

Federal Communications Commission

Explanation of Non-Substantive Changes to OMB Control Number: 3060-0856:

- FCC Form 473
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Purpose of this Submission: This submission is being made for proposed non-substantive changes to an existing information collection pursuant to 44 U.S.C. § 3507. This submission seeks to make non-substantive changes to certain fields for the FCC Form 473 (Service Provider Annual Certification Form) to add a certification of compliance for service providers participating in the E-Rate program regarding rules adopted by the Commission in the *Protecting Against National Security Threats to the Communications Supply Chain Through FCC Programs First Report and Order* and the *Second Report and Order*, (WC Docket No. 18-89, FCC 19-121 (*First Report and Order*) and FCC 20-176 (*Second Report and Order*)). There are no proposed changes for the FCC Forms 472 nor 474. The FCC Form 473 is contained in an online database.

Background: In November 2019, the Commission adopted the *First Report and Order*, which adopted a rule (47 CFR § 54.9) to prohibit future use of Universal Service Fund (USF) monies to purchase, maintain, improve, modify, obtain, or otherwise support any equipment or services produced or provided by a company that poses a national security threat to the integrity of communications networks or the communications supply chain. On June 30, 2020, the Commission designated two entities—Huawei Technologies Company (Huawei) and ZTE Corporation (ZTE), along with their affiliates, subsidiaries, and parents—as covered companies posing such a national security threat in two Orders (PS Docket No. 19-351, DA 20-690 (*Huawei Designation*) and PS Docket No. 19-352, DA 20-691 (*ZTE Designation*)). In December 2020, the Commission adopted the *Second Report and Order*, which adopted a second rule (47 CFR § 54.10) to prohibit the use of a Federal subsidy made available through a program administered by the Commission that provides funds to be used for the capital expenditures necessary for the provision of advanced communications services has been or will be used to purchase, rent, lease, or otherwise obtain, any covered communications equipment or service, or maintain any covered communications equipment or service previously purchased, rented, leased, or otherwise obtained. The Commission also adopted procedures, consistent with the Secure and Trusted Communications Networks Act (Pub. L. No. 116-124), to identify such covered equipment and services and publish a Covered List.

We seek to modify the FCC Form 473 to add two service provider certifications, pursuant to the *First Report and Order* and *Second Report and Order*, to ensure compliance with the two supply chain rules by recipients of universal service support from the schools and libraries universal service program.

Summary of Proposed Update to the FCC Form 473:

- We propose to modify the FCC Form 473 to add a certification of compliance with 47 CFR § 54.9 of the Commission's rules adopted in the *First Report and Order*, prohibiting the use of USF monies to purchase, maintain, improve, modify, obtain, or otherwise support any equipment or services produced or provided by a company that poses a national security threat to the integrity of communications networks or the communications supply chain.
- We propose to modify the FCC Form 473 to add a certification of compliance with 47 CFR § 54.10 of the Commission's rules adopted in the *Second Report and Order*, prohibiting the use of a Federal subsidy made available through a program administered by the Commission that

provides funds to be used for the capital expenditures necessary for the provision of advanced communications services has been or will be used to purchase, rent, lease, or otherwise obtain, any covered communications equipment or service, or maintain any covered communications equipment or service previously purchased, rented, leased, or otherwise obtained

- There is no change in the burden hours and no costs are associated with this collection.