

119TH CONGRESS  
1ST SESSION

# S. 98

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## 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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. VETTING PROCESS FOR PROSPECTIVE HIGH-COST**  
5 **UNIVERSAL SERVICE FUND APPLICANTS.**

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

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

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

11               “(A) the term ‘covered funding’ means any  
12 new offer of high-cost universal service program  
13 funding, including funding provided through a  
14 reverse competitive bidding mechanism provided  
15 under this section, for the deployment of a  
16 broadband-capable network and the provision of  
17 supported services over the network; and

18               “(B) the term ‘new covered funding award’  
19 means an award of covered funding that is  
20 made based on an application submitted to the  
21 Commission on or after the date on which rules  
22 are promulgated under paragraph (2).

23           “(2) COMMISSION RULEMAKING.—Not later  
24 than 180 days after the date of enactment of this  
25 subsection, the Commission shall initiate a rule-  
26 making proceeding to establish a vetting process for

1 applicants for, and other recipients of, a new covered  
2 funding award.

3 “(3) CONTENTS.—

4 “(A) IN GENERAL.—In promulgating rules  
5 under paragraph (2), the Commission shall pro-  
6 vide that, consistent with principles of tech-  
7 nology neutrality, the Commission will only  
8 award covered funding to applicants that can  
9 demonstrate that they meet the qualifications in  
10 subparagraph (B).

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

22 “(C) EVALUATION OF PROPOSAL.—The  
23 Commission shall evaluate a proposal described  
24 in subparagraph (B) against—

“(i) reasonable and well-established technical, financial, and operational standards, including the technical standards adopted by the Commission in orders of the Commission relating to Establishing the Digital Opportunity Data Collection (WC Docket No. 19–195) (or orders of the Commission relating to modernizing any successor collection) for purposes of entities that must report broadband availability coverage; and

“(ii) the applicant’s history of complying with requirements in Commission and other government broadband deployment funding programs.

“(D) PENALTIES FOR PRE-AUTHORIZATION DEFAULTS.—In adopting rules for any new covered funding award, the Commission shall set a penalty for pre-authorization defaults of at least \$9,000 per violation and may not limit the base forfeiture to an amount less than 30 percent of the applicant’s total support, unless the Com-

1 mission demonstrates the need for lower pen-  
2 alties in a particular instance.”.

Passed the Senate June 26 (legislative day, June  
24), 2025.

Attest:

*Secretary.*

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