

(16) researchers, academics, and philanthropic organizations; and

(17) other agencies, organizations (including international organizations), entities (including entities with expertise in the fields of data collection, analysis and modeling, and evaluation), and community stakeholders, as determined appropriate by the Assistant Secretary.

**(d) Technical support and assistance**

The Assistant Secretary shall provide technical support and assistance, assistance to entities to prepare the applications of those entities with respect to grants awarded under the covered programs, and other resources, to the extent practicable, to ensure consistency in data reporting and to meet the objectives of this section.

**(e) Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out this section, which shall remain available until expended.

(Pub. L. 117–58, div. F, title III, §60306, Nov. 15, 2021, 135 Stat. 1228.)

**§ 1726. General provisions**

**(a) Nondiscrimination**

**(1) In general**

No individual in the United States may, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that is funded in whole or in part with funds made available to carry out this subchapter.

**(2) Enforcement**

The Assistant Secretary shall effectuate paragraph (1) with respect to any program or activity described in that paragraph by issuing regulations and taking actions consistent with section 2000d–1 of title 42.

**(3) Judicial review**

Judicial review of an action taken by the Assistant Secretary under paragraph (2) shall be available to the extent provided in section 2000d–2 of title 42.

**(b) Technological neutrality**

The Assistant Secretary shall, to the extent practicable, carry out this subchapter in a technologically neutral manner.

**(c) Audit and oversight**

Beginning in the first fiscal year in which amounts are made available to carry out an activity authorized under this subchapter, and in each of the 4 fiscal years thereafter, there is authorized to be appropriated to the Office of Inspector General for the Department of Commerce \$1,000,000 for audits and oversight of funds made available to carry out this subchapter, which shall remain available until expended.

(Pub. L. 117–58, div. F, title III, §60307, Nov. 15, 2021, 135 Stat. 1230.)

**SUBCHAPTER III—ENABLING MIDDLE MILE BROADBAND INFRASTRUCTURE**

**§ 1741. Enabling middle mile broadband infrastructure**

**(a) Definitions**

In this section:

**(1) Anchor institution**

The term “anchor institution” means a school, library, medical or healthcare provider, community college or other institution of higher education, or other community support organization or entity.

**(2) Assistant Secretary**

The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

**(3) Commission**

The term “Commission” means the Federal Communications Commission.

**(4) Eligible entity**

The term “eligible entity” means—

(A) a State, political subdivision of a State, Tribal government, technology company, electric utility, utility cooperative, public utility district, telecommunications company, telecommunications cooperative, nonprofit foundation, nonprofit corporation, nonprofit institution, nonprofit association, regional planning counsel, Native entity, or economic development authority; or

(B) a partnership of 2 or more entities described in subparagraph (A).

**(5) FCC fixed broadband map**

The term “FCC fixed broadband map” means the map created by the Commission under section 642(c)(1)(B) of this title.

**(6) Indian Tribe**

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

**(7) Interconnect**

The term “interconnect” means the physical linking of 2 networks for the mutual exchange of traffic on non-discriminatory terms and conditions.

**(8) Internet exchange facility**

The term “internet exchange facility” means physical infrastructure through which internet service providers and content delivery networks exchange internet traffic between their networks.

**(9) Middle mile infrastructure**

The term “middle mile infrastructure”—

(A) means any broadband infrastructure that does not connect directly to an end-user location, including an anchor institution; and

(B) includes—

(i) leased dark fiber, interoffice transport, backhaul, carrier-neutral internet exchange facilities, carrier-neutral submarine cable landing stations, undersea cables, transport connectivity to data centers, special access transport, and other similar services; and