



# **Secure and Trusted Communications Networks Reimbursement Program FCC Form 5640 Part L User Guide**

A step-by-step guide for completing FCC Form  
5640 Part L: *Spending Report*

OMB Control No. 3060-1270



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## Background

The Secure and Trusted Communications Networks Act of 2019 (Secure Networks Act), as amended, directed the Federal Communications Commission (FCC or Commission) to establish the Secure and Trusted Communications Networks Reimbursement Program (Reimbursement Program or SCRPP).<sup>1</sup> The purpose of the Reimbursement Program is to reimburse providers of advanced communications services with ten million or fewer customers for costs reasonably incurred in the removal, replacement, and disposal of communications equipment or services produced or provided by Huawei Technologies Company (Huawei) or ZTE Corporation (ZTE) (or their parents, subsidiaries, or affiliates) and obtained on or before June 30, 2020 (Covered Communications Equipment or Services).<sup>2</sup>

In the *2020 Supply Chain Order*, the Commission adopted rules for the Reimbursement Program, which are codified in section 1.50004 of its rules.<sup>3</sup> The Commission revised these rules in the *2021 Supply Chain Order* and provided additional guidance on the application and reimbursement process in the *Finalized Reimbursement Process Public Notice*, including FCC Form 5640 Part C: Application Request for Funding Allocation (FCC Form 5640 Part C) and a Catalog of Eligible Expenses and Estimated Costs (Cost Catalog), and separately on the disposal process.<sup>4</sup>

On July 15, 2022, the Wireline Competition Bureau (Bureau) issued decisions approving and denying applications submitted for Reimbursement Program support. Applicants that were

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<sup>1</sup> Secure and Trusted Communications Act of 2019, Pub. L. No. 116-124, 134 Stat. 158 (2020) (codified as amended at 47 U.S.C. § 1601-1609) (Secure and Trusted Communications Networks Act); Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, § 901, 134 Stat. 1182 (2020) (CAA).

<sup>2</sup> *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, 11965-78, 11992-96, paras. 18-46, 85-94 (2021) (*2021 Supply Chain Order*); see also *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, 14309-10, paras. 51-54 (2020) (*2020 Supply Chain Order*) (interpreting “communications equipment or service”).

<sup>3</sup> 47 CFR § 1.50004; *2020 Supply Chain Order*, 35 FCC Rcd at 14374-83, Appx. A.

<sup>4</sup> *2021 Supply Chain Order*, at Appx. A; *Wireline Competition Bureau Finalizes Application Filings, Procedures, Cost Catalog, and Replacement List for the Secure and Trusted Communications Networks Reimbursement Program*, WC Docket No. 18-89, Public Notice, 36 FCC Rcd 12190 (WCB Aug. 3, 2021) (*Finalized Reimbursement Process Public Notice*); *Wireline Competition Bureau Announces Best Practices for Equipment Disposal and Revises FCC Form 5640 Certifications for the Secure and Trusted Communications Networks Reimbursement Program*, WC Docket No. 18-89, Public Notice, 36 FCC Rcd 14061 (WCB Sept. 30, 2021).

approved to receive an allocation (Recipients)<sup>5</sup> received an approval email from the Bureau and the Bureau announced these allocations in a July 18, 2022 Public Notice.<sup>6</sup>

## Purpose and Scope of this User Guide

This document is a guide for Recipients to consult when submitting an FCC Form 5640 Part L: Spending Report (FCC Form 5640 Part L or Spending Report). Recipients are required to file biannual spending reports within 10 calendar days after the end of January and July, starting with the Recipient's initial draw down of disbursement funds and terminating once the Recipient has filed a final spending report showing the expenditure of all funds received as compared to the estimated costs submitted.<sup>7</sup> The Recipient must submit the final spending report no later than 60 days following the expiration of the reimbursement claim deadline.<sup>8</sup> The Bureau is required to make versions of the spending reports available to the public via a portal on the Commission's website, subject to confidentiality concerns consistent with the Commission's rules.<sup>9</sup>

As a reminder, a Recipient must file at least one reimbursement claim within one year of the approval of its Application Request for Funding Allocation. Additionally, a Recipient has one year from its initial disbursement of a reimbursement to complete the permanent Removal, Replacement, and Disposal (RRD) of all Covered Communications Equipment or Services unless that deadline is extended by the FCC.<sup>10</sup> Recipients may file Reimbursement Claim Requests up

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<sup>5</sup> The Secure Networks Act defines "recipient" as "any provider of advanced communications service the application of which for a reimbursement under the [Reimbursement] Program has been approved by the Commission, regardless of whether the provider has received reimbursement funds." 47 U.S.C. § 1608(11); *see also* 47 CFR § 1.50001 ("The term 'Reimbursement Program recipient' or 'recipient' means any eligible advanced communications service provider that has requested via application and been approved for funding in the Reimbursement Program, regardless of whether the provider has received reimbursement funds.").

<sup>6</sup> *Wireline Competition Bureau Announces the Grant of Applications for the Secure and Trusted Communications Networks Reimbursement Program*, WC Docket No. 18-89, Public Notice, DA 22-774 (WCB July 18, 2022).

<sup>7</sup> 47 CFR § 1.50004(l).

<sup>8</sup> 47 CFR § 1.50004(l)(2); *2021 Supply Chain Order*, 36 FCC Rcd at 12000, para. 104.

<sup>9</sup> 47bCFR § 1.50004(l)(3).

<sup>10</sup> 47 CFR § 1.50004(h); *2020 Supply Chain Order*, 35 FCC Rcd at 14291-92, para. 20. The Commission may extend the Removal, Replacement, and Disposal term for all recipients by six months if it "finds that the supply of replacement equipment or services needed by the recipients to achieve the purposes of the Program is inadequate to meet the needs of the recipients." 47 U.S.C. § 1603(d)(6)(B)(i); 47 CFR § 1.50004(h)(1). The Bureau may also grant a petition filed by a Recipient for an individual extension of up to six months "if the Bureau finds that, due to no fault of such recipient, such recipient is unable to complete the permanent removal, replacement, and disposal" of covered communications equipment and services within one year from their initial disbursement of reimbursement funds. 47 U.S.C. § 1603(d)(6)(C); 47 CFR § 1.50004(h)(2).

until 120 days following the end of their RRD term (Reimbursement Claim Request Deadline).<sup>11</sup> As noted above, the Recipient must submit the final spending report no later than 60 days following the expiration of the Reimbursement Claim Request Deadline.

This User Guide provides informal guidance intended to assist Recipients as they proceed with this Reimbursement Program process and does not constitute legal advice. Recipients remain solely responsible for reviewing and complying with all statutory provisions, rules, FCC precedent, and program procedures.

## Instructions for Submitting FCC Form 5640 Part L: Spending Report

After their first reimbursement claim has been reimbursed, Recipients can return to the [SCRP Online Portal](#) to complete the FCC Form 5640 Part L to submit a Spending Report.

*Recipients are reminded to only submit the Spending Reports after the end of each reporting period. For example, Recipients will submit by August 10<sup>th</sup> for the January-June reporting period or by February 10<sup>th</sup> for the July-December reporting period.*

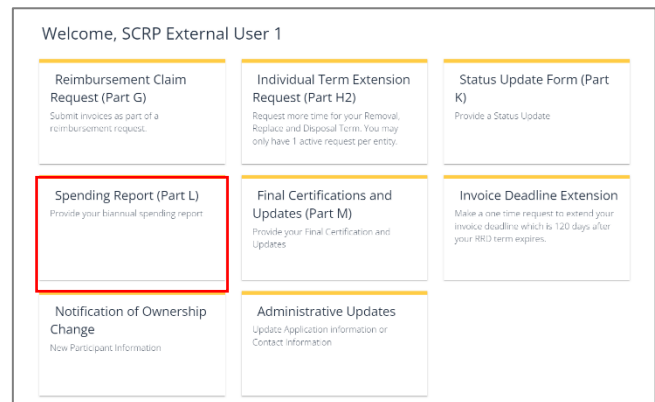


Figure 1: Part L - Spending Report

To begin the Spending Report process, the Recipient will log into the SCR P Online Portal and navigate to the *Program Participant File*. After opening this file, the Recipient will click “Create New Filing” then click **Spending Report (Part L)** (Figure 1).

### Applicant Information

The Recipient will begin this section by ensuring that the “Applicant Information” (Figure 2) is accurate, including FRN, Applicant Name, Email, Phone Number, Street Name, City, State, and Zip Code. This information will be automatically populated from the FCC Form 5640 Part C filing.

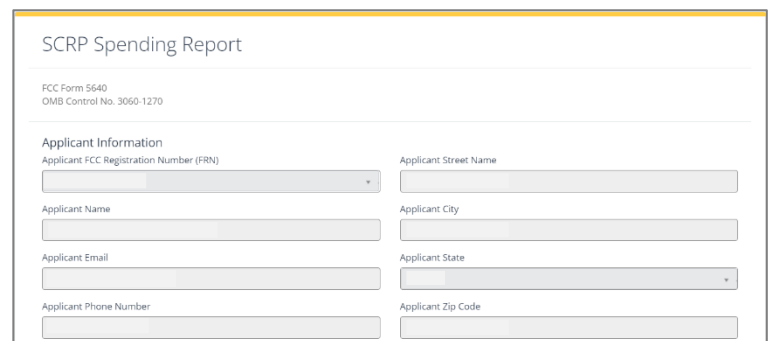


Figure 2: Part L - Applicant Information

<sup>11</sup> 47 CFR § 1.50004(g)(2). A Recipient may request a single extension of their Reimbursement Claim Deadline, not to exceed 120 days. See 47 CFR § 1.50004(g)(3). The Bureau will not consider untimely requests for an extension of the Reimbursement Claim Deadline. *Id.*

## Contact Information

In this section, the Recipient will input the “Contact Information” (Figure 3). This information may be automatically populated from Part C by clicking the “Is the contact the same as the contact listed on the Application Request for Funding Allocation” checkbox, but Recipients will have the ability to edit the information, if necessary. If the Recipient needs to manually input its contact information, it will complete the following fields: Contact Name, Email, Phone Number, Street Name, City, State (utilizing the drop-down menu), and Zip Code.

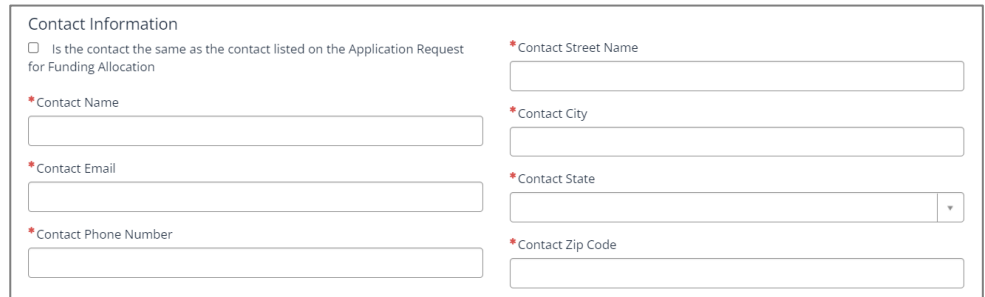


Figure 3: Part L - Contact Information



If the primary contact representative for the Recipient is different from the contact listed in the Applicant Information section, the Recipient should update this section and ensure that the **point of contact listed is easily contactable** through the information provided.

Next, the Recipient will indicate the appropriate deadline for this filing by selecting the upcoming deadline date from the drop-down menu (Figure 4), then the applicable invoice information will populate below.

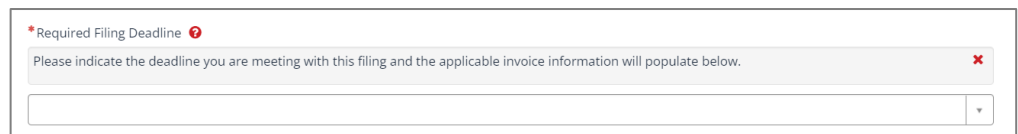


Figure 4: Part L - Required Filing Deadline

## Spending Report

In this section, the Recipient will confirm that all invoices reimbursed during the applicable reporting period (January-June or July-December depending on the filing deadline) and/or any invoices indicated as not included on a previous Spending Report filing have auto-populated in the Spending Report table (Figure 5).

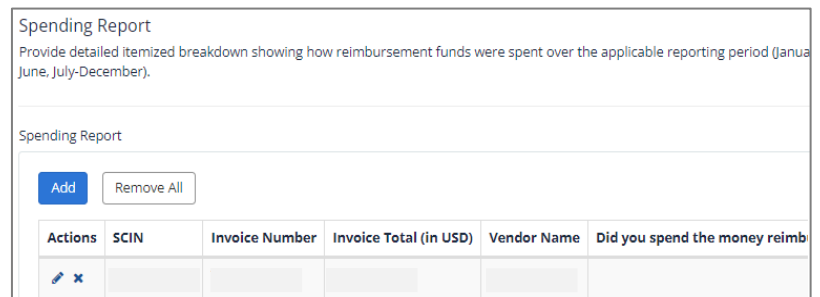


Figure 5: Part L - Spending Report

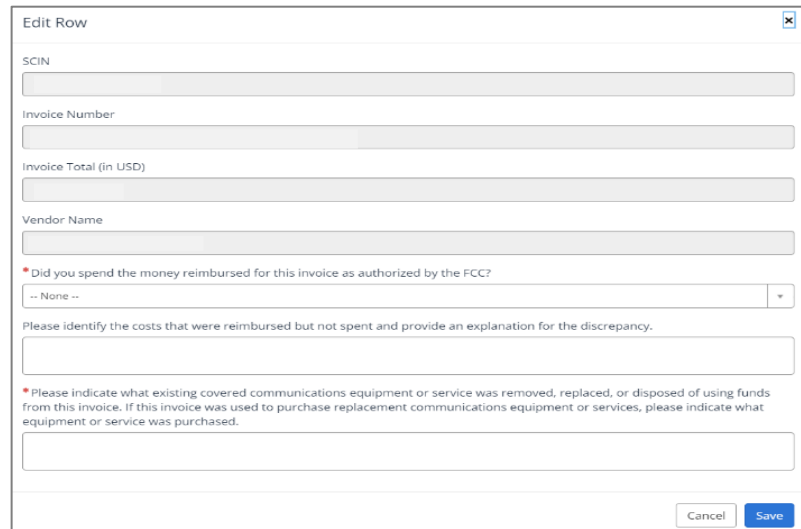
Recipients should not click “Add” or “Remove All” in this section.

Recipients will click the pencil icon and must answer the following questions for each invoice auto-populated in the Spending Report table (Figure 6):

- Did you spend the money reimbursed for this invoice as authorized by the FCC?

- If “no” is selected, then the Recipient must identify the costs that were reimbursed but not spent and provide an explanation for the discrepancy in the form entry box.
- Please indicate what existing covered communications equipment or service was removed, replaced, or disposed of using funds from the invoice and indicate the equipment or service purchased if the invoice was used to purchase replacement communications equipment or services.

Recipients will repeat this process for each row populated in the Spending Report table.



*Figure 6: Part L - Spending Report Pop Out*



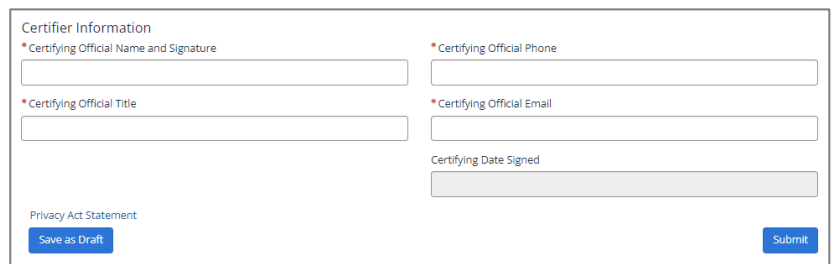
Responses to the last question in Figure 6 are intended to support the Recipient’s statutory requirement to provide a “detailed accounting” of the equipment or services permanently removed and disposed of, and the replacement equipment purchased, rented, leased, or otherwise obtained, using reimbursement funds. Responses can be brief (e.g., 1-2 sentences) but should identify by type the equipment or service removed and its corresponding replacement, including the method by which the Recipient obtained the replacement (e.g., purchase, rent, lease, or other). Responses should also explain disposal activities such as the equipment disposed of and the methods of disposal. If such disposal information is not yet available, responses should indicate the Recipient’s plans for disposal and the status of their disposal effort (including whether it will have more data after completing its removal, replacement, and disposal work). For invoices that do not seek funding for equipment or services, such as invoices for project management services, responses should briefly explain the purpose of the services. Where a Recipient can verify that this required information is documented in its cost estimate and matches the data listed on its invoices,

## Certifier Information

The Recipient Certifying Official must certify to the accuracy of the Recipient's Spending Report by ticking the box in the Certifications section and completing the Certifier Information section (Figure 7). The "Date Signed" field will automatically populate. This section is the equivalent of electronically signing the Spending Report. If Recipients are not ready to submit, they can save their Spending Report form as a draft by clicking on the blue "Save as Draft" button on the bottom left of the page.

Recipients can revise their Spending Report draft by logging into the SCRP Online Portal and navigating to the relevant "Program Participant File" and "SCRP Filing." Once they have selected the correct Spending Report, they may select the "Open Draft" button to continue working. Once revisions have been made, Recipients will have the option to save as draft or submit.

Once ready to submit, Recipients will then submit their FCC Form 5640 Part L: Spending Report by clicking on the blue "Submit" button on the bottom right of the page.



The screenshot shows a web form titled "Certifier Information". It contains the following fields:

- \* Certifying Official Name and Signature (text input)
- \* Certifying Official Title (text input)
- \* Certifying Official Phone (text input)
- \* Certifying Official Email (text input)
- Certifying Date Signed (text input)

At the bottom left, there is a "Privacy Act Statement" link and a blue "Save as Draft" button. At the bottom right, there is a blue "Submit" button.

Figure 7: Part L - Certifier Information