

network management practices in the application submitted through the process established under subsection (d).

**(4) Accountability**

The Assistant Secretary shall—

(A) establish sufficient transparency, accountability, reporting, and oversight measures for the grant program established under subsection (c) to deter waste, fraud, and abuse of program funds; and

(B) establish—

(i) buildout requirements for each eligible entity that receives a middle mile grant, which shall require the completion of a certain percentage of project miles by a certain date; and

(ii) penalties, which may include rescission of funds, for grantees that do not meet requirements described in clause (i) or the deadline under paragraph (2).

**(5) Extensions**

**(A) In general**

At the request of an eligible entity, the Assistant Secretary may extend the buildout deadline under paragraph (2) by not more than 1 year if the eligible entity certifies that—

(i) the eligible entity has a plan for use of the middle mile grant;

(ii) the project to build out middle mile infrastructure is underway; or

(iii) extenuating circumstances require an extension of time to allow completion of the project to build out middle mile infrastructure.

**(B) Effect on interim buildout requirements**

If the Assistant Secretary grants an extension under subparagraph (A), the Assistant Secretary shall modify any buildout requirements established under paragraph (4)(B)(i) as necessary.

**(f) Federal share**

The amount of a middle mile grant awarded to an eligible entity may not exceed 70 percent of the total project cost.

**(g) Special rules for Tribal governments**

**(1) Waivers; alternative requirements**

The Assistant Secretary, in consultation with Tribal governments and Native entities, may waive, or specify alternative requirements for, any provision of subsections (c) through (f) if the Assistant Secretary finds that the waiver or alternative requirement is necessary—

(A) for the effective delivery and administration of middle mile grants to Tribal governments; or

(B) the construction, improvement, or acquisition of middle mile infrastructure on trust land.

**(2) Tribally unserved areas; tribally underserved areas**

The Assistant Secretary, in consultation with Tribal governments and Native entities, shall develop a process for designating Tribally unserved areas and Tribally underserved areas for purposes of this section.

**(h) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$1,000,000,000 for fiscal years 2022 through 2026.

(Pub. L. 117–58, div. F, title IV, § 60401, Nov. 15, 2021, 135 Stat. 1231.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in subsec. (a)(16)(B)(iii)(II), (17)(B)(ii)(II), means div. F of Pub. L. 117–58, Nov. 15, 2021, 135 Stat. 1182, see Definitions note set out below. For complete classification of this Act to the Code, see Tables.

**Statutory Notes and Related Subsidiaries**

DEFINITIONS

For definition of “this Act” as used in this section, see section 2 of Pub. L. 117–58, set out as a note under section 1 of Title 1, General Provisions.

SUBCHAPTER IV—BROADBAND AFFORDABILITY

**§ 1751. Definitions**

In this subchapter—

(1) the term “broadband internet access service” has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation; and

(2) the term “Commission” means the Federal Communications Commission.

(Pub. L. 117–58, div. F, title V, § 60501, Nov. 15, 2021, 135 Stat. 1238.)

**Editorial Notes**

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original, “this title”, meaning title V of div. F of Pub. L. 117–58, which enacted this section and sections 1753 and 1754 of this title, amended sections 644 and 1752 of this title, and enacted provisions set out as notes under section 1752 of this title. For complete classification of title V to the Code, see Tables.

**§ 1752. Benefit for broadband service**

**(a) Definitions**

In this section:

**(1) Broadband internet access service**

The term “broadband internet access service” has the meaning given such term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

**(2) Broadband provider**

The term “broadband provider” means a provider of broadband internet access service.

**(3) Commission**

The term “Commission” means the Federal Communications Commission.

**(4) Connected device**

The term “connected device” means a laptop or desktop computer or a tablet.

**(5) Designated as an eligible telecommunications carrier**

The term “designated as an eligible telecommunications carrier”, with respect to a