



FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-XXXX; FR ID 351531]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission

ACTION: Notice; request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email PRA@fcc.gov and to Nicole.Ongele@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele at (202) 418-2991.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-XXXX.

Title: Modernizing Suspension and Debarment Rules.

Form Number: N/A.

Type of Review: New information collection.

Respondents: Business or other for-profit; Individuals or households; State, local, or tribal governments; Not-for-profit institutions.

Number of Respondents and Responses: 75,255 unique respondents;170,259 unique responses.

Estimated Time per Response: 1 - 2 hours.

Frequency of Response: Annual, on occasion reporting requirements and third party disclosure requirements.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for these information collections are contained in sections 1, 2, 4(i), 4(j), 218, 225, 254, 403, 715, and 719 of the Communications Act of 1934, as amended, and section 904 of Division N, Title IX of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, 134 Stat. 1182, as amended by section 60502 of Division F, Title V of the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429 (2021), 47 U.S.C. §§ 151, 152, 154, 218, 225, 254, 403, 616, and 620.

Total Annual Burden: 244,185 hours.

Total Annual Cost: No Cost.

Needs and Uses: On March 26, 2026, the Commission adopted the *Modernizing Suspension and Debarment Rules Report & Order*, adopting a revised suspension and debarment framework that allows the Commission to promptly and efficiently exclude or otherwise limit bad actors' participation in Congressionally-mandated funding programs, such as the Universal Service Fund (USF) and the Telecommunications Relay Services (TRS) program. These programs provide significant funding to close the digital divide and ensure that all Americans have access to communications services.

The Report and Order adopted the governmentwide Office of Management and Budget Governmentwide Guidelines on Debarment and Suspension, as well as supplemental rules tailored to the FCC's programs. To promote transparency and safeguard these critical programs from waste, fraud, and

abuse, the Report and Order implements, in pertinent part, several reporting and third-party disclosure requirements consistent with the OMB Guidelines.

These new rules are new information collection requirements which are as follows:

- a. Section 6001.335 Disclosures. Pursuant to 2 CFR § 180.335 and 2 CFR § 6001.335, all program participants must disclose prior misconduct to other participants with whom they are doing or seek to do business, the program administrators, and the Commission. Generally, these disclosures are required at the time program participants enter into covered transactions to ensure that all interested parties are making informed business decisions and conducting business only with participants that are presently responsible. Participants must disclose, under penalty of perjury, if they are presently excluded or disqualified, have been convicted of offenses listed in in section 180.800(a), are presently indicted or otherwise criminally or civilly charged with such offenses, or have had one or more public transactions terminated within the preceding three years for cause or default.

Additionally, pursuant to 2 CFR § 180.335 and 2 CFR § 6001.335, if no disclosures are required, participants must so certify under penalty of perjury that no disclosures are required under the suspension and debarment rules. We anticipate that these “no response required” certifications will be included on existing forms for each program (as described in subparts (e) through (k) below).

- b. Section 6001.120(a) Disclosure. To ensure the Commission’s own compliance with the prohibition in 2 CFR § 180.400 on entering into covered transactions with people that are currently suspended or debarred, the rules require FCC program participants that are presently excluded on the effective date of these rules to notify the Commission of their status.
- c. Section 6001.120(b) Disclosure. Likewise, to the extent that FCC program participants are later suspended or debarred by another federal agency, those excluded participants are required to notify the Commission of such exclusion within 30 days.
- d. Section 6001.330(a) Third Party Compliance Certification. Consistent with 2 CFR § 180.330, the Report and Order requires program participants to ensure the people with whom they intend to do business (including downstream supply chain participants such as contractors, subcontractors, and

consultants) comply with the reporting requirements as well. The participant can do so by collecting a certification or including a term or condition to this effect in the transaction.

To monitor compliance with the suspension and debarment rules, under 2 CFR § 6001.435, the Commission may require program participants to provide an assurance or certify their compliance with the rules at the time they apply for funding or request disbursements from Commission programs (as a condition of participation). For the programs listed below, the Commission will require certifications and collect them through existing FCC forms which are already submitted by program participants as described below.

- e. Part 6001 Compliance Certification (Lifeline) – As detailed in OMB Control No. 3060-0819, service providers participating in the Lifeline program are required to submit an annual FCC Form 481 (Annual Reporting for High-Cost and Low-Income Universal Service Support Recipients) to report on and certify to program requirements. To monitor compliance under section 6001.435 of the Commission's rules, service providers participating in the Lifeline program will be required to provide an assurance or certify compliance with section 6001.435 when they file their FCC Form 481 each year. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, service providers will be required to certify that no response pursuant to section 6001.335 was required. In addition, service providers will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.
- f. Part 6001 Compliance Certification (RHC) –
Health Care Provider and Consortium Applicant: As detailed in OMB Control No. 3060-0804, applicants are required to submit an annual FCC Form 462 (Request for Funding) or FCC Form 466 (Request for Funding) to request funding for eligible services and equipment in the Rural Health Care program. Applicants must provide certifications along with their FCC Form 462 or 466. To monitor compliance under section 6001.435 of the Commission's rules, applicants will be required to provide an assurance or certify their compliance with section 6001.435 when they

file their FCC Form 462 or 466 funding application. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no response pursuant to section 6001.335 was required. In addition, applicants will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

Consortium Member Applicant: As detailed in OMB Control No. 3060-0804, consortium members in the Rural Health Care program are required to submit a Letter of Agency to their consortium lead to authorize the consortium lead to file forms on their behalf. To monitor compliance under section 6001.435 of the Commission's rules, consortium members will be required to provide an assurance of their compliance with section 6001.435 when they submit their Letter of Agency. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no response pursuant to section 6001.335 was required. In addition, consortium members will be required to confirm that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

Service Providers: As detailed in OMB Control No. 3060-0804, service providers participating in the Rural Health Care program are required to certify on an FCC Form 463 (Request for Funding Disbursement) or FCC Form 469 (Invoice and Request for Disbursement) that requests for reimbursement are compliant with the Commission's rules. To monitor compliance under section 6001.435 of the Commission's rules, service providers will be required to provide an assurance or certify their compliance with section 6001.435 when they certify an FCC Form 463 or FCC Form 469. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no response pursuant to section 6001.335 was required. In addition, applicants will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a

contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

g. Part 6001 Compliance Certification (E-Rate) –

School, Library, and Consortium Applicant: As detailed in OMB Control No. 3060-0806, applicants are required to submit an annual FCC Form 471 (Schools and Libraries Program Services Ordered and Certification Form) to request funding for eligible services and equipment in the E-Rate program. Applicants must provide certifications along with their FCC Form 471. These certifications are required to protect the integrity of the E-Rate program and to ensure compliance with Commission's rules. See 47 CFR § 54.504(a)(1). To monitor compliance under section 6001.435 of the Commission's rules, applicants will be required to provide an assurance or certify their compliance with section 6001.435 when they file their FCC Form 471 funding application. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no response pursuant to section 6001.335 was required. In addition, applicants will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

Consortium Member Applicant: As detailed in OMB Control No. 3060-0853, consortium members in the E-Rate program are required to submit an annual FCC Form 479 (Certification by Administrative Authority to Billed Entity of Compliance with Children's Internet Protection Act (CIPA) Form) to their consortium lead to certify their compliance with CIPA requirements. To monitor compliance under section 6001.435 of the Commission's rules, consortium members will be required to provide an assurance or certify their compliance with section 6001.435 when they submit their FCC Form 479. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no response pursuant to section 6001.335 was required. In addition, consortium members will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting

requirements set forth in section 6001.330(a) of the Commission's rules.

Service Providers: As detailed in OMB Control No. 3060-0856, service providers participating in the E-Rate program are required to submit an annual FCC Form 474 (Service Provider Annual Certification Form) to certify their requests for reimbursement are compliant with the Commission's rules. These certifications are required to protect the integrity of the E-Rate program and ensure compliance with the Commission's rules. To monitor compliance under section 6001.435 of the Commission's rules, service providers will be required to provide an assurance or certify their compliance with section 6001.435 when they file their FCC Form 474. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no response pursuant to section 6001.335 was required. In addition, applicants will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

h. Part 6001 Compliance Certification (Cybersecurity Pilot Program) –

School, Library, and Consortium Applicant, and Consortium Member Participants: As detailed in OMB Control No. 3060-1323, participants are required to submit an annual amended Pilot FCC Form 484 -- Cybersecurity (Schools and Libraries Pilot Program Application) to update information provided in the first and second parts of the FCC Form 484 and respond to new annual data reporting requirements (i.e., the third part of the Pilot FCC Form 484). Participants must provide certifications along with their annual amended Pilot FCC Form 484 (third part) -- Cybersecurity. These certifications mirror the certifications in the second part of the Pilot FCC Form 484 and are required to protect the integrity of the Cybersecurity Pilot Program and to ensure compliance with the Commission's rules. *See* 47 C.F.R. § 54.2004(d)(2)(i)-(vii). To monitor compliance under section 6001.435 of the Commission's rules, participants will be required to provide an assurance or certify their compliance with section 6001.435 when they file their Pilot FCC Form 484 (third part) -- Cybersecurity annual reporting application. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be

required to certify that no response pursuant to section 6001.335 was required. In addition, participants will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

Service Providers: As detailed in OMB Control No. 3060-1323, service providers participating in the Cybersecurity Pilot Program are required to submit a Pilot FCC Form(s) 474 – Cybersecurity (Schools and Libraries Cybersecurity Pilot Program Request for Reimbursement) to certify their requests for reimbursement are compliant with the Commission's rules. These certifications are required to protect the integrity of the Cybersecurity Pilot Program and ensure compliance with the Commission's rules. To monitor compliance under section 6001.435 of the Commission's rules, service providers will be required to provide an assurance or certify their compliance with section 6001.435 when they file their Pilot FCC Form(s) 474 – Cybersecurity. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, service providers will be required to certify that no response pursuant to section 6001.335 was required. In addition, service providers will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

- i. Part 6001 Compliance Certification (High-Cost) – As detailed in OMB Control No. 3060-0986, service providers participating in the high-cost programs are required to submit an annual FCC Form 481 (Annual Reporting for High-Cost and Low-Income Universal Service Support Recipients) to report on and certify to program requirements. To monitor compliance under section 6001.435 of the Commission's rules, service providers participating in the high-cost programs will be required to provide an assurance or certify that they complied with section 6001.435 when they file their FCC Form 481 each year. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no

response pursuant to section 6001.335 was required. In addition, service providers will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

- j. Part 6001 Compliance Certification (TRS) – As detailed in OMB Control No. 3060-1089 (Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket Nos. 10-51 & 03-123), the Commission requires applications for State TRS program certification and applications for Internet-based TRS provider certification. The applications for State TRS program certification must be submitted in narrative form and clearly describe the state program and the procedures and remedies for enforcing the state program requirements. To certify the State TRS program, the application must establish that the state program meets or exceeds the operational, technical, and functional minimum standards codified in 47 CFR § 64.604. Applications for Internet-based TRS provider certification must be in narrative form and provide full and detailed information that shows its ability to comply with the Commission's rules. Applications must include a description of the forms of TRS to be provided and a detailed description of how the applicant will meet the minimum standards applicable to each form of TRS offered, including documentary and other evidence; a description of the provider's complaint process; a statement that the provider will file annual compliance reports demonstrating continued compliance; and a certification from the chief executive officer (CEO), chief financial officer (CFO), or other senior executive with first-hand knowledge of the accuracy and completeness of the information provided that all application information required under the Commission's rules and orders has been provided, and that all statements of fact, as well as all documentation contained in the application submission, are true, accurate, and complete. To monitor compliance under section 6001.435 of the Commission's rules, TRS providers participating in the TRS program will be required to provide an assurance or certify that they complied with section 6001.435 when they file their application each year. Likewise, unless

required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no response pursuant to section 6001.335 was required. In addition, TRS providers will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

- k. Part 6001 Compliance Certification (NDBEDP) – As detailed in OMB Control No. 3060-1225 (National Deaf-Blind Equipment Distribution Program), the Commission certifies a single entity for each state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands – a total of 56 jurisdictions – to receive reimbursement from the TRS Fund for NDBEDP activities. Applications must contain sufficient detail to demonstrate the entity's ability to meet all criteria required for certification and a commitment to comply with all Commission requirements governing the NDBEDP. Applicants for certification must disclose to the Commission certain circumstances that pose an actual or potential conflict of interest and the steps it will take to eliminate the conflict or minimize the associated risks. The Commission determines whether to grant certification based on the ability of a program to meet the criteria required for certification, either directly or in coordination with other programs or entities, as evidenced in the application and any supplemental materials, including letters of recommendation.

To monitor compliance under section 6001.435 of the Commission's rules, NDBEDP providers participating in the NDBEDP program will be required to provide an assurance or certify that they complied with section 6001.435 when they file their application each year. Likewise, unless required to file an affirmative disclosure pursuant to section 6001.335, participants will be required to certify that no response pursuant to section 6001.335 was required. In addition, NDBEDP providers will be required to certify that they have ensured the people they have engaged in business with (including downstream supply chain participants, such as a contractor, subcontractor, or consultant) have complied with the reporting requirements set forth in section 6001.330(a) of the Commission's rules.

For all of the programs discussed above, the information collected by the Commission will be used by agency staff and the program administrators that organize the day-to-day operations of the covered programs under the agency's supervision to monitor compliance with program rules, better detect waste, fraud, and abuse in Commission programs, and ensure bad actors are not able to participate in covered transactions from the outset. Given requirements to disclose information to other primary and lower tier participants, these requirements will also help inform more financially responsible decisions by those participating in Commission programs.

Specifically, under 2 CFR § 6001.120, the notification that a program participant is currently or has been previously excluded by another agency will ensure Commission staff responsible for entering into new covered transactions and approving applications will not distribute federal funds to participants that are presently excluded, and therefore, ineligible. Likewise, the disclosure of past misconduct will provide agency staff with pertinent information to consider when evaluating whether to approve or reject new requests for funding. This information is critical to ensuring that the federal government is only conducting business with participants that are presently responsible and do not negatively affect the public interest. Failure to submit accurate disclosures may also be grounds for additional administrative action, including, but not limited to, suspension and debarment.

Similarly, certifications are one of the primary mechanisms for monitoring compliance with the regulatory framework. Compliance with the suspension and debarment rules are conditions of receiving payment from Commission programs. These certifications from program participants allow Commission staff that administer the covered programs and process applications to quickly determine whether participants have satisfied the conditions precedent before distributing federal funds. In turn, the certifications required by program participants of downstream participants will also allow the people who conduct business directly with the government to ensure that their other business relationships are compliant with the suspension and debarment rules.

Federal Communications Commission.

Marlene Dortch,
Secretary,
Office of the Secretary.

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