

Calendar No. 61

119TH CONGRESS
1ST SESSION**H. R. 2399**

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2025

Received; read twice and placed on the calendar

AN ACT

To require the Federal Communications Commission to establish a vetting process for prospective applicants for high-cost universal service program funding.

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.**

4 This Act may be cited as the “Rural Broadband Pro-
5 tection Act of 2025”.

6 **SEC. 2. VETTING PROCESS FOR PROSPECTIVE HIGH-COST**
7 **UNIVERSAL SERVICE FUND APPLICANTS.**

8 Section 254 of the Communications Act of 1934 (47
9 U.S.C. 254) is amended by adding at the end the fol-
10 lowing:

1 “(m) VETTING OF HIGH-COST FUND RECIPIENTS.—

2 “(1) DEFINITIONS.—In this subsection—

3 “(A) the term ‘covered funding’ means any
4 new offer of high-cost universal service program
5 funding, including funding provided through a
6 reverse competitive bidding mechanism provided
7 under this section, for the deployment of a
8 broadband-capable network and the provision of
9 supported services over the network; and

10 “(B) the term ‘new covered funding award’
11 means an award of covered funding that is
12 made based on an application submitted to the
13 Commission on or after the date on which rules
14 are promulgated under paragraph (2).

15 “(2) COMMISSION RULEMAKING.—Not later
16 than 180 days after the date of enactment of this
17 subsection, the Commission shall initiate a rule-
18 making proceeding to establish a vetting process for
19 applicants for, and other recipients of, a new covered
20 funding award.

21 “(3) CONTENTS.—

22 “(A) IN GENERAL.—In promulgating rules
23 under paragraph (2), the Commission shall pro-
24 vide that, consistent with principles of tech-
25 nology neutrality, the Commission will only

1 award covered funding to applicants that can
2 demonstrate that they meet the qualifications in
3 subparagraph (B).

4 “(B) QUALIFICATIONS DESCRIBED.—An
5 applicant for a new covered funding award shall
6 include in the initial application a proposal con-
7 taining sufficient detail and documentation for
8 the Commission to ascertain that the applicant
9 possesses the technical, financial, and oper-
10 ational capabilities, and has a reasonable busi-
11 ness plan, to deploy the proposed network and
12 deliver services with the relevant performance
13 characteristics and requirements defined by the
14 Commission and as pledged by the applicant.

15 “(C) EVALUATION OF PROPOSAL.—The
16 Commission shall evaluate a proposal described
17 in subparagraph (B) against—

18 “(i) reasonable and well-established
19 technical, financial, and operational stand-
20 ards, including the technical standards
21 adopted by the Commission in orders of
22 the Commission relating to Establishing
23 the Digital Opportunity Data Collection
24 (WC Docket No. 19–195) (or orders of the
25 Commission relating to modernizing any

1 successor collection) for purposes of enti-
2 ties that must report broadband avail-
3 ability coverage; and

4 “(ii) the applicant’s history of com-
5 plying with requirements in the Commis-
6 sion and other government broadband de-
7 ployment funding programs.

8 “(D) PENALTIES FOR PRE-AUTHORIZATION
9 DEFAULTS.—In adopting rules for any new cov-
10 ered funding award, the Commission shall set a
11 penalty for pre-authorization defaults of at least
12 \$9,000 per violation and may not limit the base
13 forfeiture to an amount less than 30 percent of
14 the applicant’s total support, unless the Com-
15 mission demonstrates the need for lower pen-
16 alties in a particular instance.”.

Passed the House of Representatives April 28, 2025.

Attest: KEVIN F. MCCUMBER,
Clerk.

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