



# PUBLIC NOTICE

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## WIRELINE COMPETITION BUREAU REMINDS SECURE AND TRUSTED COMMUNICATIONS NETWORKS REIMBURSEMENT PROGRAM RECIPIENTS OF THEIR SPENDING REPORT FILING OBLIGATION

### WC Docket No. 18-89

By this Public Notice, the Wireline Competition Bureau (Bureau) reminds recipients in the Secure and Trusted Communications Networks Reimbursement Program (Reimbursement Program) of their obligation to file reimbursement spending reports with the Federal Communications Commission (Commission) by February 10, 2023.<sup>1</sup>

As directed in the Secure and Trusted Communications Networks Act of 2019 (the Act), the Commission established the Reimbursement Program to reimburse providers of advanced communications services with ten million or fewer customers for reasonable costs incurred in the removal, replacement, and disposal of covered communications equipment or services from their networks that pose a national security risk.<sup>2</sup> In accordance with the Act and Commission rules, each Reimbursement Program recipient must submit reports to the Commission describing “how reimbursement funds have been spent, including detailed accounting of the covered communications equipment or services permanently removed and disposed of, and the replacement equipment or services purchased, rented, leased or otherwise obtained, using reimbursement funds”<sup>3</sup> within 10 days after the end of January and July, starting with the recipient’s initial draw down of reimbursement funds.<sup>4</sup> This reporting obligation terminates once the recipient has filed a “final spending report showing the expenditure of all funds received as compared to the estimated costs” submitted.<sup>5</sup> In the *2020 Supply Chain Order*, the Commission noted that spending reports “help mitigate waste, fraud, and abuse by

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<sup>1</sup> 47 CFR § 1.50004(l).

<sup>2</sup> Secure and Trusted Communications Act of 2019, Pub. L. No. 116-124, 134 Stat. 158, § 9(11) (2019) (codified as amended at 47 U.S.C. §§ 1601-09), *as amended by* Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, § 901, 134 Stat. 1182 (2021). The Commission implemented the Secure Networks Act on December 10, 2020. *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs*, WC Docket No. 18-89, Second Report and Order, 35 FCC Rcd 14284 (2020) (*2020 Supply Chain Order*). On July 13, 2021, the Commission amended its rules, consistent with amendments to the Secure Networks Act included in the Consolidated Appropriations Act, 2021. *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs*, WC Docket No. 18-89, Third Report and Order, 36 FCC Rcd 11958 (2021).

<sup>3</sup> 47 CFR § 1.50004(l).

<sup>4</sup> *2020 Supply Chain Order*, 35 FCC Rcd at 14360, para. 188; 47 CFR § 1.50004(l)(1).

<sup>5</sup> 47 CFR § 1.50004(l)(2). The final spending report is due after the filing of a final certification by the recipient. *2020 Supply Chain Order*, 35 FCC Rcd at 14360, para. 188.

allowing the Commission to monitor the recipient's funding use to help make sure funds are spent as intended."<sup>6</sup>

Recipients that have been notified of the approval of a reimbursement claim request<sup>7</sup> must submit their first spending report on February 10, 2023. Recipients must submit their spending reports through the Supply Chain Reimbursement Program Online Portal, <https://fccprod.servicenowservices.com/scrp> by completing FCC Form 5640 Part L: Spending Reports.

*Public Posting and Requests for Confidentiality.* Pursuant to the Commission's rules, the Bureau will make information submitted by recipients in their spending reports publicly available on the Commission's website, "subject to confidentiality concerns consistent with the Commission's rules."<sup>8</sup> The Commission "consider[s] detailed accounting information on the covered communications equipment or services permanently removed and disposed of, and the replacement equipment or services purchased, rented, leased, or otherwise obtained, using reimbursement funds presumptively confidential and will withhold such disaggregated information from routine public inspection."<sup>9</sup> Recipients may request confidential treatment of other information submitted in their spending reports pursuant to section 0.459 of the Commission's rules.<sup>10</sup> Requests for confidential treatment must be submitted by filing a written request electronically in WC Docket No. 18-89 in the Commission's Electronic Comments Filing System (ECFS), <https://www.fcc.gov/ecfs>.

*Additional Information and Resources.* Recipients with questions may contact the Fund Administrator Help Desk by email at [SCRPFundAdmin@fcc.gov](mailto:SCRPFundAdmin@fcc.gov) or by calling (202) 418-7540 from 9:00 AM ET to 5:00 PM ET, Monday through Friday, except for Federal holidays. General information and Commission documents regarding the Reimbursement Program are available on the Reimbursement Program webpage, <https://www.fcc.gov/supplychain/reimbursement>.

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<sup>6</sup> 2020 Supply Chain Order, 35 FCC Rcd at 14359-60, para. 186.

<sup>7</sup> 47 CFR § 1.50004(g) ("[A] Reimbursement Program recipient may file a reimbursement claim request for the draw down disbursement of funds from the recipient's funding allocation.").

<sup>8</sup> 47 CFR § 1.50004(1)(3).

<sup>9</sup> *Id.*; 2020 Supply Chain Order, 35 FCC Rcd at 14360, para. 189.

<sup>10</sup> 47 CFR § 0.459.