital divide,” ensuring program stability, and improving accountability and oversight. Some Members have called on Congress to reexamine the USF as a “hidden tax” placed on carriers, to limit FCC authorities, and to increase congressional oversight of USF spending. Congress may consider incorporating one or more of these points if it considers legislation to reform the USF.

Spectrum Auction Authority

The FCC manages radio spectrum use for nonfederal entities (e.g., commercial and state and local access to and use of spectrum). In 1993, Congress authorized the FCC to use auctions to grant licenses to use specific frequencies for commercial wireless communications. Spectrum auctions have since generated more than \$230 billion in proceeds. The FCC’s authority to auction spectrum expired on March 9, 2023. In the 2025 reconciliation law (P.L. 119-21, commonly called the One Big Beautiful Bill Act), Congress reinstated the FCC’s auction authority through September 30, 2034, except for two bands—the 3.1-3.45 gigahertz (GHz) and 7.4-8.4 GHz bands—used heavily by federal agencies. Congress may conduct oversight on the FCC’s use of its auction authority, propose new bands for auction, or consider legislation that distributes auction proceeds.

National Spectrum Strategy (NSS)

NTIA manages spectrum use for federal agencies. In November 2023, NTIA published the NSS, which outlined four pillars or focus areas for improving spectrum management: develop a spectrum pipeline (bands for future reallocation and auction to support new technologies), establish a collaborative long-term planning process, support spectrum innovation and research, and expand spectrum expertise. Specifically, the NSS identified five bands to be studied for possible repurposing from federal to commercial wireless use: the 3.1-3.45 GHz, 5.03-5.091 GHz, 7.125-8.4 GHz, 18.1-18.6 GHz, and 37.0-37.6 GHz bands. These studies are under way. As federal agencies were studying these bands, P.L. 119-21 was enacted, which created a different spectrum pipeline.

2025 Reconciliation Act (P.L. 119-21)

In addition to reinstating the FCC’s auction authority through September 30, 2034, P.L. 119-21 created a spectrum pipeline—specific bands for auction and specific quantities of spectrum that the FCC and NTIA were to identify and auction for commercial wireless use. The act (1) required the FCC to grant licenses through auctions for 300 megahertz of spectrum, including not less than 100 megahertz in the Upper C-band (3.98-4.2 GHz) within two years of enactment; (2) directed the head of NTIA, in consultation with the FCC, to identify 500 megahertz of spectrum in the 1.3-10.5 GHz range for reallocation from federal use to nonfederal use, shared federal and nonfederal use, or a combination thereof, for full-powered commercial licensed use and also directed the FCC to auction no less than 200 megahertz of this spectrum within four years and the remaining spectrum no later than eight years after enactment; and (3) provided \$50 million to assist NTIA with spectrum analysis of the 2.7-2.9 GHz, 4.4-4.9 GHz, and 7.25-7.4 GHz bands, among other things.

While both the NSS and P.L. 119-21 identify a spectrum pipeline, the bands and timelines do not always align. Of particular interest to Congress is the 3.1-3.45 GHz band, used for Department of Defense (DOD) radar systems (DOD is now “using a secondary Department of War designation” under Executive Order 14347 dated September 5, 2025). The NSS directed NTIA and DOD to study the band for repurposing from federal to nonfederal use or shared federal and nonfederal use. A final report on the study is planned for October 2026. Yet P.L. 119-21 exempts the band from auction through September 2034, which may limit access.

U.S. agencies and industries are preparing for the 2027 World Radiocommunication Conference (WRC-27), where decisions on global spectrum use are formed. At WRC-27, global telecommunication stakeholders intend to consider several bands for new technologies, including 6G, satellite, and satellite direct-to-device services. The bands include the 4.4-4.8 GHz, 7.125-8.4 GHz, and 14.8-15.34 GHz bands. Congress may seek to ensure the U.S. has a cohesive spectrum strategy—one that advances both U.S. commercial and federal interests.

Public Safety Considerations

Congress may consider whether to reauthorize the First Responder Network Authority (FirstNet)—an independent authority under NTIA responsible for overseeing the public safety broadband network that serves first responders in every state and territory. FirstNet’s authority expires in 2027. Public safety users are urging Congress to extend FirstNet’s authorities to avoid a potential lapse in service.

Many 911 centers are migrating to Next Generation 911 (NG911)—improvements that would enhance emergency response and provide interconnection with FirstNet. In the 119th Congress, some Members have introduced legislation for further deployment and coordination of NG911 (H.R. 6505), use of BEAD non-deployment funds for NG911 implementation or upgrades (S. 3565, H.R. 6920), and upgrades to 911 centers in national parks (S. 290, H.R.

7031). Congress may continue debating federal involvement in the nationwide transition to NG911.

Congress may consider implementing new communications technologies and methods into the emergency alerting infrastructure. In the 119th Congress, some Members have introduced legislation to evaluate the integration of additional communication methods (i.e., satellite and social media) into the alerting infrastructure (H.R. 7022, H.R. 1076). Congress may also consider increasing opportunities for state and local officials to train and test their emergency alerting systems (H.R. 5154).

Security of Telecommunications Networks

In 2018, in P.L. 115-232, Congress restricted federal agency purchase and use of equipment produced by five China-based companies, including Huawei Technologies Co. and ZTE Corporation. In 2020, P.L. 116-124 directed the FCC to maintain a “covered list” of communications equipment determined to pose an unacceptable risk to U.S. national security. It also created a program to reimburse small wireless providers for costs to “rip and replace” Huawei and ZTE equipment from their networks; in 2021, in P.L. 116-260, Congress appropriated nearly \$2 billion for the program. In 2024, in P.L. 118-159, Congress authorized the FCC to borrow an additional \$3.08 billion from Treasury to fully fund the program. Funds are to be repaid from future spectrum auctions. The FCC has distributed the funds and expects projects to be completed by May 8, 2026.

Recently, the U.S. government restricted the import, sale, and use of certain unmanned aircraft systems or drones produced in China. The restrictions were spurred by Section 1709 of P.L. 118-159, which directed a national security agency to determine whether drones produced by China-based Da-Jiang Innovations (DJI) and Autel Robotics (Autel) pose an unacceptable risk to U.S. national security and should be placed on the FCC’s covered list. In December 2025, an interagency body determined that all foreign-made drones pose a risk to U.S. national security, and thus they were added to the covered list. In January 2026, DOD determined that certain foreign-made drones do not pose a risk and should be removed from the list; the exemption did not include drones made by DJI or Autel. By law (P.L. 117-55), once equipment is on the covered list, the FCC is prohibited from authorizing new equipment (i.e., new models). Without FCC authorization, no new “covered” drones can be imported, marketed, sold, or used in the United States, though the FCC allowed for continued use of previously authorized drones. Restricting Chinese-made drones may improve U.S. national security but could limit availability of drones for federal and nonfederal users, as DJI was the largest drone supplier in the United States. Thus, Congress could opt to boost U.S. drone development to meet U.S. demand.

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