

117TH CONGRESS
2D SESSION

S. 4763

To support the construction of middle mile broadband infrastructure and
enhance the electric grid.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2022

Ms. CANTWELL (for herself and Mrs. CAPITO) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

A BILL

To support the construction of middle mile broadband
infrastructure and enhance the electric grid.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Grants to Rapidly Invest and Deploy Broadband Act of
6 2022” or the “GRID Broadband Act of 2022”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.
- Sec. 3. Definitions.
- Sec. 4. GRID broadband grants.

Sec. 5. Grant requirements.

Sec. 6. Project eligibility requirements.

Sec. 7. Prohibition on use for covered communications equipment or services.

Sec. 8. Grantee reporting requirements.

Sec. 9. NTIA reporting requirements.

Sec. 10. Technical support and assistance.

Sec. 11. Staffing.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are to—

3 (1) provide resilient and redundant middle mile
4 fiber optic infrastructure to provide more oppor-
5 tunity for last mile providers to connect to unserved
6 locations and underserved locations in rural and re-
7 mote areas and urban areas with high-quality, high-
8 speed broadband;

9 (2) enhance the resilience, reliability, and secu-
10 rity of the electric grid in order to guarantee deliv-
11 ery of power to critical facilities and electricity-de-
12 pendent essential services and reduce restoration
13 time following power disturbances;

14 (3) permanently reduce the cost of high-speed
15 broadband across the United States, including for
16 low-income households and small businesses;

17 (4) expand interconnections and the commu-
18 nications capacity of the electric grid of the United
19 States to facilitate deployment of more diverse and
20 distributed generation resources and smart-grid
21 technologies;

1 (5) provide rural and remote areas and urban
2 areas with new economic growth opportunities and
3 ensure equal access to education, healthcare,
4 telework, and e-commerce opportunities; and

5 (6) leverage assets such as tower facilities,
6 buildings, land, and rights-of-way to lower
7 broadband buildout costs to encourage private-sector
8 companies to expand affordable telecommunication
9 offerings.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) ASSISTANT SECRETARY.—The term “Assist-
13 ant Secretary” means the Assistant Secretary of
14 Commerce for Communications and Information.

15 (2) BROADBAND; BROADBAND SERVICE.—The
16 term “broadband” or “broadband service” has the
17 meaning given the term “broadband internet access
18 service” in section 8.1, title 47, Code of Federal
19 Regulations, or any successor regulation.

20 (3) ELIGIBLE ENTITY.—The term “eligible enti-
21 ty” means—

22 (A) an electric grid operator;

23 (B) a transmission owner or operator;

1 (C) a Transmission Organization (as de-
2 fined in section 3 of the Federal Power Act (16
3 U.S.C. 796));

4 (D) a Federal power marketing adminis-
5 tration;

6 (E) an electric utility owned or operated by
7 a Native entity; and

8 (F) a rural or municipal utility.

9 (4) GRID BROADBAND GRANT.—The term
10 “GRID broadband grant” means a grant awarded
11 under section 4.

12 (5) INTERCONNECTION.—The term “inter-
13 connection” means—

14 (A) the physical linking of 2 or more
15 broadband networks for the mutual exchange of
16 traffic on terms and conditions that, where
17 technically feasible without exceeding current
18 (as of the time of receipt of a GRID broadband
19 grant) or reasonably anticipated capacity limi-
20 tations, are technology-neutral and non-dis-
21 criminatory; and

22 (B) the offering of wholesale broadband
23 service at reasonable rates on a carrier-neutral
24 basis.

1 (6) LAST MILE BROADBAND INFRASTRUC-
 2 TURE.—The term “last mile broadband infrastruc-
 3 ture” means broadband infrastructure that—

4 (A) connects directly to an end-user loca-
 5 tion; and

6 (B) is capable of delivering—

7 (i) a speed of not less than 100 mega-
 8 bits per second for downloads;

9 (ii) a speed of not less than 20 mega-
 10 bits per second for uploads; and

11 (iii) latency less than or equal to 100
 12 milliseconds.

13 (7) LAST MILE PROVIDER.—The term “last
 14 mile provider” means an entity connecting middle
 15 mile infrastructure to last mile networks in order to
 16 provide retail broadband service, including—

17 (A) an internet service provider;

18 (B) a telecommunications cooperative or
 19 other cooperative;

20 (C) a regional planning council;

21 (D) a not-for-profit foundation, corpora-
 22 tion, institution, or association;

23 (E) a public power utility or a rural elec-
 24 tric cooperative;

25 (F) a Native entity; and

1 (G) a municipality, Tribal government, or
 2 other local government.

3 (8) LOW-INCOME HOUSEHOLD.—The term
 4 “low-income household” means a household whose
 5 income is not greater than 200 percent of the Fed-
 6 eral Poverty Guidelines for a household of that size.

7 (9) MIDDLE MILE INFRASTRUCTURE.—The
 8 term “middle mile infrastructure”—

9 (A) means any fiber optic broadband infra-
 10 structure that does not connect directly to an
 11 end-user location or a retail customer; and

12 (B) includes leased dark fiber, interoffice
 13 transport, backhaul, carrier-neutral internet ex-
 14 change facilities, carrier-neutral submarine
 15 cable landing stations, undersea cables, trans-
 16 port connectivity to data centers, special access
 17 transport, and other similar services.

18 (10) NATIVE ENTITY.—The term “Native enti-
 19 ty” has the meaning given the term in section 60401
 20 of the Infrastructure Investment and Jobs Act (47
 21 U.S.C. 1741).

22 (11) PROGRAM.—The term “Program” means
 23 the GRID Broadband Facilitation Program estab-
 24 lished under section 4.

1 (12) RURAL AND REMOTE AREA.—The term
 2 “rural and remote area” means a political subdivi-
 3 sion of a State or an unincorporated area that has
 4 a population of not more than 10,000 inhabitants.

5 (13) RURAL OR MUNICIPAL UTILITY.—The
 6 term “rural or municipal utility” means—

7 (A) a rural electric cooperative;

8 (B) a utility owned by a political subdivi-
 9 sion of a State, such as a municipally owned
 10 electricity utility;

11 (C) a utility owned by any agency, author-
 12 ity, corporation, or instrumentality of 1 or more
 13 political subdivisions of a State;

14 (D) a not-for-profit entity that is in a part-
 15 nership with not fewer than 6 entities described
 16 in subparagraph (A), (B), or (C);

17 (E) a utility owned by a Native entity; and

18 (F) an investor-owned electric utility that
 19 sells less than 4,000,000 megawatt hours of
 20 electricity per year.

21 (14) SECRETARY.—The term “Secretary”
 22 means the Secretary of Energy.

23 (15) UNDERSERVED LOCATION.—The term
 24 “underserved location” means a broadband-service-
 25 able location that—

1 (A) is not an unserved location; and

2 (B) lacks access to broadband service of-
3 fered with—

4 (i) a speed of not less than—

5 (I) 100 megabits per second for
6 downloads; and

7 (II) 20 megabits per second for
8 uploads; and

9 (ii) a latency and jitter sufficient to
10 support real-time, interactive applications.

11 (16) UNSERVED LOCATION.—The term
12 “unserved location” means a broadband-serviceable
13 location that—

14 (A) has no access to broadband service; or

15 (B) lacks access to broadband service of-
16 fered with—

17 (i) a speed of not less than—

18 (I) 25 megabits per second for
19 downloads; and

20 (II) 3 megabits per second for
21 uploads; and

22 (ii) a latency and jitter sufficient to
23 support real-time, interactive applications.

24 (17) URBAN AREA.—The term “urban area”
25 has the meaning given the term by the Bureau of

1 the Census in the notice of final program criteria en-
 2 titled “Urban Area Criteria for the 2020 Census—
 3 Final Criteria”, published in the Federal Register on
 4 March 24, 2022 (87 Fed. Reg. 16706), or any suc-
 5 cessor to that notice.

6 **SEC. 4. GRID BROADBAND GRANTS.**

7 (a) IN GENERAL.—The Assistant Secretary shall es-
 8 tablish a program, in consultation with the Secretary, and
 9 subject to subsection (c), to be known as the “GRID
 10 Broadband Facilitation Program”, under which the As-
 11 sistant Secretary makes grants to eligible entities to facili-
 12 tate—

13 (1) the construction of fiber optic communica-
 14 tions infrastructure with sufficient capacity to serve
 15 as middle mile infrastructure;

16 (2) the enhancement or expansion of existing
 17 (as of the date of the grant award) fiber optics com-
 18 munications infrastructure for the purpose of serv-
 19 ing as middle mile infrastructure;

20 (3) the use of lit or dark fiber to increase
 21 broadband capability or capacity; or

22 (4) the acquisition or installation of the equip-
 23 ment and other resources necessary for interconnec-
 24 tion of middle mile infrastructure with last mile

1 broadband infrastructure to allow for the exchange
2 of internet traffic between networks.

3 (b) APPLICATIONS FOR GRANTS.—

4 (1) IN GENERAL.—The Assistant Secretary
5 shall establish an application process for GRID
6 broadband grants.

7 (2) SELECTION PRIORITY.—In selecting
8 projects for which to provide GRID broadband
9 grants, the Assistant Secretary shall give priority to
10 projects that meet criteria described in paragraph
11 (3).

12 (3) PRIORITY CRITERIA.—The criteria described
13 in this paragraph are that a project—

14 (A) leverages existing (as of the date of the
15 grant award) rights-of-way, easements, assets,
16 and infrastructure to minimize financial, regu-
17 latory, and permitting barriers;

18 (B) is located in a State or political sub-
19 division of a State, or within a Tribal jurisdic-
20 tion, that allows rights-of-way, easements, and
21 cost recovery for constructing and operating
22 middle mile infrastructure by eligible entities;

23 (C) is used to connect or construct middle
24 mile infrastructure on trust land (as defined in
25 section 3765 of title 38, United States Code)

1 that is owned by, or held in trust for the benefit
2 of, as applicable, a Native entity;

3 (D) aligns with broadband access goals es-
4 tablished by States, Tribal governments, and lo-
5 calities;

6 (E) is most likely to expeditiously provide
7 affordable broadband service to areas with
8 unserved locations and underserved locations;

9 (F) is most likely to expeditiously provide
10 affordable broadband service to urban areas
11 that have a demonstrated lack of internet usage
12 and access;

13 (G) has partnerships with last mile pro-
14 viders who commit to provide broadband
15 through their last mile infrastructure that—

16 (i) meets the threshold speeds and ca-
17 pabilities for broadband to no longer de-
18 clare a location an unserved location or un-
19 derserved location; and

20 (ii) ensures that the networks built by
21 the project are easily scalable to—

22 (I) meet the evolving connectivity
23 needs of households and businesses;
24 and

1 (II) support the deployment of
2 5G, successor wireless technologies,
3 and other advanced services;

4 (H) helps provide affordable gigabit upload
5 and download speeds to community institutions
6 such as a school, library, medical or healthcare
7 provider, community college or other institution
8 of higher education, or other community sup-
9 port organization or entity;

10 (I) contributes to broadband resilience and
11 minimizes the occurrence and duration of out-
12 ages through the creation of alternative network
13 connection paths designed to prevent single
14 points of failure on a broadband network;

15 (J) would accelerate the rate and scope of
16 deployment of 5G infrastructure, successor
17 wireless technologies, and other advanced serv-
18 ices;

19 (K) reduces the natural and man-made
20 threats to the telecommunication and electricity
21 networks of the United States that are identi-
22 fied in the North American Energy Resilience
23 Model, as determined in consultation with the
24 Secretary;

1 (L) supports the security of the electric
2 grid by installing a private, closed-loop commu-
3 nications network for grid operators;

4 (M) helps provide monitoring of threats to
5 the electric grid, including with respect to pur-
6 poseful physical attacks, extreme weather im-
7 pacts, and wildfire detection;

8 (N) demonstrates the ability to improve
9 critical services to communities such as
10 healthcare, communications for first responders,
11 fire, and safety management, and seismic early
12 warning systems;

13 (O) enhances the ability to sense and mon-
14 itor power characteristics in near-real time in
15 order to—

16 (i) optimize electric grid operations;

17 and

18 (ii) manage the integration of more
19 distributed resources and intermittent re-
20 newable power sources; or

21 (P) will provide significant non-Federal
22 matching funds or other monetary or in-kind
23 consideration.

1 (c) IMPLEMENTATION TIMELINE.—Not later than
 2 180 days after the date of enactment of this Act, the As-
 3 sistant Secretary shall—

4 (1) issue a notice inviting eligible entities to
 5 submit applications for GRID broadband grants,
 6 which shall contain details about how awarding deci-
 7 sions will be made; and

8 (2) outline—

9 (A) the requirements for applications for
 10 GRID broadband grants; and

11 (B) the allowed uses of GRID broadband
 12 grant funds.

13 (d) INTERCONNECTION AND OVERSIGHT.—

14 (1) INTERCONNECTION.—

15 (A) IN GENERAL.—An eligible entity that
 16 receives a GRID broadband grant shall offer,
 17 for the life of the project, interconnection di-
 18 rectly, or indirectly through another entity—

19 (i) to any last mile provider making a
 20 bona fide request for available capacity
 21 pursuant to a sustainable business plan
 22 that meets 1 or more of the priority cri-
 23 teria described in subsection (b)(3); and

24 (ii) on reasonable rates and terms to
 25 be negotiated with requesting parties.

1 (B) NATURE OF INTERCONNECTION.—The
2 interconnection required to be offered under
3 subparagraph (A) includes—

4 (i) the ability to connect to the public
5 internet; and

6 (ii) physical interconnection for the
7 exchange of traffic with last mile inter-
8 connection.

9 (2) OVERSIGHT.—The Assistant Secretary
10 shall—

11 (A) in consultation with the Secretary,
12 oversee interconnection agreements between re-
13 cipients of GRID broadband grants and last
14 mile providers seeking to interconnect with—

15 (i) the middle mile infrastructure de-
16 ployed using GRID broadband grants; and

17 (ii) other middle mile infrastructure
18 owned or operated by eligible entities; and

19 (B) review the interconnection terms and
20 conditions proposed by an eligible entity to en-
21 sure that the terms and conditions—

22 (i) provide for reasonable cost recov-
23 ery by the eligible entity; and

1 (ii) in the case of a recipient of a
 2 GRID broadband grant that qualifies
 3 under subsection (j) or (k) of section 5—

4 (I) help decrease the cost for re-
 5 sulting last mile broadband service to
 6 consumers; and

7 (II) include affordable options for
 8 low-income households.

9 (e) **IMPACT ON OTHER FEDERAL BROADBAND PRO-**
 10 **GRAMS.**—The use of GRID broadband grant funds by an
 11 eligible entity, or partner of an eligible entity, shall not
 12 impact the eligibility of, or otherwise disadvantage, the eli-
 13 gible entity or partner with respect to participation in any
 14 other Federal broadband program.

15 (f) **PROHIBITION ON OVERBUILDING.**—The Assistant
 16 Secretary shall ensure that GRID broadband grant funds
 17 are not used to duplicate existing or planned last mile
 18 broadband infrastructure.

19 **SEC. 5. GRANT REQUIREMENTS.**

20 (a) **OPEN COMPETITION.**—The Assistant Secretary
 21 shall assess applications for GRID broadband grants on
 22 a competitive basis.

23 (b) **COMPETENCE.**—The Assistant Secretary shall in-
 24 clude in the application process established under section

1 4(b)(1) a requirement that an eligible entity can dem-
2 onstrate that the entity—

3 (1) is capable of carrying out a proposed
4 project in a competent manner, including by dem-
5 onstrating that the entity has the financial, tech-
6 nical, and operational capability to—

7 (A) carry out the proposed project con-
8 sistent with the proposed milestones and budg-
9 et; and

10 (B) ensure the long-term operation and
11 maintenance of the resulting fiber optics facili-
12 ties, including middle mile broadband infra-
13 structure; and

14 (2) has the capability to enter into interconnec-
15 tion agreements with last mile providers to provide
16 broadband service.

17 (c) NETWORK IMPACT ASSESSMENT.—Any applicant
18 for a GRID broadband grant shall disclose the applicant’s
19 proposed interconnection, nondiscrimination, and network
20 management practices.

21 (d) TIMELINE.—Subject to subsection (e), to be eligi-
22 ble to obtain a GRID broadband grant, an eligible entity
23 shall agree, in the application submitted through the proc-
24 ess established under section 4(b)(1), to complete buildout
25 of the middle mile infrastructure described in the applica-

1 tion by not later than 3 years after the date on which
 2 amounts from the grant are made available to the entity.

3 (e) INTERIM BUILDOUT REQUIREMENTS.—The As-
 4 sistant Secretary shall establish interim buildout require-
 5 ments with milestones for reporting for each eligible entity
 6 that receives a GRID broadband grant.

7 (f) EXTENSIONS.—At the request of an eligible enti-
 8 ty, the Assistant Secretary may extend the buildout dead-
 9 line under subsection (d) and modify any interim buildout
 10 requirements established under subsection (e) as nec-
 11 essary, if the eligible entity certifies that—

12 (1) the project to build out middle mile infra-
 13 structure is underway; and

14 (2) extenuating circumstances require an exten-
 15 sion of time to allow completion of the project.

16 (g) PERFORMANCE.—The Assistant Secretary may,
 17 in addition to other authority under applicable law, and
 18 as defined in advance by the Assistant Secretary—

19 (1) deobligate awards to recipients of GRID
 20 broadband grants that demonstrate an insufficient
 21 level of performance, or wasteful or fraudulent
 22 spending; and

23 (2) competitively award funds deobligated under
 24 paragraph (1) to new or existing (as of the time of

1 the deobligation) applicants for GRID broadband
 2 grants consistent with this Act.

3 (h) PENALTIES.—The Assistant Secretary may, in
 4 addition to other authority under applicable law, and as
 5 defined in advance by the Assistant Secretary, establish
 6 a penalty regime, which may include rescission of funds,
 7 for recipients of GRID broadband grants that do not meet
 8 the requirements of this Act.

9 (i) COST SHARING.—

10 (1) 50 PERCENT MATCH REQUIRED.—Except as
 11 provided in paragraphs (2) and (3), an application
 12 for a GRID broadband grant shall demonstrate the
 13 ability to provide supplemental investments or in-
 14 kind support valued at not less than 50 percent of
 15 the amount of the proposed grant.

16 (2) 20 PERCENT MATCH REQUIRED.—Para-
 17 graph (1) shall be applied by substituting “20 per-
 18 cent” for “50 percent” if the applicant—

19 (A) is a Federal power marketing adminis-
 20 tration;

21 (B) is a Native entity; or

22 (C) qualifies under subsection (j) or (k).

23 (3) NO MATCH REQUIRED.—Paragraph (1)
 24 shall not apply if an applicant petitions the Assist-
 25 ant Secretary for a waiver and the Assistant Sec-

1 retary determines that the petition demonstrates fi-
2 nancial need or meets another public interest.

3 (j) RURAL SERVICE FOR UNSERVED LOCATIONS AND
4 UNDERSERVED LOCATIONS.—If a recipient of a GRID
5 broadband grant is a rural or municipal utility, or an elec-
6 tric utility owned or operated by a Native entity, seeking
7 to provide broadband service that is affordable and acces-
8 sible to unserved locations and underserved locations in
9 a rural and remote area, the recipient may use a portion
10 of the grant funds to support construction of last mile
11 broadband infrastructure, by the recipient or in partner-
12 ship with a last mile provider, to meet market demand
13 in that area.

14 (k) URBAN SERVICE FOR POPULATIONS WITHOUT
15 ACCESS.—Notwithstanding section 4(f), if a recipient of
16 a GRID broadband grant is a rural or municipal utility,
17 or an electric utility owned or operated by a Native entity,
18 seeking to provide broadband service that is affordable
19 and accessible to populations in urban areas where it has
20 been shown that cost is a barrier to internet connectivity,
21 the recipient may use a portion of the grant funds to sup-
22 port construction of last mile broadband infrastructure, by
23 the recipient or in partnership with a last mile provider,
24 to meet market demand in that area.

1 (l) DEOBLIGATION OF AWARDS.—The Assistant Sec-
2 retary—

3 (1) shall establish appropriate mechanisms to
4 ensure appropriate use of funds made available
5 under this section; and

6 (2) may, in addition to other authority under
7 applicable law—

8 (A) deobligate grant funds awarded to an
9 eligible entity that—

10 (i) is unable to fulfill the requirements
11 of subsection (b); or

12 (ii) demonstrates an insufficient level
13 of performance, or wasteful or fraudulent
14 spending, as defined in advance by the As-
15 sistant Secretary; and

16 (B) award grant funds that are deobligated
17 under subparagraph (A) to new or existing ap-
18 plicants consistent with this section.

19 (m) REGULATIONS.—The Assistant Secretary may
20 issue such regulations or other guidance, forms, instruc-
21 tions, or publications as may be necessary or appropriate
22 to carry out the programs, projects, or activities author-
23 ized under this Act, including to ensure that such pro-
24 grams, projects, or activities are completed in a timely and
25 effective manner.

1 (n) NO REGULATION OF RATES PERMITTED.—Noth-
2 ing in this Act may be construed to authorize the Assist-
3 ant Secretary or the National Telecommunications and In-
4 formation Administration to regulate the rates charged for
5 broadband service.

6 **SEC. 6. PROJECT ELIGIBILITY REQUIREMENTS.**

7 An eligible entity may not receive a GRID broadband
8 grant unless, at the time of the application for the grant,
9 the Assistant Secretary, in consultation with the Sec-
10 retary, determines that—

11 (1) the project would improve national security
12 by—

13 (A) helping harden the electric grid of the
14 United States against cyberattacks and other
15 threats; and

16 (B) reducing the likelihood of electricity
17 outages at Federal properties dedicated to na-
18 tional security; and

19 (2) the proposed middle mile infrastructure will
20 be capable of supporting the provision of broadband
21 service by a last mile provider, either directly or in-
22 directly through terrestrial or wireless service.

1 **SEC. 7. PROHIBITION ON USE FOR COVERED COMMUNICA-**
 2 **TIONS EQUIPMENT OR SERVICES.**

3 An eligible entity or partner of an eligible entity may
 4 not use GRID broadband grant funds to purchase or sup-
 5 port any covered communications equipment or service, as
 6 defined in section 9 of the Secure and Trusted Commu-
 7 nications Networks Act of 2019 (47 U.S.C. 1608).

8 **SEC. 8. GRANTEE REPORTING REQUIREMENTS.**

9 (a) IN GENERAL.—An eligible entity that receives a
 10 GRID broadband grant shall submit to the Assistant Sec-
 11 retary a biannual report for the life of the project, in a
 12 format specified by the Assistant Secretary, that—

13 (1) describes the entity’s—

14 (A) use of the grant and progress in ful-
 15 filling the objectives for which the grant funds
 16 were awarded, including meeting any require-
 17 ments established by the Assistant Secretary
 18 under section 5(l); and

19 (B) interconnection agreements with last
 20 mile providers, including how those agreements
 21 are—

22 (i) increasing the availability of high-
 23 speed, high-quality broadband in unserved
 24 locations and underserved locations;

25 (ii) ensuring compliance with section
 26 4(d)(1)(A) (relating to open access); and

1 (iii) making broadband service more
2 affordable for consumers; and

3 (2) includes any other information required by
4 the Assistant Secretary.

5 (b) PUBLICATION.—The Assistant Secretary shall
6 make each report submitted under subsection (a) available
7 to the public.

8 **SEC. 9. NTIA REPORTING REQUIREMENTS.**

9 (a) PUBLIC DISCLOSURE.—The Assistant Secretary
10 shall create and maintain a fully searchable online data-
11 base that contains—

12 (1) a list of each eligible entity that has applied
13 for a GRID broadband grant and any last mile pro-
14 vider with which the entity has partnered or has
15 proposed to partner;

16 (2) a description of each application described
17 in paragraph (1);

18 (3) the status of each application described in
19 paragraph (1);

20 (4) the name of each eligible entity that has re-
21 ceived a GRID broadband grant;

22 (5) the purpose for which an eligible entity de-
23 scribed in paragraph (4) received the grant;

24 (6) each biannual report submitted by an eligi-
25 ble entity under section 8(a); and

1 (7) any other information necessary to allow the
2 public to understand and monitor GRID broadband
3 grants awarded by the Assistant Secretary.

4 (b) PROTECTION OF CERTAIN INFORMATION.—The
5 Assistant Secretary may not include in the database cre-
6 ated under subsection (a) any—

7 (1) proprietary information;

8 (2) information the disclosure of which the As-
9 sistant Secretary, in consultation with the Secretary,
10 determines would pose a threat to national security;
11 or

12 (3) information relating Native American nat-
13 ural, cultural, and historical resources identified as
14 confidential by a Native entity, which shall also be
15 exempt from the disclosure requirements under sec-
16 tion 552 of title 5, United States Code (commonly
17 known as the “Freedom of Information Act”).

18 (c) MONITORING.—The Assistant Secretary shall set
19 up sufficient mechanisms to monitor the progress of
20 projects funded by GRID broadband grants, including au-
21 dits and on-site investigations.

22 (d) INTERNET DISCLOSURE.—The Assistant Sec-
23 retary shall, on the searchable database created under sec-
24 tion 60102(g)(3)(C) of the Infrastructure Investment and
25 Jobs Act (47 U.S.C. 1702(g)(3)(C)), provide information

1 sufficient to allow the public to understand and monitor
2 projects funded by GRID broadband grants.

3 **SEC. 10. TECHNICAL SUPPORT AND ASSISTANCE.**

4 (a) PROGRAM ASSISTANCE.—As part of the Program,
5 the Assistant Secretary, in consultation with the Sec-
6 retary, shall provide technical support and assistance to
7 eligible entities to facilitate their participation in the Pro-
8 gram.

9 (b) TECHNICAL EXPERTS.—The Assistant Secretary,
10 in consultation with the Secretary, shall convene a com-
11 mittee of technical experts to advise the Assistant Sec-
12 retary on the development and implementation of the Pro-
13 gram.

14 **SEC. 11. STAFFING.**

15 The Assistant Secretary may appoint, without regard
16 to the provisions of subchapter I of chapter 33 of title
17 5, United States Code (other than sections 3303 and 3328
18 of that subchapter), qualified candidates to any position
19 necessary to administer the Program.

○