

116TH CONGRESS
2D SESSION

H. R. 7022

To direct the Federal Communications Commission to take certain actions to accelerate the Rural Digital Opportunity Fund Phase I auction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 27, 2020

Mr. CLYBURN (for himself and Mr. UPTON) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To direct the Federal Communications Commission to take certain actions to accelerate the Rural Digital Opportunity Fund Phase I auction, and for other purposes.

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 Ac-
5 celeration Act.”

6 **SEC. 2. ACCELERATION OF RURAL DIGITAL OPPORTUNITY**
7 **FUND PHASE I AUCTION.**

8 With respect to the Rural Digital Opportunity Fund
9 Phase I auction (in this section referred to as the “auc-

1 tion”) provided for in the Report and Order in the matter
2 of Rural Digital Opportunity Fund and Connect America
3 Fund adopted by the Federal Communications Commis-
4 sion (in this section referred to as the “Commission”) on
5 January 30, 2020 (FCC 20–5), the Commission shall
6 modify the framework for the auction adopted in such Re-
7 port and Order as follows:

8 (1) The Commission shall begin accepting long-
9 form applications before the auction, not later than
10 the earlier of the date that is 30 days after the date
11 on which the Commission begins accepting short-
12 form applications or July 31, 2020, from such appli-
13 cants as are willing to commit to the schedule de-
14 scribed in paragraph (3)(B) for deployment of net-
15 works capable of providing symmetrical Gigabit per-
16 formance service.

17 (2) If the long-form applications accepted pur-
18 suant to paragraph (1) indicate that, for any census
19 block or census block group identified in the Prelimi-
20 nary List of Eligible Areas released by the Commis-
21 sion on March 17, 2020, there is only 1 qualified ap-
22 plicant willing to commit to provide symmetrical
23 Gigabit performance service pursuant to the sched-
24 ule described in paragraph (3)(B), the Commission

1 shall, not later than the earlier of September 30,
2 2020, or 30 days before the start of the auction—

3 (A) award to such applicant Rural Digital
4 Opportunity Fund Phase I support for such
5 census block or census block group, at 100 per-
6 cent of the reserve price (in this paragraph re-
7 ferred to as the “award”);

8 (B) remove such census block or census
9 block group from the auction; and

10 (C) reduce the budget for the auction by
11 75 percent of the amount of the award and re-
12 duce the budget for the Rural Digital Oppor-
13 tunity Fund Phase II auction provided for in
14 such Report and Order by 25 percent of the
15 amount of the award.

16 (3) The Commission shall require an applicant
17 submitting a long-form application pursuant to para-
18 graph (1) to—

19 (A) not later than 30 days after the date
20 on which such applicant submits such long-form
21 application, provide a letter of commitment
22 from a bank meeting the Commission’s eligi-
23 bility requirements stating that the bank would
24 provide a letter of credit to such applicant if

1 such applicant becomes a winning bidder and is
2 awarded support; and

3 (B) commit to—

4 (i) begin construction not later than 6
5 months following funding authorization;
6 and

7 (ii) begin to make service available not
8 later than 1 year following funding author-
9 ization.

10 (4) If an applicant to which an award of sup-
11 port has been made under paragraph (2)(A) for a
12 census block or census block group fails to meet the
13 requirements of paragraph (3) with respect to such
14 award of support, the Commission shall revoke such
15 award of support and include such census block or
16 census block group for competitive bidding in the
17 Rural Digital Opportunity Fund Phase II auction
18 provided for in such Report and Order.

19 (5) The Commission shall require an applicant
20 to which an award of support has been made under
21 paragraph (2)(A) to meet the deployment schedule
22 to which the applicant committed under paragraph
23 (3)(B).

1 **SEC. 3. ENSURING THE FCC CREATES ACCURATE SERVICE**

2 **MAPS.**

3 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Title
4 VIII of the Communications Act of 1934 (47 U.S.C. 641
5 et seq.) is amended by adding at the end the following:

6 **“SEC. 807. AUTHORIZATION OF APPROPRIATIONS.**

7 “There is authorized to be appropriated to the Com-
8 mission to carry out this title—

9 “(1) \$25,000,000 for fiscal year 2020; and

10 “(2) \$9,000,000 for each of the fiscal years
11 2021 through 2027.”.

12 (b) **DEADLINE FOR CREATION OF MAPS.**—Section
13 802(c)(1) of the Communications Act of 1934 (47 U.S.C.
14 642(c)(1)) is amended by striking “create” and inserting
15 “create, not later than October 1, 2020”.

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