

with respect to which the Assistant Secretary has approved an application submitted to the Assistant Secretary under section 1723(c)(3)(C) of this title; and

(B) with respect to capacity grants awarded under section 1723(d) of this title, a State with respect to which the Assistant Secretary has approved an application submitted to the Assistant Secretary under section 1723(d)(2) of this title, including approval of the State Digital Equity Plan developed by the State under section 1723(c) of this title.

(15) Gender identity

The term “gender identity” has the meaning given the term in section 249(c) of title 18.

(16) Indian Tribe

The term “Indian Tribe” has the meaning given the term in section 5304(e) of title 25.

(17) Institution of higher education

The term “institution of higher education”—

(A) has the meaning given the term in section 1001 of title 20; and

(B) includes a postsecondary vocational institution.

(18) Local educational agency

The term “local educational agency” has the meaning given the term in section 7801(30) of title 20.

(19) Postsecondary vocational institution

The term “postsecondary vocational institution” has the meaning given the term in section 1002(c) of title 20.

(20) Rural area

The term “rural area” has the meaning given the term in section 950bb(b)(3) of title 7.

(21) State

The term “State” means—

(A) any State of the United States;

(B) the District of Columbia; and

(C) the Commonwealth of Puerto Rico.

(22) Veteran

The term “veteran” has the meaning given the term in section 101 of title 38.

(23) Workforce development program

The term “workforce development program” has the meaning given the term in section 3102(66) of title 29.

(Pub. L. 117–58, div. F, title III, § 60302, Nov. 15, 2021, 135 Stat. 1209.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

For short title of this subchapter as the “Digital Equity Act of 2021”, see section 60301 of Pub. L. 117–58, set out as a note under section 1701 of this title.

§ 1722. Sense of Congress

It is the sense of Congress that—

(1) a broadband connection and digital literacy are increasingly critical to how individuals—

(A) participate in the society, economy, and civic institutions of the United States; and

(B) access health care and essential services, obtain education, and build careers;

(2) digital exclusion—

(A) carries a high societal and economic cost;

(B) materially harms the opportunity of an individual with respect to the economic success, educational achievement, positive health outcomes, social inclusion, and civic engagement of that individual; and

(C) exacerbates existing wealth and income gaps, especially those experienced by covered populations;

(3) achieving digital equity for all people of the United States requires additional and sustained investment and research efforts;

(4) the Federal Government, as well as State, tribal, territorial, and local governments, have made social, legal, and economic obligations that necessarily extend to how the citizens and residents of those governments access and use the internet; and

(5) achieving digital equity is a matter of social and economic justice and is worth pursuing.

(Pub. L. 117–58, div. F, title III, § 60303, Nov. 15, 2021, 135 Stat. 1212.)

§ 1723. State Digital Equity Capacity Grant Program

(a) Establishment; purpose

(1) In general

The Assistant Secretary shall establish in the Department of Commerce the State Digital Equity Capacity Grant Program (referred to in this section as the “Program”)—

(A) the purpose of which is to promote the achievement of digital equity, support digital inclusion activities, and build capacity for efforts by States relating to the adoption of broadband by residents of those States;

(B) through which the Assistant Secretary shall make grants to States in accordance with the requirements of this section; and

(C) which shall ensure that States have the capacity to promote the achievement of digital equity and support digital inclusion activities.

(2) Consultation with other Federal agencies; no conflict

In establishing the Program under paragraph (1), the Assistant Secretary shall—

(A) consult with—

(i) the Secretary of Agriculture;

(ii) the Secretary of Housing and Urban Development;

(iii) the Secretary of Education;

(iv) the Secretary of Labor;

(v) the Secretary of Health and Human Services;

(vi) the Secretary of Veterans Affairs;

(vii) the Secretary of the Interior;

(viii) the Federal Communications Commission;

(ix) the Federal Trade Commission;

(x) the Director of the Institute of Museum and Library Services;

(xi) the Administrator of the Small Business Administration;