

## II. Initiation of Debarment Proceedings

In addition to Q Link's immediate suspension from all universal service support mechanisms as described above, including the Lifeline program, its conviction is cause for debarment as defined in Section 54.8(c) of the Commission's rules.<sup>21</sup> Therefore, pursuant to Section 54.8(b) of the Commission's rules, Q Link's conviction requires the Bureau to commence debarment proceedings against it.<sup>22</sup>

As with the suspension process, Q Link may contest the proposed debarment or its scope by filing arguments and any relevant documentation within thirty (30) calendar days of receipt of this letter or its publication in the **Federal Register**, whichever occurs first.<sup>23</sup> The Bureau, in the absence of extraordinary circumstances, will notify Q Link of its decision to debar within ninety (90) calendar days of receiving any information it may have filed.<sup>24</sup> If the Bureau decides to debar the Company, its decision will become effective upon either Q Link's receipt of a debarment notice or publication of the decision in the **Federal Register**, whichever occurs first.<sup>25</sup>

If and when Q Link's debarment becomes effective, it will be prohibited from participating in activities associated with or related to all federal universal service support mechanisms, including the Lifeline program, for at least three years from the date of debarment.<sup>26</sup> The Bureau may set a longer debarment period or extend an existing debarment period if necessary to protect the public interest.<sup>27</sup> Pursuant to the Commission's rules, should Q Link choose to contest the scope or length of any such debarment, it must file arguments and any relevant documentation within thirty (30) calendar days of receipt of notice or publication in the **Federal Register** of such debarment, whichever is earlier.<sup>28</sup>

<sup>21</sup> "Causes for suspension and debarment are conviction of or civil judgment for attempt or commission of criminal fraud, theft, embezzlement, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and other fraud or criminal offense arising out of activities associated with or related to the schools and libraries support mechanism, the high-cost support mechanism, the rural healthcare support mechanism, and the low-income support mechanism." *Id.* § 54.8(c). Associated activities "include the receipt of funds or discounted services through [the federal universal service] support mechanisms, or consulting with, assisting, or advising applicants or service providers regarding [the federal universal service] support mechanisms." *Id.* § 54.8(a)(1).

<sup>22</sup> *Id.* § 54.8(b), (e)(1).

<sup>23</sup> *Id.* § 54.8(e)(3).

<sup>24</sup> *Id.* § 54.8(e)(5).

<sup>25</sup> *Id.* The Commission may reverse a debarment, or may limit the scope or period of debarment, upon a finding of extraordinary circumstances, following the filing of a petition by you or an interested party or upon motion by the Commission. *Id.* § 54.8(f).

<sup>26</sup> *Id.* § 54.8(d), (g). We note that under the Plea Agreement Q Link shall not participate, directly or indirectly, in any program administered by the FCC as of the time of sentencing currently scheduled for January 15, 2025. Plea Agreement, *supra* note 1, at para. 8.

<sup>27</sup> 47 CFR 54.8(g).

<sup>28</sup> *Id.* § 54.8(e)(4).

## III. Non-Compliance

In the *2012 Lifeline Order*, the Commission implemented a compliance plan requirement for any carrier that is seeking to become an ETC without offering service, at least in part, over its own facilities.<sup>29</sup> In its Lifeline compliance plan, a carrier must describe and adhere to certain protections designed to protect consumers and the Universal Service Fund.<sup>30</sup> The Lifeline compliance plan must: (1) outline the measures the carrier will take to comply with program rules, including requirements related to enrollment, submitting claims for reimbursement, materials related to certifications, and program integrity safeguards, and (2) provide a detailed description of how the carrier offers service, the geographic areas in which it offers service, and a description of the carrier's corporate structure and Lifeline service plan offerings.<sup>31</sup> Q Link submitted a Lifeline compliance plan to receive forbearance from the statute's facilities requirement, and that Lifeline compliance plan was approved on August 8, 2012.<sup>32</sup>

Following an investigation led by the Department of Justice, on October 14, 2024, Q Link pleaded guilty to conspiring to defraud and commit related offenses in connection with a scheme involving the Lifeline program. The Commission is also aware that [REDACTED]

Corporate operations related to the control of an ETC are material aspects of a Lifeline compliance plan.<sup>33</sup> As such, any change to the control of a non-facilities-based ETC without prior approval from the Wireline Competition Bureau is a violation of the Lifeline compliance plan requirement.<sup>34</sup> Given these concerns and Q Link's recent criminal plea, Q Link is not in compliance with the terms of its approved Lifeline compliance plan.

Please direct any response as follows:

*If sent by messenger or hand delivery, or by commercial overnight mail* (other than U.S. Postal Service Priority Mail, Priority Mail Express, and Priority Mail), the

<sup>29</sup> See 47 U.S.C. § 214(e)(1)(a); see also *Lifeline and Link Up Reform and Modernization; Lifeline and Link Up; Federal-State Joint Board on Universal Service; Advancing Broadband Availability Through Digital Literacy Training*, WC Docket Nos. 11-42, 03-109, 96-45, and 12-23, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656, 6813, para. 368 (2012) (*2012 Lifeline Order*) (establishing the Lifeline compliance plan requirement as a condition to receiving forbearance from the statute's requirement that ETCs offer service at least in part over their own facilities).

<sup>30</sup> *2012 Lifeline Order*, 27 FCC Rcd at 6816, para. 379.

<sup>31</sup> *Id.*

<sup>32</sup> See *Wireline Competition Bureau Approves the Compliance Plans for Birch Communications, Boomerang Wireless, IM Telecom, Q Link Wireless, and TAG Mobile*, WC Docket Nos. 09-197 and 11-42, Public Notice, 27 FCC Rcd 9184 (WCB 2012).

<sup>33</sup> See *Wireline Competition Bureau Reminds Carriers of Eligible Telecommunications Carrier Designation and Compliance Plan Approval Requirements for Receipt of Federal Lifeline Universal Service Support*, WC Docket Nos. 09-197 and 11-42, Public Notice, 29 FCC Rcd 9144, 9145 (WCB 2014).

<sup>34</sup> See *id.*

response must be sent to Marlene H. Dortch, Secretary, Federal Communications Commission, to the attention of Christopher J. Sova, Acting Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 9050 Junction Drive, Annapolis Junction, MD, 20701. Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD, 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

*If sent by First-Class Mail, Priority Mail Express, or Priority Mail*, the response must be sent to Christopher J. Sova, Acting Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

You must also transmit an electronic copy of the response and all Documents produced with the response via email to [IHDTelecom@fcc.gov](mailto:IHDTelecom@fcc.gov). The electronic copy shall be produced in a format that allows the Commission to access and use it, together with instructions and all other materials necessary to use or interpret the data, including record layouts, data dictionaries, and a description of the data's source. If you have any questions, please contact Christina Thomas at [Christina.Thomas@fcc.gov](mailto:Christina.Thomas@fcc.gov) or (202) 418-1879.

Sincerely,  
Christopher J. Sova,  
*Acting Chief, Investigations and Hearings Division, Enforcement Bureau.*

cc: Fred Theobald, Universal Service Administrative Company (via email)

Matthew Menchel, Esq., Kobre & Kim LLP (via email)

Michael Sherwin, Esq., Kobre & Kim LLP (via email)

Evelyn Sheehan, Esq., Kobre & Kim LLP (via email)

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**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-1219; FR ID 267681]

### Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to

take this opportunity to comment on the following information collection. 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 FCC may not conduct or sponsor a collection of information unless it displays a currently valid 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 Office of Management and Budget (OMB) control number.

**DATES:** Written PRA comments should be submitted on or before February 10, 2025. 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 contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicole Ongele, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [nicole.ongele@fcc.gov](mailto:nicole.ongele@fcc.gov).

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

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-1219.

*Title:* Connect America Fund-Alternative Connect America Cost Model Support.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 1,100 unique respondents; 1,100 responses.

*Estimated Time per Response:* 0.5 hours-2 hours.

*Frequency of Response:* On occasion and one-time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151-154, 155, 201-206, 214, 218-220, 251, 252, 254, 256, 303(r), 332, 403, 405, 410, and 1302.

*Total Annual Burden:* 700 hours.

*Total Annual Cost:* No Cost.

*Needs and Uses:* The Commission is requesting approval for the extension of this collection. In March 2016, the Commission adopted significant reforms to place the universal service support program on solid footing for the next decade to preserve and advance voice and broadband service in areas served by rate-of-return carriers. Connect America Fund; ETC Annual Reports and Certifications; Establishing Just and Reasonable Rates for Local Exchange Carriers; Developing a Unified Intercarrier Compensation Regime, WC Docket Nos. 10-90, 14-58, 07-135, 05-337, 03-109; CC Docket Nos. 01-92, Report and Order, Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 16-33 (2016 Rate-of-Return Reform Order).

As part of the Rate-of-Return Reform Order, the Commission adopted a voluntary path for rate-of-return carriers to receive model-based support in exchange for making a commitment to deploy broadband-capable networks meeting certain service obligations to a pre-determined number of eligible locations in a state. By creating a voluntary pathway to model-based support, the Commission will spur new broadband deployment in rural areas. In several subsequent orders and public notices, the Commission has further refined this voluntary pathway, and in the December 2018 Rate-of-Return Reform Order, the Commission adopted a second pathway for carriers that did not elect the first pathway. Connect America Fund; ETC Annual Reports and Certifications; Establishing Just and Reasonable Rates for Local Exchange Carriers; Developing a Unified Intercarrier Compensation Regime, WC Docket Nos. 10-90, 14-58, 07-135, 05-337, 03-109; CC Docket Nos. 01-92, Report and Order, Further Notice of Proposed Rulemaking, and Order on Reconsideration, FCC 18-176 (December 2018 Rate-of-Return Reform Order).

This information collection addresses the requirement that carriers electing model-based support must notify the Commission of that election and their commitment to satisfy the specific service obligations associated with the amount of model support.

In the 2016 Rate-of-Return Reform Order, the Commission also adopted reforms to the universal service mechanisms used to determine support for rate-of-return carriers not electing model-based support. Among other such reforms, the Commission adopted an operating expense limitation to improve carriers' incentives to be prudent and

efficient in their expenditures, a capital investment allowance to better target support to those areas with less broadband deployment, and broadband deployment obligations to promote "accountability from companies receiving support to ensure that public investment are used wisely to deliver intended results." In the December 2018 Rate-of-Return Order, the Commission further modified or, in the case of the capital investment allowance, eliminated these requirements. Other requirements adopted in the Rate-of-Return Reform Order have been addressed under other Office of Management and Budget control numbers. We therefore propose to extend this information collection.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

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## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0995; FR ID 267778]

### Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and 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.