SUPPORTING STATEMENT

This submission is being made pursuant to 44 U.S.C. § 3507 of the Paperwork Reduction Act of 1995 to obtain the Office of Management and Budget (OMB) approval to extend the existing collection 3060-0853.

A. Justification:

1. *Circumstances that make the collection necessary.* The Communications Act of 1934 (the Act), as amended by the Telecommunications Act of 1996 (1996 Act), directed the Commission to take steps necessary to establish support mechanisms to ensure the delivery of affordable telecommunications service for all Americans, including consumers in high cost areas, low-income consumers, rural health care providers, and eligible schools and libraries. Section 254(h) of the Act, as implemented by the Commission in its *Universal Service Order* (CC Docket No. 96-45, FCC 97-157), established, *inter alia*, the federal schools and libraries universal service support mechanism (E-Rate program).

Under the E-Rate program, eligible schools, libraries, and consortia that include eligible schools and libraries, may apply for discounts ranging from 20 percent to 90 percent of the pre-discount price of eligible equipment and services. The discount levels are based on indicators of need and may change depending on the category of eligible equipment and services selected.

Eligible applicants can seek funding on an annual basis. They commence the application process by seeking bids for eligible equipment and/or services by filing the FCC Form 470 (approved under OMB Control No. 3060-0806) with the Universal Service Administrative Company (USAC or Administrator), the current administrator of the E-Rate program. After the competitive bidding process concludes, applicants enter into agreements with service providers who will provide the requested eligible equipment and/or services. Next, applicants seek funding for the equipment and/or services by filing an FCC Form 471 (approved under OMB Control No. 3060-0806) with USAC once the annual application filing window opens. After the Administrator reviews the funding request and commits to fund the eligible equipment and/or services requested, applicants use the FCC Form 486 to notify USAC of their service start dates for their funding requests. Universal service support will not be paid on an approved funding commitment prior to receipt of the FCC Form 486.

Billed entities also use the FCC Form 486 to certify compliance with the Children's Internet Protection Act (CIPA), *see* 47 U.S.C. § 254 (h)-(l), or qualification for a CIPA exemption when they seek discounts for category one services (i.e., Internet access) and category two services (i.e., internal connections, manage internal broadband services, or basic maintenance of internal connections). When the billed entities are members of a larger consortia, they individually certify CIPA compliance by submitting the FCC Form 479 to the consortium leader. The consortium leader can then file the FCC Form 486 certifying CIPA compliance on behalf of the consortia. CIPA requires schools and libraries that have computers with Internet access to certify that they have in place certain Internet safety policies and technology protection measures to be eligible to receive program services under section 254(h) of the Act. *See also* 47 CFR § 54.520. The FCC Form 486 is also a necessary prerequisite for invoicing and payment.

The FCC Form 500 is used by E-Rate participants to make adjustments to previously filed forms, such as changing the contract expiration date noted on the FCC Form 471, changing the funding year

service start date listed on the FCC Form 486, cancelling or reducing the amount of a funding request, and extending the service delivery deadline for non-recurring services.

On July 23, 2014, the Commission released an Order and Further Notice of Proposed Rulemaking (WC Docket No. 13-184, FCC 14-99; 79 FR 49160, August 19, 2014) (*2014 First E-Rate Order*) modernizing the E-Rate program. Specifically, the *2014 First E-Rate Order* adopted new rules and procedures to reorient the E-Rate program to focus support on high-speed broadband for schools and libraries while also taking steps to streamline the program.

On December 19, 2014, the Commission released an Order and Order on Reconsideration (WC Docket No. 13-184, FCC 14-189; 80 FR 5961, February 4, 2015) (*2014 Second E-Rate Order*), which implemented the next critical steps to modernize the E-Rate program by maximizing options for schools and libraries seeking to purchase high-speed broadband and adjusting the E-Rate program spending cap to $3.9 billion. With these improvements, the Commission sought to close the high-speed connectivity gap between rural schools and libraries and their urban and suburban counterparts and provide sufficient and certain funding for high-speed connectivity to and within all eligible schools and libraries.

On July 29, 2024 the Commission released a Report and Order and Further Notice of Proposed Rulemaking (WC Docket No. 21-31, FCC 24-76; 89 FR 67303 (*2024 Wi-Fi Hotspots Order*)), finding that the off-premises use of wireless mobile Internet services and the concomitant Wi-Fi hotspot devices serve an educational purpose and are eligible for E-Rate support. On September 30, 2025, the Commission adopted the Hotspots Order on Reconsideration (WC Docket No. 21-31, FCC 25-62 (*Hotspots Order on Reconsideration*)), that rescinds the *2024 Wi-Fi Hotspots Order*, and removes the eligibility of E-Rate support for off-premises use of wireless mobile Internet services and the Wi-Fi hotspot devices needed to deliver the services.

Statutory authority for this collection of information is contained in 47 U.S.C. sections 151, 154(i), 155, 201, 205, 214, 219, 220, 254, 303(r), 403, and 1302.

This information collection includes personally identifiable information (PII) in the form of business contact information, which will be protected in accordance with the Privacy Act. Maintenance and potential disclosure of the PII in this information collection is covered by the FCC-2, Business Contacts and Certifications, System of Records Notice (SORN), posted at https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information. A Privacy Act Statement citing the FCC-2 SORN will be provided to respondents at the time the PII is collected.

2. *Use of information*. The requirements contained herein are necessary to implement the Congressional mandate for universal service. It provides the Commission and USAC with the necessary information to administer the E-Rate program, determine the amount of support entities seeking funding are eligible to receive, to determine if entities are complying with the Commission's rules, and to prevent waste, fraud, and abuse in the program. The information will also allow the Commission to evaluate the extent to which the E-Rate program is meeting the statutory objectives specified in section 254 of the 1996 Act, the Commission's performance goals established in the *2014 First and Second E-Rate Orders*, and to evaluate the need and feasibility for any future revisions to program rules.

Moreover, this information is collected to ensure that entities eligible to receive discounted Internet Access and internal connections have in place certain Internet safety policies. Applicants that seek category one Internet Access service or any category two products or services must certify compliance with CIPA. Entities receiving these services either complete the FCC Form 486 or the FCC Form 479 to certify that they are enforcing an Internet safety policy, which must address specific requirements, and a technology protection measure is implemented.

3. *Use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.* The FCC Forms 479, 486 and 500 are accessible only online. Electronic filing permits applicants and service providers to input data in required fields and have data auto-populated wherever possible and applicable. To reduce applicant confusion, the electronic filing process uses progressive disclosure wherever possible, so that an applicant is asked to provide only information relevant to its application.

4. *Efforts to identify duplication*. There will be no duplication of information. The information sought is unique to each applicant and similar information is not already available.

5. *Impact on small entities*. Entities directly subject to the requirements in these forms are primarily schools, libraries, school districts, and consortia comprised of eligible schools and libraries. This information collection is designed to impose the least possible burden on the respondents while ensuring that the Administrator and the Commission have information necessary to administer and improve the E-Rate program.

6. *Consequences if information not collected*. Failing to collect the information, or collecting it less frequently, would prevent the Commission from fulfilling the requirements of section 254 of the 1996 Act, and prevent eligible participants and service providers from seeking and receiving E-Rate reimbursements for eligible equipment and/or services.

7. *Special circumstances*. There are no special circumstances with this information collection.

8. *Federal Register notice; efforts to consult with persons outside the Commission.* A 60-day notice was published in the *Federal Register* pursuant to 5 C.F.R. § 1320.8(d) on December 4, 2024 (89 FR 96249). On September 30, 2025, the Commission adopted the *Hotspots Order on Reconsideration*, that rescinds the *2024 Wi-Fi Hotspots Order*, and removes the eligibility of E-Rate support for off-premises use of wireless mobile Internet services and the Wi-Fi hotspot devices needed to deliver the services. The Wi-Fi hotspots and service-related rules, including the certifications, are no longer applicable and are removed from this information collection.

   We also received one comment in response to this 60-day notice. *See* Comments of State E-rate Coordinator's Alliance (SECA) on Proposed Information Collection Requirements, OMB Control No. 3060-0853 (Universal Service - Schools and Libraries Universal Service Program, FCC Forms 479, 486, and 500) and OMB Control No. 3060-0856 (Universal Service - Schools and Libraries Universal Service Program, FCC Forms 472, 473, and 474) (filed February 3, 2025) (SECA Comments). SECA proposes recommendations to the FCC forms to improve efficiency and simplification of the program. Specifically, SECA proposes that the Children's Internet Protection Act (CIPA) certifications collected on the FCC Form 479 be permitted to cover multiple funding years and that FCC Form 479 not be required for consortia recipients that certify CIPA compliance in a consortia member Letter of Agency

(LOA). SECA also proposes that certifications on FCC Form 486 be added to FCC Form 471 as optional certifications to allow applicants to avoid having to submit the FCC Form 486. SECA additionally proposes changes on how to partially reduce funding commitments on FCC Form 500 by having a "I want to partially reduce the funding in one or more of the FRNs" option that includes a checkbox (or equivalent) allowing the applicant to request that the remaining unused balance of the funding request number (FRN) be returned to their category two budget. Finally, SECA requests that applicants not be prohibited from filing an FCC Form 472 when their service provider has not submitted the required Service Provider Annual Certification Form (FCC Form 473).

SECA's proposals that CIPA certifications on FCC Form 479 be permitted to cover multiple funding years and that FCC Form 479 not be required for consortia members that certify CIPA compliance in a LOA would be inconsistent with the language of section 254 requiring annual certification. Although the CIPA statute does not prescribe consortia requirements, we do not agree that a certification by the consortium lead alone is sufficient to meet the plain intent that each school and library annually certify their compliance with CIPA. The CIPA statute, 47 U.S.C. § 254 (h)(5)(E)(ii) and (h)(6)(E)(ii), prescribes that each school and library that receives E-Rate funding for Internet and/or internal connections must certify their CIPA compliance to the Commission "during each annual application cycle." FCC Form 479 ensures that schools and libraries meet the requirement to certify CIPA compliance annually and reminds them that they are certifying under penalty of perjury because willfully making false statements on the form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001. SECA's proposal to use a LOA in lieu of the FCC Form 479 does not meet these statutory requirements.

SECA's proposal that certifications on FCC Form 486 be added to FCC Form 471 as optional certifications to allow applicants to avoid having to submit the FCC Form 486 is outside of the scope of this collection because FCC Form 471 (OMB Control No. 3060-0806) is not a part of this information collection. Additionally, the Commission is considering comments on adding information collected on FCC Form 486 to the FCC Form 471 in an open rulemaking proceeding. *Schools and Libraries Universal Service Support Mechanism, et al.*, CC Docket No. 02-6, et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 23-56, 38 FCC Rcd 6842 (2023). SECA's proposal for the FCC Form 500 to be simplified by having a "I want to partially reduce the funding in one or more of the FRNs" option that includes a checkbox (or equivalent) allowing the applicant to request that the remining unused balance of the FRN be returned to their Category 2 budget is a system-related change rather than a change in the information being collected. The requested system-related change may be considered during future IT enhancements. Additionally, we do not agree with SECA's proposal to allow applicants to file FCC Form 472 before an FCC Form 473 is filed. Requiring the FCC Form 473 to be submitted by the service providers is critical to ensuring program compliance. The Commission takes into consideration ways to simplify the E-Rate process and make it more efficient, but the current process does not impede the information collection and service providers' certification of FCC Form 473 regarding their compliance with the FCC rules is a key component of permitting reimbursement in the E-Rate program.

9. *Payments or gifts to respondents*. There will be no payments or gifts to respondents.

10. *Assurances of confidentiality*. There is no assurance of confidentiality provided to respondents concerning this information collection. However, respondents may request materials or information

submitted to the Commission or to the Administrator be withheld from public inspection under 47 CFR § 0.459 of the FCC's rules.

11. *Questions of a sensitive nature*. This information collection includes personally identifiable information (PII) in the form of business contact information, which will be protected in accordance with the Privacy Act. Maintenance and potential disclosure of the PII in this information collection is covered by the FCC-2, Business Contacts and Certifications, System of Records Notice (SORN), posted at https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information. A Privacy Act Statement citing the FCC-2 SORN will be provided to respondents at the time the PII is collected.

12. *Estimates of the hour burden of the collection to respondents*. The following represents the estimated hour burden on the collections of information:

(a) FCC Form 479 – Certification by Administrative Authority to Billed Entity of Compliance with Children's Internet Protection Act (Hourly wage changed):

Administrative authorities for billed entities participating in a consortia must submit signed certifications on the FCC Form 479 to the consortium leader certifying that they, the individual billed entities within the greater consortia, have complied with CIPA requirements. The consortium leader is required to collect and retain copies of the signed and completed FCC Forms 479.

(1) Number of respondents: Approximately 17,000 billed entities.
(2) Frequency of response: Annually.
(3) Total number of responses annually: 17,000
(4) Estimated burden per response: 1 hour.
(5) Total annual hour burden: 17,000 hours. 17,000 (number of respondents) x 1 (number of submissions) x 1 (estimated hour burden) = 17,000 hours.
(6) Total estimate of in-house cost to respondents for the hour burden for collection of information: $722,330.
(7) Explanation of calculation: We estimate that this obligation will take approximately 1 hour and will occur once a year for 17,000 respondents. 17,000 (number of respondents) x 1 (number of submissions) x 1 (estimated hour burden) x $42.49/hour = $722,330.

Summary of Estimated Total Annual Burden Hours for FCC Form 479:

Total Number of Respondents: 17,000 respondents

Total Number of Responses: 17,000 responses

Total Annual Hourly Burden: 17,000 hours

(b) FCC Form 486 – Receipt of Service Confirmation and Certification of Compliance with the Children's Internet Protection Act (Number of respondents, number of responses, burden hour, and hourly wage have changed):

Billed entities must use the FCC Form 486 to notify USAC of their service start dates and certify E-Rate and CIPA compliance.

(1) Number of respondents: Approximately 20,616 billed entities.
(2) Frequency of response: Annually and as needed. Billed entities may file multiple FCC Forms 486 during the year.
(3) Total number of responses per respondent: 1.37. Based on recent data, we are using 28,168 forms filed, or approximately 1.37 (rounded) responses per billed entity. We used this data as the basis for our calculations below.
(4) Estimated time per response: 1 hour.
(5) Total annual hour burden: 28,244 hours.

20,616 (number of respondents) x 1.37 (number of responses) x 1 (hours per response) x 1 (annually) = 28,244 total annual burden hours.

(6) Total estimate of in-house cost to respondents: $1,200,084.16.
(7) Explanation of calculation: We estimate that this obligation will take approximately 1 (hours per response) x 1.37 (number of responses) x 20,616 (respondents) x $42.49 (cost per response) = $1,200,084.16**.**

Summary of Estimated Total Annual Burden Hours for FCC Form 486:

Total Number of Respondents: 20,616 respondents

Total Number of Responses: 28,168 responses

Total Annual Hourly Burden: 28,244 hours

(c) FCC Form 500 – Funding Commitment Adjustment Request Number of respondents, number of responses, burden hours, and hourly wage have changed):

Billed entities use the FCC Form 500 to make adjustments to previously filed forms, *e.g.*, cancelling or reducing the amount of funding requests. Although the FCC Form 500 allows several types of responses, applicants generally use the FCC Form 500 for one or more responses at a time.

(1) Number of respondents: Approximately 3,794 billed entities.
(2) Frequency of response: On occasion. Billed entities may file multiple FCC Forms 500 during the year.
(3) Total number of responses per respondent: 1.7. Based on recent data, we are using 6,435 forms filed, or approximately 1.7 (rounded) responses per billed entity. We used this data as the basis for our calculations below.
(4) Estimated burden per response: 1 hour.
(5) Total annual hour burden: 6,450 hours.

3,794 (number of respondents) x 1.7 (number of responses) x 1 (on occasion) = 6,450 total annual burden hours.

(6) Total estimate of in-house cost to respondents: $274,052.

(7) Explanation of calculation: We estimate that this obligation will take approximately 1 (hours per response) x 1.7 (number of responses) x 3,794 (respondents) x $42.49 (cost per response) = $274,052.

Summary of Estimated Total Annual Burden Hours for FCC Form 500:

Total Number of Respondents: 3,794 respondents

Total Number of Responses: 6,435 responses

Total Annual Hourly Burden: 6,450 hours

(d) Maintaining and Updating the Internet Safety Policy (Number of respondents, number of responses, burden hours, and hourly wage have changed)

E-Rate program applicants must maintain Internet safety policies, may update them as necessary, and must, upon request, provide copies of the Internet safety policies to the Commission or the Administrator pursuant to section 254(l) of the 1996 Act.

(1) Number of respondents: Approximately 21,300 E-Rate applicants.
(2) Frequency of response: Up to once each year.
(3) Total number of responses per respondent: 1.
(4) Estimated time per response: 0.75 hours.
(5) Total annual hour burden: 15,975 hours.
21,300 (number of respondents) x 1 (number of responses) x 0.75 (hours per response) x 1 (annually) = 15,975 total annual burden hours.
(6) Total estimate of the in-house cost to respondents: $678,777.75.
(7) Explanation of calculation: We estimate that this obligation will take 0.75 (hours per response) x 1 (annually) x 21,300 (respondents) x $42.49 (cost per response) = $678,777.75.

Summary of Estimated Total Annual Burden Hours for Maintaining and Updating Internet Safety Policy:

Total Number of Respondents: 21,300 respondents

Total Number of Responses: 21,300 responses

Total Annual Hourly Burden: 15,975 hours

(e) Recordkeeping, Audits, and Inspections

(1) Number of respondents: 21,300 E-Rate applicants

(2) Frequency of response: On occasion.

(3) Total number of responses per respondent: 1.

(4) Estimated time per response: 0.5 hour (recordkeeping)

(5) Total annual hour burden: 10,650 hours.

21,300 (number of respondents) x 1 (estimated number of responses) x 0.5 (hours per response) x 1 (number of responses) = 10,650

(6) Total estimate of in-house cost to respondents: $452,518.50

Explanation of calculation: We estimate that this obligation will take 21,300 (respondents) x 1/2 (hours to comply with the requirements for recordkeeping) x 1 (responses) x $42.49 (cost to comply) = $452,518.50

Summary of Estimated Total Annual Burden Hours for Recordkeeping:

Total Number of Respondents: 21,300 respondents

Total Number of Responses: 21,300 responses

Total Annual Hourly Burden: 10,650

Summary of Estimated Total Annual Burden Hours:

The estimated respondents, responses, and burden hours are listed below:

Information Collection Requirements	Number of Respondents	Total Number of Responses	Hourly Burden Per Response	Total Annual Hourly Burden	Total In-House Cost to the Respondents
a. Schools and Libraries Program FCC Form 479	17,000	17,000	1 hour	17,000	$722,330
b. Schools and Libraries Program FCC Form 486	20,616	28,168	1 hour	28,244	$1,200,084.16
c. Schools and Libraries Program FCC Form 500	3,794	6,435	1 hour	6,450	$274,052
d. Schools and	21,300	21,300	.75 hour	15,975	$678,777.75

Information Collection Requirements	Number of Respondents	Total Number of Responses	Hourly Burden Per Response	Total Annual Hourly Burden	Total In-House Cost to the Respondents
Libraries Program - Maintaining and Updating the Internet Safety Policy					
e. Schools and Libraries Program Recordkeeping	21,300	21,300	.50 hour	10,650	$452,518.5
Grand Total	84,010	94,203	4.25 hours	78,319	$3,327,762.41

13. *Estimates of other costs to respondents*. There are no outside contracting costs for this information collection. The estimated in-house costs to respondents is noted above in item 12.

14. *Estimates of the cost burden to the Commission*. There will be few, if any, additional costs to the Commission because notice, enforcement, and policy analysis associated with the Universal Service Fund are already part of the Commission's duties. Moreover, there will be minimal cost to the Federal government because a third party, USAC, administers the E-Rate program.

15. *Program changes or adjustments*. The Commission is reporting an adjustment to the total annual burden hours within this submission. The adjustment is due to updated information on actual submissions of the FCC Forms 479, 486, and 500, and the change in the number of respondents. For the FCC Form 486: the number of respondents increased by 616 from 20,000 to 20,616; the number of responses decreased by 4,832 from 33,000 to 28,168; and the annual hour burden decreased by 4,756 from 33,000 to 28,244. For the FCC Form 500: the number of respondents increased by 2,794 from 1,000 to 3,794; the number of responses increased by 3,535 from 2,900 to 6,435; and the annual burden hours increased by 3,550 from 2,900 to 6,450. Updating and Maintaining the Internet Safety Policy: the number of respondents and the number of responses increased by 800 from 20,500 to 21,300, and the annual burden hours increased by 600 from 15,375 to 15,975. Overall, for the adjustments, the number of respondents increased by 25,510 from 58,500 to 84,010, the number of responses increased by 20,803 from 73,400 to 94,203, and the total annual hourly burden increased by 10,044 from 68,275 to 78,319. There are no hourly burden changes to the FCC Form 479.

16. *Collections of information whose results will be published*. Non-proprietary information will be made publicly available for the benefit of all interested parties.

17. *Display of expiration date for OMB approval of information collection*. The Commission seeks continued approval to not display the expiration date for OMB approval of this information collection. The Commission will use an edition date in lieu of the OMB expiration date. This will

prevent the Commission from having to repeatedly update the expiration date each time this collection is submitted to OMB for review and approval. OMB approval of the expiration date of the information collections will be displayed on OMB's website.

18. *Exceptions to certification statement for Paperwork Reduction Act submissions*. The Commission is reporting an exception to the Certification Statement because the 60-day notice was published as a revision whereas the 30-day notice will be published as an extension based on the removal of the WiFi Hotspot rules.

    There are no other exceptions to the Certification Statement.

B. <u>Collections of Information Employing Statistical Methods</u>:

The Commission does not anticipate that the collection of information will employ statistical methods.