



Secure and Trusted Communications Networks Reimbursement Program FCC Form 5640 Part H2 User Guide

A step-by-step guide for completing FCC Form
5640: Individual Term Extension Request

OMB Control No. 3060-1270



Table of Contents

Background	3
Purpose and Scope of this User Guide	4
Instructions for Submitting FCC Form 5640 Part H2: Individual Term Extension Request	5
Responding to Requests for Information in the SCRP Online Portal	8

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 SCRP).¹ 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).²

In the *2020 Supply Chain Order*, the Commission adopted rules for the Reimbursement Program, which are codified in section 1.50004 of its rules.³ 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.⁴

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

¹ 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).

² *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”).

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

⁴ *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)⁵ received an approval email from the Bureau and the Bureau announced these allocations in a July 18, 2022 Public Notice.⁶

Purpose and Scope of this User Guide

This document is a guide for Recipients to consult when submitting an FCC Form 5640 Part H2: Individual Term Extension Request (FCC Form 5640 Part H2 or Term Extension Request). Once at least one of the Recipient's reimbursement claims has been reimbursed the Recipient may request more time for its Removal, Replacement, or Disposal Term (RRD Term) by completing a Term Extension Request. Recipients may only submit one extension request per application at a time, and each request can seek an extension of up to six months. The Wireline Competition Bureau may grant the individual extension request on a case-by-case basis after finding that, due to no fault of the Recipient, the Recipient is unable to complete the permanent removal, replacement, and disposal of Covered Communications Equipment and Services within one year of its initial disbursement of reimbursement funds. Recipients are permitted to request more than one extension, and if circumstances warrant, the Bureau may grant subsequent Term Extension Requests for a Recipient.⁷



If a Recipient submitted multiple applications that were approved for eligibility in the Reimbursement Program, the RRD term for each application will be determined based on when the first reimbursement for each application is distributed. If multiple applications require term extensions, a Term Extension Request will need to be filed for each individual application.

This User Guide provides informal guidance intended to assist Recipients that seek individual extensions of their deadline to complete the removal, replacement, and disposal of Covered Communications Equipment and Services by the end of their RRD Term. It does not constitute

⁵ 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.").

⁶ *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).

⁷ 47 CFR § 1.50004(h); *2020 Supply Chain Order*, 35 FCC Rcd at 14291-92, para. 20. The Commission may extend the RRD 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 or Services within one year from the initial disbursement of reimbursement funds to them. 47 U.S.C. § 1603(d)(6)(C); 47 CFR § 1.50004(h)(2).

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 H2: Individual Term Extension Request

After at least one reimbursement claim has been reimbursed, Recipients can return to the [SCRP Online Portal](#) to complete an FCC Form 5640 Part H2 to submit a Term Extension Request.

Note: Filers must make term extension requests available to the public by filing the request in the [Commission's Electronic Comment Filing System \(ECFS\)](#) at [WC Docket No. 18-89](#).

To begin the Term Extension Request process, the Recipient will log into the SCR Online Portal and navigate to the *Program Participant File*. After opening this file, the Recipient will click "Create New Filing" then click **Individual Term Extension Request (Part H2)** (Figure 1).

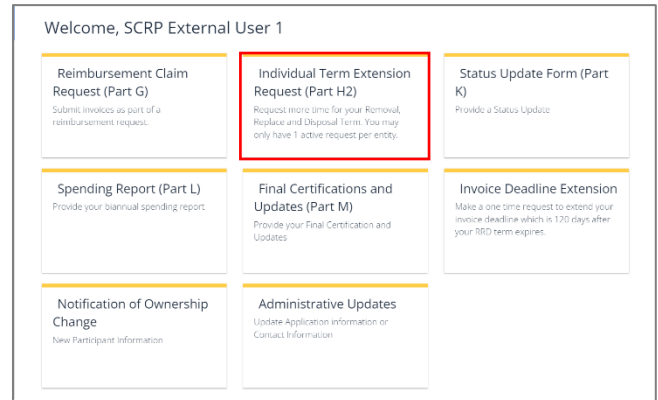


Figure 1: Individual Term Extension Request (Part H2)

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.

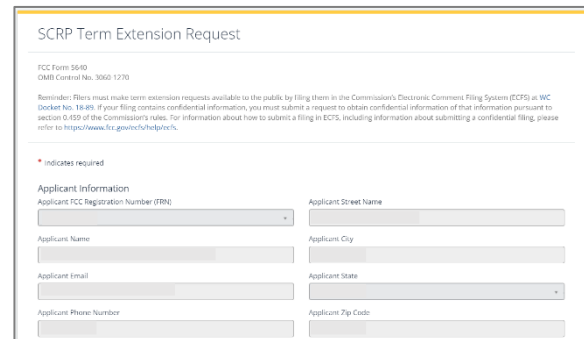


Figure 2: Part H2 - Applicant Information

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

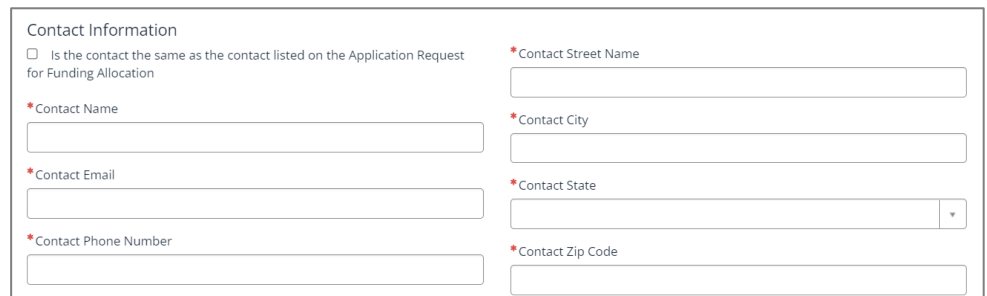


Figure 3: Part H2 - Contact Information

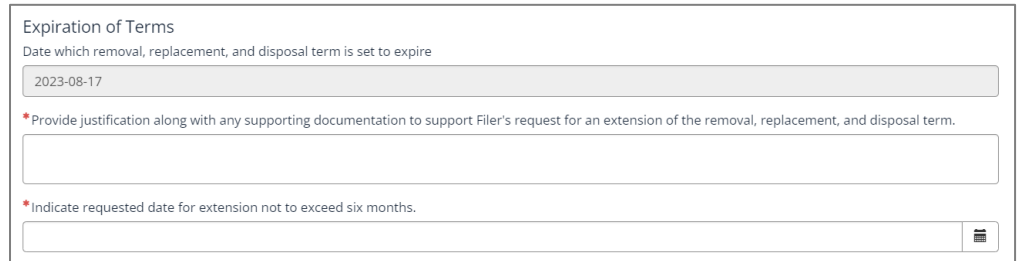


If the primary contact representative for the Recipient is different from the contact listed in the Applicant Information section, the Recipient should update this section and ensure that the **point of contact listed is easily contactable** through the information provided.

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.

Expiration of Terms

In this section, the Recipient will provide justification along with any supporting documentation to support the request for an extension of the RRD Term. The Recipient will also need to indicate the requested date for extension, which is not to exceed six months (Figure 4).



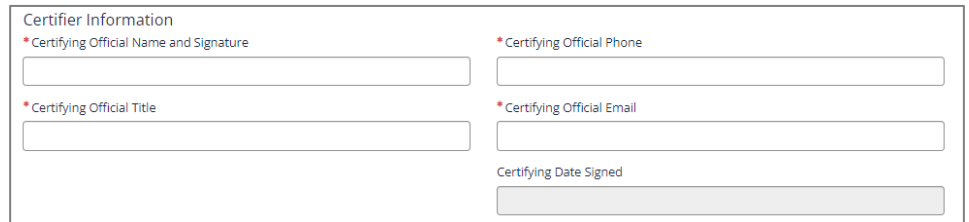
Expiration of Terms
Date which removal, replacement, and disposal term is set to expire
2023-08-17
* Provide justification along with any supporting documentation to support Filer's request for an extension of the removal, replacement, and disposal term.
* Indicate requested date for extension not to exceed six months.

Figure 4: Part H2 - Expiration of Terms

Recipients may provide supporting documentation to support the Filer’s request for an extension of the RRD Term in the **Attachments** section.

Certifier Information

The Recipient Certifying Official must certify to the accuracy of the Recipient’s Term Extension Request by ticking the box in the Certifications section and completing the Certifier Information section (Figure 5). The “Date Signed” field will automatically populate. This section is the equivalent of electronically signing the Term Extension Request.



Certifier Information
* Certifying Official Name and Signature
* Certifying Official Title
* Certifying Official Phone
* Certifying Official Email
Certifying Date Signed

Figure 5: Part H2 - Certifier Information

Attachments

In this section, Recipients can upload additional documentation that they believe may be beneficial to the review of their Term Extension Request by clicking on the blue “Add” button (Figure 6).

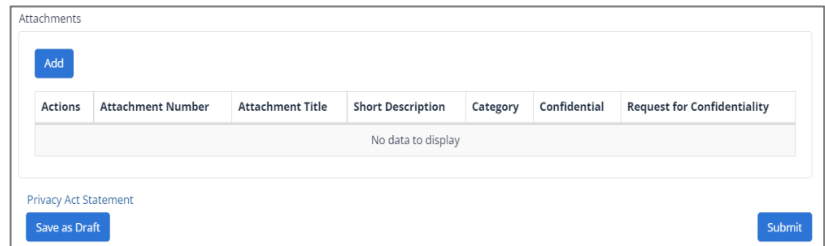


Figure 6: Part H2 - Attachments

If uploading additional attachments here, Recipients will need to include a short description, select the category of the attachment (from the drop-down menu), and indicate if it is to remain confidential (Figure 7). When seeking confidential treatment for attachments categorized as “Other,” the Recipient must also provide a brief description of the request for confidentiality or separately make another attachment with the justification as to why the information is entitled to confidential treatment.⁸ **That request for confidentiality will be made publicly available.**

Attachments for which confidential treatment is sought will be withheld from routine public inspection. Redacted versions of these attachments and attachments not indicated as containing confidential information will be subject to routine public inspection. Multiple attachments can be added. After an attachment is added, it will be reflected in a row.

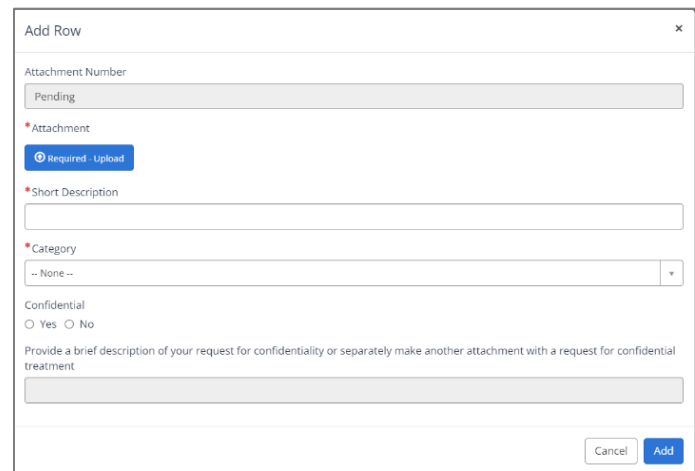


Figure 7: Part H2 - Attachments Pop-Up

Saving an Extension Request

If Recipients are not ready to submit, they can save their Term Extension Request as a draft by clicking on the blue “Save as Draft” button on the bottom left of the page.

Revising an Extension Request

Recipients can revise their Term Extension Request draft by logging into the SCRPs Online Portal and navigating to the relevant *Program Participant File* and scrolling to the “SCRPs Filings” table. Once the Recipient has identified the correct draft Term Extension Request from the table, it 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 H2: Individual Term Extension Request by clicking on the blue “Submit” button on the bottom right of the page.

⁸ See *Finalized Reimbursement Process Public Notice*, 36 FCC Rcd at 12214, para. 70.

Responding to Requests for Information in the SCRP Online Portal

The Fund Administrator and the FCC may ask the Recipient to respond to a Request for Information (RFI) about a submitted Term Extension Request. Recipients will receive an RFI notification via email and should respond to the RFI request within the SCRP Online Portal. The RFI notification will unlock the Term Extension Request to allow revisions. Failure to respond to an RFI could potentially result in a delay in, or denial of, the extension approval.

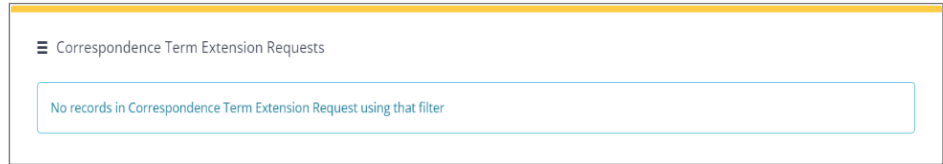


Figure 8: Correspondence Term Extension Requests

After logging into the SCRP Online Portal, Recipients will click on the *Program Participant File*. Recipients will see multiple “Correspondence” tables. Recipients will select the corresponding row with the RFI communication in the “Correspondence Term Extension Requests” table to view specific details of the RFI. By clicking on the row containing the RFI communication, the specific details of the RFI will open, such as the Program Participant number, Status, Correspondence Type, and more. These greyed boxes cannot be edited by the Recipient. After scrolling down, Recipients will see the body of the correspondence and all communications history related to the RFI. Recipients may reply to the RFI if they have a question regarding the correspondence. Some RFIs may result in Recipients needing to revise their Term Extension Request. **Please note that the Term Extension Request will lock again once Recipients certify and submit, or if they do not make the requested changes in a timely manner.** If no updates are required, Recipients will have the ability to type their reply message to provide clarifications.