



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

A step-by-step guide for completing FCC Form
5640 Part M: *Final Certification and Updates*

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 M: Final Certification	5

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 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 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 M: Final Certification (FCC Form 5640 Part M or Final Certification). Recipients are required to file FCC Form 5640 Part M within 10 calendar days following the completion of their Removal, Replacement, and Disposal Term (RRD Term).⁷ Recipients must indicate whether they have fully complied with all terms and conditions of the Reimbursement Program, the commitments made in their applications, and the timeline submitted with their application.⁸ Recipients must also indicate whether they have permanently removed all Covered Communications Equipment and Services that were in their network as of the date of application submission. Recipients that have not fully complied with all terms of Program participation must also file an updated Final Certification when they have fully complied. Failure to submit a timely Final Certification or updated Final Certification may result in forfeitures or other penalties.

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

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 Recipients have one year after receiving their initial disbursement of reimbursement funds to complete the RRD Term unless that deadline is extended by the FCC. 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).

⁸ 47 CFR § 1.50004(l); *2020 Supply Chain Order*, 35 FCC Rcd at 14359-60, paras. 186-89. Within 10 days following the expiration of the removal, replacement, and disposal term, recipients must file a Final Certification with the Commission. 47 U.S.C. § 1603(e)(4)(A); 47 CFR § 1.50004(m)(1). Pursuant to the Secure Networks Act and the *2020 Supply Chain Order*, if an applicant’s Final Certification indicates that it has not fully complied with all terms of program participation, the applicant must file an updated final certification “when the recipient has fully complied.” *See* 47 U.S.C. § 1603(e)(4)(B); 47 CFR § 1.50004(m)(2); *2020 Supply Chain Order*, 35 FCC Rcd at 14360, para. 190.

responsible for reviewing and complying with all statutory provisions, rules, FCC precedent, and program procedures.

Instructions for Submitting FCC Form 5640 Part M: Final Certification

After their first reimbursement claim has been reimbursed, Recipients can return to the [SCRP Online Portal](#) to complete an FCC Form 5640 Part M to submit their Final Certification.

To file a Final Certification, 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 **Final Certifications and Updates (Part M)** (Figure 1).

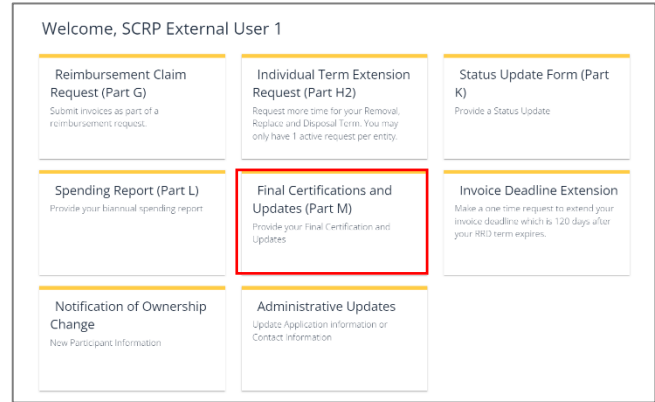


Figure 1: Part M - Final Certifications and Updates

Applicant Information

The Recipient will begin this section by ensuring that the “Applicant Information” is accurate (Figure 2), 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 M - 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 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 M - Contact Information

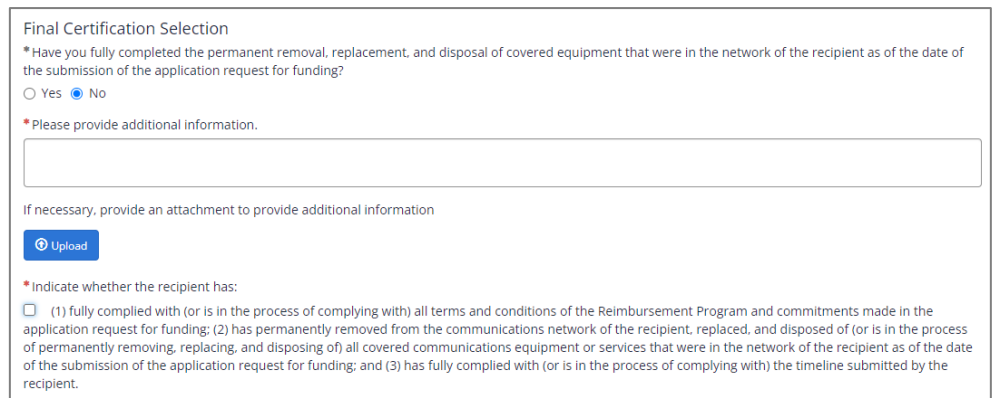


If the primary contact representative for the Recipient is different from the contact listed in the Applicant Information section, the Recipient should update this section and ensure that the **point of contact listed is easily contactable** through the information provided.

Final Certification Selection

In this section, the Recipient must answer “yes” or “no” to the following question (Figure 4):

- Have you fully completed the permanent removal, replacement, and disposal of covered equipment that were in the network of the recipient as of the date of the submission of the application request for funding?
 - If Recipient answers “no,” it will need to provide additional information regarding the Recipient’s state of compliance with Reimbursement Program rules and project completion, and if necessary, provide attachments.



Final Certification Selection

* Have you fully completed the permanent removal, replacement, and disposal of covered equipment that were in the network of the recipient as of the date of the submission of the application request for funding?

Yes No


* Please provide additional information.

If necessary, provide an attachment to provide additional information

* Indicate whether the recipient has:

(1) fully complied with (or is in the process of complying with) all terms and conditions of the Reimbursement Program and commitments made in the application request for funding; (2) has permanently removed from the communications network of the recipient, replaced, and disposed of (or is in the process of permanently removing, replacing, and disposing of) all covered communications equipment or services that were in the network of the recipient as of the date of the submission of the application request for funding; and (3) has fully complied with (or is in the process of complying with) the timeline submitted by the recipient.

Figure 4: Part M - Final Certification Selection

 Pursuant to the Secure Networks Act and the 2020 Supply Chain Order, if an applicant indicates that it has not fully complied with all terms of program participation, the applicant **must file an updated final certification** “when the recipient has fully complied.”⁹

The Recipient must then tick the box to indicate whether it has:

- (1) Fully complied with (or is in the process of complying with) all terms and conditions of the Reimbursement Program and commitments made in the application request for funding;
- (2) Has permanently removed from the communications network of the recipient, replaced, and disposed of (or is in the process of permanently removing, replacing, and disposing of) all covered communications equipment or services that were in the network of the recipient as of the date of the submission of the application request for funding;
- (3) Has fully complied with (or is in the process of complying with) the timeline submitted by the recipient.

⁹ 47 CFR § 1.50004(m)(2).

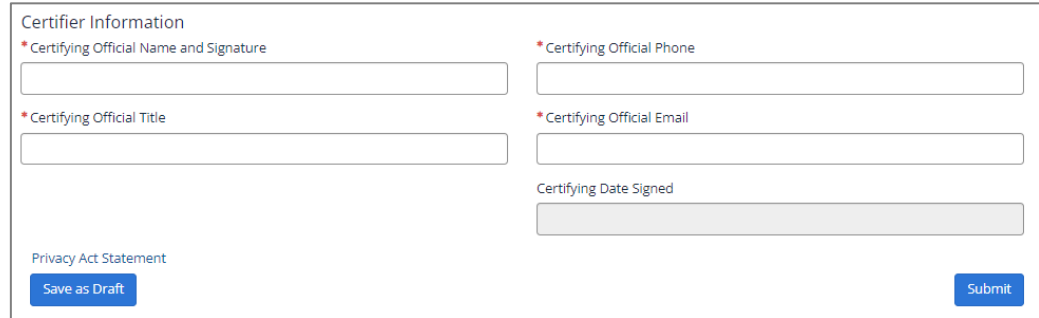
Certifier Information

The Recipient’s Certifying Official must certify to the accuracy of the Recipient’s Final Certification 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 Final Certification. If Recipients are not ready to submit, they can save their Final Certification as a draft by clicking on the blue “Save as Draft” button on the bottom left of the page.

Recipients can revise their Final Certification draft by logging into the SCRPs Online Portal and navigating to the relevant “Program Participant File” and “SCRPs Filing.” Once they have selected the correct Final Certification, 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 the FCC Form 5640 Part M: Final Certification 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 and buttons:

- * Certifying Official Name and Signature (text input field)
- * Certifying Official Title (text input field)
- * Certifying Official Phone (text input field)
- * Certifying Official Email (text input field)
- Certifying Date Signed (text input field)
- Privacy Act Statement (checkbox)
- Save as Draft (blue button)
- Submit (blue button)

Figure 5: Part M - Certifier Information Section