

(B) includes—

(i) accredited public or private non-commercial educational institutions, providing their own facilities-based educational broadband service, as defined in section 27.4 of title 47, Code of Federal Regulations, or any successor regulation; and

(ii) health care providers and libraries providing advanced communications service.

#### (11) Recipient

The term “recipient” means any provider of advanced communications service the application of which for a reimbursement under the Program has been approved by the Commission, regardless of whether the provider has received reimbursement funds.

#### (12) Reimbursement funds

The term “reimbursement funds” means any reimbursement received under the Program.

(Pub. L. 116–124, §9, Mar. 12, 2020, 134 Stat. 169; Pub. L. 116–260, div. N, title IX, §901(2), Dec. 27, 2020, 134 Stat. 2121.)

### Editorial Notes

#### AMENDMENTS

2020—Par. (10). Pub. L. 116–260 amended par. (10) generally. Prior to amendment, text read as follows: “The term ‘provider of advanced communications service’ means a person who provides advanced communications service to United States customers.”

#### § 1609. Severability

If any provision of this chapter, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remaining provisions of this chapter, and the application of such provisions to any person or circumstance, shall not be affected thereby.

(Pub. L. 116–124, §10, Mar. 12, 2020, 134 Stat. 170.)

## CHAPTER 16—BROADBAND ACCESS

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### SUBCHAPTER I—BROADBAND GRANTS FOR STATES, DISTRICT OF COLUMBIA, PUERTO RICO, AND TERRITORIES

#### § 1701. Findings

Congress finds the following:

(1) Access to affordable, reliable, high-speed broadband is essential to full participation in modern life in the United States.

(2) The persistent “digital divide” in the United States is a barrier to the economic competitiveness of the United States and equitable distribution of essential public services, including health care and education.

(3) The digital divide disproportionately affects communities of color, lower-income areas, and rural areas, and the benefits of broadband should be broadly enjoyed by all.

(4) In many communities across the country, increased competition among broadband providers has the potential to offer consumers more affordable, high-quality options for broadband service.

(5) The 2019 novel coronavirus pandemic has underscored the critical importance of affordable, high-speed broadband for individuals, families, and communities to be able to work, learn, and connect remotely while supporting social distancing.

(Pub. L. 117–58, div. F, title I, §60101, Nov. 15, 2021, 135 Stat. 1182.)

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE

Pub. L. 117–58, div. F, title III, §60301, Nov. 15, 2021, 135 Stat. 1209, provided that: “This title [enacting subchapter II of this chapter] may be cited as the ‘Digital Equity Act of 2021’.”

#### § 1702. Grants for broadband deployment

##### (a) Definitions

##### (1) Areas, locations, and institutions lacking broadband access

In this section:

##### (A) Unserved location

The term “unserved location” means a broadband-serviceable location, as determined in accordance with the broadband DATA maps, that—

(i) has no access to broadband service; or

(ii) lacks access to reliable broadband service offered with—

(I) a speed of not less than—

(aa) 25 megabits per second for downloads; and

(bb) 3 megabits per second for uploads; and

(II) a latency sufficient to support real-time, interactive applications.

##### (B) Unserved service project

The term “unserved service project” means a project in which not less than 80 percent of broadband-serviceable locations served by the project are unserved locations.