Congress of the United States
Washington, DC 20515

November 12, 2026

The Honorable Arielle Roth
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 Assistant Secretary Roth:

I write regarding the National Telecommunications and Information Administration's (NTIA) implementation of the Digital Equity Act grant programs. I appreciate NTIA's commitment to reinstating the Digital Equity Competitive Grant Program ("the Competitive Grant Program") and its stated intention to issue a new Notice of Funding Opportunity (NOFO) next month.[1] As the agency moves forward with the Competitive Grant Program, I urge NTIA to preserve the substantial work applicants have already undertaken, minimize unnecessary delays and administrative burdens, and make congressionally appropriated funding available as quickly as possible. I also urge NTIA to provide a clear path forward for the State Digital Equity Capacity Grant Program, including previously approved state plans and awarded funding.

These programs are particularly important to Delaware, which is working to become the first state to achieve universal high-speed broadband access. As Delaware builds broadband infrastructure statewide, complementary investments in digital literacy training, device access, and technical assistance will help ensure every Delawarean can fully benefit from internet connectivity. Furthermore, as artificial intelligence increasingly shapes how Americans work, learn, and access essential services, equipping Delawareans with digital skills is more important than ever.

Congress passed the Digital Equity Act as part of the bipartisan Infrastructure Investment and Jobs Act (IIJA) to complement historic federal investments in broadband infrastructure by addressing barriers to broadband adoption and use. Through the IIJA, Congress appropriated $1.25 billion for the Competitive Grant Program—$250 million for each fiscal year from 2022 through 2026—to support efforts that help Americans gain the skills, devices, and resources needed to benefit from broadband connectivity.[2]

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[1] Benton Institute for Broadband & Society, Digital Equity Competitive Grant Program Update, https://www.benton.org/headlines/digital-equity-competitive-grant-program-update

[2] 47 U.S.C. § 1724(a), (l); Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, div. F, tit. III, § 60305, 135 Stat. 429, 1222–26 (2021).

Demand for these resources has been substantial. Following NTIA's 2024 Notice of Funding Opportunity, more than 700 applicants requested over $6.5 billion in funding.[3] Local governments, libraries, educational institutions, workforce organizations, nonprofits, and other eligible entities invested significant time and resources to identify community needs, develop programs, and build partnerships in anticipation of these awards.

On May 8, 2025, President Trump on Truth Social announced his intention to immediately terminate the Digital Equity Act grant programs, including the Competitive Grant Program, asserting that the program was "racist" and "illegal" because it included racial and ethnic minorities as part of its targeted covered populations.[4,5] On July 15, 2026, the U.S. District Court for the District of Columbia held in *National Digital Inclusion Alliance v. Trump* that the provision identifying members of racial or ethnic minority groups as a covered population was unconstitutional, but also held that the provision was severable from the remainder of the statute.[6] The decision therefore provides a path for the Competitive Grant Program to move forward consistent with the remaining statutory requirements.

On October 23, 2026, NTIA filed an update in *National Digital Inclusion Alliance v. Trump stating* that NTIA is on track to publish the NOFO and application for the Competitive Grant Program in December 2026.[7] As NTIA develops this NOFO, I urge the agency to minimize disruption to applicants by preserving the substantial work already undertaken to develop proposals and establish community partnerships. NTIA should allow applicants to update existing proposals to meet any revised program requirements, rather than requiring them to restart the application process, and provide clear guidance to facilitate a timely transition.

I also urge NTIA to provide a clear path forward for the State Digital Equity Capacity Grant Program. Delaware was the second state in the country to receive federal approval of its State Digital Equity Plan in 2024 and was expected to become the first state to achieve 100% access to high-speed broadband.[8] NTIA subsequently awarded Delaware approximately $4.8 million to implement initiatives supporting digital literacy, workforce development, broadband affordability, and device access.[9] However, since the Trump administration's termination of the

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[3] NTIA., *Three Years of High-Speed Internet Infrastructure Investment* (Nov. 15, 2024), https://www.ntia.gov/blog/2024/three-years-high-speed-internet-infrastructure-investment.

[4] Donald J. Trump, Truth Social (May 8, 2025), https://truthsocial.com/@realDonaldTrump/posts/114474136573150113

[5] See *The Digital Equity Act Tried to Close the Digital Divide. Trump Targets It in His War on 'Woke,'* PBS NewsHour (May 9, 2025), https://www.pbs.org/newshour/politics/the-digital-equity-act-tried-to-close-the-digital-divide-trump-targets-it-in-his-war-on-woke.

[6] *NDIA. v. Trump*, No. 25-3606 (JDB), slip op. at 22–35 (D.D.C. July 15, 2026), https://law.justia.com/cases/federal/district-courts/district-of-columbia/dcdce/1:2025cv03606/285702/60/.

[7] National Digital Inclusion Alliance v. Trump, No. 25-cv-03606 (JDB), Joint Status Report (D.D.C. Oct. 23, 2026), https://www.benton.org/sites/default/files/D.D.C.%2025-cv-03606%20dckt%20000064_000%20filed%202026-10-23.pdf

[8] Holly Quinn, The Delaware Digital Equity Plan Has Been Approved. What's Next?, Technical.ly (Mar. 25, 2024), https://www.benton.org/headlines/delaware-digital-equity-plan-has-been-approved-what%E2%80%99s-next

[9] National Telecommunications and Information Administration (NTIA), Biden-Harris Administration Approves and Recommends for Award Digital Equity Capacity Grant Applications Totaling More Than $68 Million (Nov. 14, 2024), https://www.benton.org/headlines/biden-harris-administration-approves-and-recommends-award-digital-

program in May 2025, Delaware has been left without a clear path to accessing these funds or implementing its approved plan. Because the Capacity Grant Program was not at issue in *National Digital Inclusion Alliance v. Trump*, its status remains unresolved. I urge NTIA to clarify how it intends to move forward with the program and make congressionally appropriated Capacity Grant funding available as quickly as possible.

Congress established and funded the Digital Equity Act programs on a bipartisan basis because deploying broadband infrastructure alone does not guarantee that Americans can fully benefit from it. Promptly moving forward with the Competitive and Capacity Grant Programs would carry out Congress's direction, provide certainty to applicants and states, and help ensure that federal investments in broadband infrastructure translate into meaningful connectivity for communities across the country.

Thank you for your attention to this important matter, and I look forward to working with you to ensure these programs are implemented promptly, effectively, and in a manner that is consistent with the law.

Sincerely,

Lisa Blunt Rochester
United States Senator

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