

**[DISCUSSION DRAFT]**116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R.** \_\_\_\_\_

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

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. CLYBURN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**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. ACCELERATION OF RURAL DIGITAL OPPOR-**  
4       **TUNITY FUND PHASE I AUCTION.**

5       With respect to the Rural Digital Opportunity Fund  
6       Phase I auction (in this section referred to as the “auc-  
7       tion”) provided for in the Report and Order in the matter  
8       of Rural Digital Opportunity Fund and Connect America

1 Fund adopted by the Federal Communications Commis-  
2 sion (in this section referred to as the “Commission”) on  
3 January 30, 2020 (FCC 20–5), the Commission shall  
4 modify the framework for the auction adopted in such Re-  
5 port and Order as follows:

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

15 (2) If the long-form applications accepted pur-  
16 suant to paragraph (1) indicate that, for any census  
17 block or census block group identified in the Prelimi-  
18 nary List of Eligible Areas released by the Commis-  
19 sion on March 17, 2020, there is only 1 qualified ap-  
20 plicant willing to commit to provide symmetrical  
21 Gigabit performance service pursuant to the sched-  
22 ule described in paragraph (3)(B), the Commission  
23 shall, not later than the earlier of September 30,  
24 2020, or 30 days before the start of the auction—

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

6 (B) remove such census block or census  
7 block group from the auction; and

8 (C) reduce the budget for the auction by  
9 75 percent of the amount of the award and re-  
10 duce the budget for the Rural Digital Oppor-  
11 tunity Fund Phase II auction provided for in  
12 such Report and Order by 25 percent of the  
13 amount of the award.

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

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

25 (B) commit to—

1 (i) begin construction not later than 6  
2 months following funding authorization;  
3 and

4 (ii) begin to make service available not  
5 later than 1 year following funding author-  
6 ization.

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

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

21 **SEC. 2. ENSURING THE FCC CREATES ACCURATE SERVICE**

22 **MAPS.**

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

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

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

4 “(1) \$25,000,000 for fiscal year 2020; and

5 “(2) \$9,000,000 for each of the fiscal years  
6 2021 through 2027.”.

7 (b) DEADLINE FOR CREATION OF MAPS.—Section  
8 802(c)(1) of the Communications Act of 1934 (47 U.S.C.  
9 642(c)(1)) is amended by striking “create” and inserting  
10 “create, not later than October 1, 2020”.