



# PUBLIC NOTICE

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## ENFORCEMENT BUREAU AND WIRELINE COMPETITION BUREAU JOINT ENFORCEMENT ADVISORY FOR RIP-AND-REPLACE PROGRAM; INCLUDING ENHANCED OVERSIGHT MECHANISMS

### Docket No. 18-89

The Enforcement Bureau (EB) of the Federal Communications Commission (FCC or Commission), in coordination with the Wireline Competition Bureau (WCB), issues this Enforcement Advisory to remind recipients in the Secure and Trusted Communications Networks Reimbursement Program (Reimbursement Program, Rip-and-Replace Program, or Program) of their ongoing obligation to comply with Program requirements designed to prevent waste, fraud, and abuse. Specifically, EB and WCB remind recipients of the requirements to complete their removal, replacement, and disposal (RRD) work by their term deadline, to provide the appropriate documentary support for reimbursement claims for project management expenses, to dispose of covered equipment (and retain records of that disposal) in a manner consistent with the Secure and Trusted Communications Networks Act of 2019, as amended (Secure Networks Act),<sup>1</sup> and to cooperate fully with audits and field investigations. This Advisory highlights these requirements to emphasize the importance of recipients fulfilling their obligations in the Program as they move toward the deadline to complete their rip-and-replace projects. Additionally, this Advisory highlights enhanced oversight mechanisms that WCB has implemented to better protect the Rip-and-Replace Program from waste, fraud, and abuse.

**The Rip-and-Replace Program.** In the Secure Networks Act, Congress directed the Commission to establish the Program to reimburse eligible providers of advanced communications service for costs reasonably incurred to remove, replace, and dispose of communications equipment or services produced or provided by Huawei Technologies Company<sup>2</sup> or ZTE Corporation,<sup>3</sup> which pose national security risks. Currently, each active Priority 1 recipient has a term deadline of May 8, 2026 to complete its RRD work.<sup>4</sup>

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<sup>1</sup> Secure and Trusted Communications Networks Act of 2019, Pub. L. No. 116-124, 133 Stat. 158 (2020) (codified as amended at 47 U.S.C. §§ 1601–09).

<sup>2</sup> See generally *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs – Huawei Designation*, PS Docket No. 19-351, Order, 35 FCC Rcd 6604 (PSSSB 2020) (*Huawei Designation Order*).

<sup>3</sup> See generally *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs – ZTE Designation*, PS Docket No. 19-352, Order, 35 FCC Rcd 6633 (PSSSB 2020) (*ZTE Designation Order*).

<sup>4</sup> In addition, on April 24, 2025, the Bureau granted applications to the Program filed by Level 3 Communications Inc. (Level 3) that previously were denied due to lack of funding, and the Bureau and Office of Managing Director (OMD) allocated to Level 3 funds totaling 29.79% of its original approved cost estimates. Level 3 has one year

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In establishing the Program, the Commission and WCB adopted rules to prevent misuse of government funds distributed to Program recipients. WCB and the Fund Administrator thoroughly review all reimbursement claims to ensure the reasonableness of the expenses incurred, require recipients to file status updates every 90 days and spending reports every six months,<sup>5</sup> require recipients to retain all relevant documentation related to their participation in the Program for 10 years,<sup>6</sup> and subject recipients to audits and compliance investigations.<sup>7</sup> WCB also has issued several types of guidance to recipients, including the *Finalized Procedures Public Notice*,<sup>8</sup> the *Disposal Public Notice*,<sup>9</sup> a list of Frequently Asked Questions (FAQs) that is updated periodically, and User Guides for various aspects of the Program.<sup>10</sup>

As Priority 1 recipients approach the May 8, 2026 RRD term deadline, we remind recipients of the importance of complying with Program requirements. Any recipient that violates Program requirements may face significant consequences, including monetary withholdings or recoveries, penalties and forfeitures, being barred from future participation in the Program, and being barred from universal service support programs.<sup>11</sup>

**Timely completion of RRD work.** As noted above, all active Priority 1 recipients currently have an RRD term ending on May 8, 2026. Some recipients indicated in their recent status updates, however, that they may need to seek an extension of their RRD deadline. In light of the critical national security importance of the Rip-and-Replace Program and the amount of time that recipients have already received to complete their work, recipients should expect that any further extensions will be subject to intense scrutiny and difficult to obtain. To the extent that recipients are under the impression that requests will be routinely granted, we emphasize that has not been, is not, and will not be the case. Moreover, requests that do not include the necessary level of detail will be denied.

Recipients are further advised that if they nevertheless choose to file such a request, it must demonstrate the specific obstacles faced by the recipient; how those obstacles, through no fault of the recipient, affected the recipient's ability to meet its term deadline; steps taken by the recipient to mitigate the impacts of the obstacles; and how the recipient expects to meet a future deadline, if an extension is granted. Requests must include thorough explanations and documentary support where appropriate (e.g., documentation from a vendor as evidence of supply chain delays, details on the specific impact of weather, documentation of permitting delays). Any such requests will be evaluated on a case-by-case basis. If a recipient finds it necessary to file such a request, we expect the recipient will file as soon as it becomes aware of circumstances that support the extension request.

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from the date of the first disbursement of funds from that allocation to complete its removal, replacement, and disposal work for each application.

<sup>5</sup> 47 U.S.C. § 1603(d)(8) and (e)(2); 47 CFR § 1.50004(k) and (l).

<sup>6</sup> 47 CFR § 1.50004(n).

<sup>7</sup> 47 CFR § 1.50004(o).

<sup>8</sup> *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, 12215, para. 73 (WCB 2021) (*Finalized Procedures Public Notice*).

<sup>9</sup> *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 14601 (WCB 2021) (*Disposal Public Notice*).

<sup>10</sup> See <https://www.fcc.gov/supplychain/reimbursement>.

<sup>11</sup> 47 CFR § 1.50005(a).

**Support for project management expenses.** Several recipients use external project management firms to help them perform their work under the Program. This can include “in the field” work, which is often done for a fixed price, or reimbursement-related work, which is often billed on a time-and-materials basis. WCB has provided guidance on project management expenses, describing the detailed support a recipient should provide when seeking reimbursement for such expenses:

Project management expenses that are limited to the removal, replacement, and disposal of Huawei and/or ZTE communications equipment or services, and not related to overhead or on-going business expenses that would be incurred irrespective of the Provider’s participation in the Reimbursement Program may be reimbursable. Project management services may include both reimbursement-related project management services (e.g., FCC Form 5640 planning, preparation, and filing support, invoice processing, documentation collection and completion) and ‘in-the-field’ technical project management services (i.e., vendor turnkey or bundled, technical management of on-site equipment removal, replacement, and disposal projects). Note that the project management Cost Catalog categories (in particular 5.7.1 and 5.7.3) are only applicable to costs for ‘in-the-field’ technical project management services.<sup>12</sup>

It is critical that recipients retain and provide all the necessary information and detail when seeking reimbursement for project expenses and respond fully to any follow-up requests for information (RFIs) from WCB or the Fund Administrator. Detailed support is especially important for reimbursement-related project management expenses, which may require more explanation than in-the-field work.

**Proof of disposal of equipment.** Ensuring complete and proper disposal of covered communications equipment and services is a critical purpose of the Program. A Program recipient therefore must “dispose of the covered communications equipment and services in a manner to prevent the equipment or service from being used in the networks of other advanced communications service providers” and “retain documentation demonstrating compliance with this requirement.”<sup>13</sup>

The *Disposal Public Notice* describes best practices for a recipient to use in documenting that it properly disposed of all covered communications equipment and services. WCB reiterates that these are the preferred practices and that WCB “will consider Reimbursement Program participant’s disposal and verification methods reasonable and in compliance with section 1.50004(j) of the Commission’s rules if the best practices are followed.”<sup>14</sup> As stated in the *Disposal Public Notice*, if a recipient uses alternative approaches, the Commission will review the specific circumstances to determine whether the alternative approach complies with the disposal requirements set out in section 1.50004(j) of the Commission’s rules,<sup>15</sup> but the recipient “risk[s] the Commission subsequently finding that such measures” do not comply with the Commission’s rules.<sup>16</sup> We also remind recipients that the Fund Administrator’s “audits and field investigations will include the inspection of documentation to verify compliance with the disposal and verification requirements in section 1.50004(j) of the Commission’s rules.”<sup>17</sup>

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<sup>12</sup> *Wireline Competition Bureau Updates Frequently Asked Questions and User Guides for the Rip-And-Replace Program*, WC Docket No. 18-89, DA 26-151, Attach. A at 16 (WCB Feb. 12, 2026).

<sup>13</sup> 47 U.S.C. § 1603(d)(7); 47 CFR § 1.50004(j).

<sup>14</sup> *Disposal Public Notice*, 36 FCC Rcd at 14074, App’x A, para. 3.

<sup>15</sup> *Id.* at 14061.

<sup>16</sup> *Id.* at 14063.

<sup>17</sup> *Id.*

**Cooperation with audits and investigations.** The Fund Administrator will conduct audits and field investigations of Program recipients to ensure funds distributed under the Program were used as authorized and check for compliance with other Program requirements. This Advisory emphasizes and reiterates that Program recipients are required to cooperate with such audits, including by “allow[ing] vendors or contractors used by the recipient in connection with the Reimbursement Program to release confidential information to the auditor, reviewer, or other [Commission] representative” and “permit[ting] any representative (including any auditor) appointed by the Commission to enter their premises and conduct compliance inspections.”<sup>18</sup> In connection with these duties, this Advisory also reemphasizes that each recipient is required to “retain all relevant documents” regarding its participation in the Program for a period of “not less than 10 years after the date on which it receives final disbursement from the Reimbursement Program.”<sup>19</sup> Compliance with this requirement is essential for the Commission to conduct any future audits or investigations, and a recipient’s failure to retain and produce the necessary documentation will result in findings and potential monetary recoveries, up to and including recovery of all reimbursement funds disbursed to the recipient, a ban on participation in other Commission programs, and referral to law enforcement agencies, as detailed in 47 U.S.C. § 1606 and 47 CFR § 1.50005.

Media inquiries should be directed to 202-418-0500 or [MediaRelations@fcc.gov](mailto:MediaRelations@fcc.gov).

Issued by: Chief, Enforcement Bureau

Chief, Wireline Competition Bureau

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<sup>18</sup> 47 CFR § 1.50004(o).

<sup>19</sup> 47 CFR § 1.50004(n).