

**Universal Service for Schools and Libraries
Certification by Administrative Authority to Billed Entity of Compliance with the Children’s
Internet Protection Act**

Estimated Average Burden Hours For First Submission: 15.0 hours
For Subsequent Submissions: 1.5 hours

**Instructions for Completing the
Schools and Libraries Universal Service
Certification by Administrative Authority to Billed Entity of Compliance with the Children’s
Internet Protection Act (FCC Form 479)**

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NOTICE

NOTICE: Section 54.520 of the Federal Communications Commission's (FCC) rules sets forth the requirements for compliance with the Children’s Internet Protection Act (CIPA) (Pub. L. 106-554) for recipients of discounted services under the Schools and Libraries Universal Service Support Mechanism. 47 C.F.R. § 54.520. Billed Entities are required to certify that they have collected duly completed and signed FCC Forms 479 from Administrative Authorities. Administrative Authorities for schools and libraries eligible to receive discounted services under the Schools and Libraries Universal Service Support Mechanism must complete, and submit signed FCC Form(s) 479 to the Billed Entity before the Billed Entity may submit FCC Form 486 and before discounts on services may be reimbursed from the Support Mechanism. FCC Form 479 is required as evidence that the eligible schools and libraries have met the purposes of the Children’s Internet Protection Act. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. . The FCC may ask the Billed Entity to provide copies of these forms, and, if so, the Billed Entity will be required to provide the copies.

The FCC is authorized under the Communications Act of 1934, as amended, to mandate collection of the information requested in this form. If we believe there may be a violation or potential violation of an FCC statute, regulation, rule or order, including a deliberate attempt to mislead the Billed Entity or the FCC, your form may be referred to the federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your form may be disclosed to the Department of Justice or a court or adjudicative body when: (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party in a proceeding before the body or has an interest in the proceeding.

If you do not provide the information requested on the form, the Billed Entity will be unable to complete the FCC Form 486.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, *et seq.*

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Public reporting burden for this collection of information is estimated to average 15.0 hours for the first submission and 1.5 hours for subsequent submissions, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden, to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

I. PURPOSE OF FORM

The FCC Form 479, Certification by Administrative Authority to Billed Entity of Compliance with the Children's Internet Protection Act, provides notification to a Billed Entity by an Administrative Authority of the status of the Administrative Authority's compliance for the purposes of CIPA. The Billed Entity will then certify on its FCC Form 486, Receipt of Service Confirmation Form, that it has collected duly completed and signed Forms 479 from Administrative Authorities that the Billed Entity represents. Starting in Funding Year 5 (the Funding Year beginning July 1, 2002), Form 479 also provides notification to the Billed Entity of a request for waiver by the Administrative Authority.

Throughout these instructions, the Administrative Authority may also be referred to as "you."

Note that this form must be used beginning with Funding Year 4 (the Funding Year beginning July 1, 2001) and later.

II. IMPACT OF CIPA REQUIREMENTS ON FORM 479

The Children's Internet Protection Act (CIPA) was signed into law on December 21, 2000. In order to receive discounts for Internet Access and Internal Connections services under the universal service support mechanism, school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions.

For Funding Year 4 (the Funding Year beginning July 1, 2001), if the Billed Entity who represents an Administrative Authority is applying for Internet Access or Internal Connections, the Administrative Authority must certify on a Form 479 that it has the policies and technology measures in place, or that it is undertaking such actions to put them in place for the following Funding Year. (If the Administrative Authority is the Billed Entity, the Administrative Authority will certify on the Form 486.) In general, the Billed Entity must receive your completed and signed Forms 479 in time to postmark the Billed Entity's Form 486 by October 28, 2001. If the Billed Entity is applying only for Telecommunications Services, the requirements of CIPA do not apply and the Billed Entity is not required to collect Forms 479. (For more information, see the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).)

Applying for funds. For the purpose of CIPA requirements, a school or library who is a recipient of service is considered to have "applied" for funds in a Funding Year only when a Receipt of Service Confirmation Form 486 for a Funding Request for Internet Access or Internal Connections has been successfully data entered.

Determination of Your First Funding Year for Purposes of CIPA. The first Funding Year after Funding Year 3 (the Funding Year ending June 30, 2001) in which a school or library "applies" for funds (i.e. in which a Form 486 is successfully data entered) for Internet Access or Internal Connections is the **First Funding Year** for purposes of CIPA. Once your First Funding Year is established, the next two funding years will be your second and third funding years for purposes of CIPA. (See **Applying for Funds** above.) In the first Funding Year, the applicant must be in compliance with CIPA or undertaking actions to comply with CIPA, in order to receive discounts for Internet Access or Internal Connections services.

Once the First Funding Year is established, the Funding Year immediately following the First Funding Year becomes the **Second Funding Year** for purposes of CIPA. If the school or library "applies" for funds for Internet Access or Internal Connections in the Second Funding Year, it must certify that it is in compliance with CIPA unless state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required. A school or library so prevented may request a waiver for the Second Funding Year.

The **Third Funding Year** for purposes of CIPA is the Funding Year immediately following the Second Funding Year. If the school or library applies for funds for Internet Access or Internal Connections in the Third Funding Year, it must be in compliance with CIPA.

You must be in compliance with CIPA for any Funding Year thereafter.

The following situations WOULD constitute the Administrative Authority's First Funding Year:

- The Billed Entity submits a Form 486 for Internet Access or Internal Connections, the Form 486 is successfully data entered, but the Billed Entity cancels all of its Funding Requests on a Form 500.
- The Billed Entity submits a Form 486 for Internet Access or Internal Connections, the Form 486 is successfully data entered, but the Service Provider does not receive a corresponding disbursement.

The following situations WOULD NOT constitute the Administrative Authority's First Funding Year:

- The Billed Entity receives a Funding Commitment for Internet Access or Internal Connections, but takes no further action.
- The Billed Entity receives a Funding Commitment for Internet Access or Internal Connections, submits Form 486, but the Form 486 is not successfully data entered.
- The Billed Entity "applies" only for Telecommunications Services.

III. SUBMISSION REQUIREMENTS AND GENERAL INSTRUCTIONS

Who Must Submit the Form 479?

In general, the Administrative Authority is the entity that must complete FCC Form 479, *Certification of Administrative Authority to Billed Entity of Compliance with the Children's Internet Protection Act*. For a school, the Administrative Authority may be the school, school district, school board, local educational agency, or other authority with responsibility for administration of the school. For a library, the Administrative Authority may be the library, library board, or other authority with responsibility for administration of the library.

If the Administrative Authority is also the Billed Entity, the Administrative Authority certifies on the Form 486. If the Administrative Authority is not the Billed Entity, the Administrative Authority must complete Form 479, and submit the Form 479 to the Billed Entity. The Billed Entity then certifies on Form 486 that it has collected duly completed and signed Form(s) 479.

How Many Forms 479 to Submit to the Billed Entity?

Generally, you will complete one Form 479 for each of your Billed Entities.

When to Submit the Form 479?

The Billed Entity must receive your completed and signed Forms 479 in time to postmark the Billed Entity's Form 486 to meet Form 486 deadlines. You should work with your Billed Entity to determine when to submit your Form 479. For Funding Year 4, the Billed Entity must, in general, receive your completed and signed Forms 479 by October 28, 2001.

You must complete Form 479 for each Funding Year in which you receive discounted services beginning with Funding Year 4 (the Funding Year beginning July 1, 2001) and after.

Where to Send Form 479?

The Form 479 must be filed manually by completing and mailing or delivering **an originally signed form** to the Billed Entity. Forms sent by facsimile transmission are not acceptable.

DO NOT SUBMIT THE COMPLETED FCC FORM 479 TO THE SCHOOLS AND LIBRARIES DIVISION OR TO THE FCC; SUBMIT IT ONLY TO YOUR BILLED ENTITY.

Compliance.

Anyone filing false information is subject to penalties for false statements, including 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.

All of the information required in the Form 479 must be completed in order for the Billed Entity to be able to certify as required on the FCC Form 486.

Where to Get More Information?

Information is available on the Schools and Libraries Division's web site at <http://www.sl.universalservice.org>. You may also call the SLD Client Service Bureau at **1-888-203-8100**, send an E-mail to question@universalservice.org or a fax to **1-888-276-8736**

IV. SPECIFIC INSTRUCTIONS

Type or clearly print in the spaces provided. You may attach additional pages if necessary.

Administrative Authority's Form Identifier: Use this space to assign a number or letter of your own devising to facilitate communication with your Billed Entity about THIS particular Form 479. Your Administrative Authority's Form Identifier can be very simple; for example, if you are filing three Forms 479, you might label them "A," "B," and "C." The Administrative Authority's Form Identifier can also be descriptive, such as "School Internet." Choose identifiers that suit your own record keeping needs.

A. Block 1: Administrative Authority Information

Block 1 of Form 479 asks you for your name, address, and basic identification information.

Item (1) - Provide the name of the Administrative Authority.

Item (2) - Program Funding Years begin on July 1 and end on June 30. For example, Funding Year 4 runs from July 1, 2001 through June 30, 2002. Provide the Program Funding Year (e.g., 2001 –2002) for which funds were requested or approved and for which the Billed Entity will be submitting a Form 486. Cite only one Program Funding Year in this item.

Item (3) - Provide the Administrative Authority's full mailing address, whether a street address, Post Office Box number, or route number. Provide the Contact Person's Name; 10-digit telephone number including the area code; fax number; and e-mail address.

B. Block 2: Certifications and Signature

Block 2 of Form 479 asks you to certify with respect to your status as the Administrative Authority and with respect to your compliance with the Children's Internet Protection Act.

Item (4) – Certify that you are an Administrative Authority for one or more schools or libraries for which Universal Service Support Mechanism discounts have been requested or approved for eligible services. You must make the required certification(s) for the purposes of the Children's Internet Protection Act in order to receive discounted services. While the Billed Entity will not submit FCC Form 486 until after discount requests have been approved and a Funding Commitment Decision Letter (FCDL) has been issued, the Billed Entity may ask you to file FCC Form 479 in advance of approval of the requests so that the Billed Entity is ready to file the Form 486 once the FCDL has been received.

Item (5) – Certify to your recognition that you may be audited pursuant to this certification and will retain for five years any and all records that you rely upon to complete this form.

Item (6) - This item concerns compliance with the requirements of the Children's Internet Protection Act (CIPA), as codified at 47 U.S.C. § 254(h) and (l), and the implementing rules, as codified at 47 C.F.R. § 54.520. Check the box that describes the status of compliance with the Children's Internet Protection Act. The certification statements in Item (6) of the Form 479 should be read as if you are addressing them to the Billed Entity.

An Administrative Authority can certify Item (6)(b) only in the first Funding Year after Funding Year 3 (the Funding Year ending June 30, 2001) for which it is applying for discounts for Internet Access or Internal Connections services. An Administrative Authority can seek a CIPA Waiver under Item (6)(d) only in the Second Funding Year. If you request a CIPA Waiver, you certify that your schools or libraries will be in compliance before the start of the Third Funding Year. You cannot seek a CIPA Waiver in your Third Funding Year, even if you have a new school or library branch/outlet under your authority in that Funding Year. (See “Impact of CIPA Requirements on Form 479” above for a discussion of First, Second and Third Funding Years.)

- **Item (6)(a)** – Check here if you certify to the Billed Entity that the recipient(s) of service under your administrative authority and represented in the Funding Request Number(s) for which the Billed Entity has requested Funding Commitments has (have) complied with the requirements of the Children’s Internet Protection Act.
- **Item (6)(b)** – Check here if you certify to the Billed Entity that the recipient(s) of service under your administrative authority and represented in the Funding Request Number(s) for which the Billed Entity has requested Funding Commitments is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of the Children’s Internet Protection Act for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.
- **Item (6)(c)** – Check here if you certify that the Children’s Internet Protection Act does not apply because the recipient(s) of service under your administrative authority and represented in the Funding Request Number(s) for which the Billed Entity has requested or received Funding Commitments is (are) receiving discount services only for Telecommunications Services.
- **Item (6)(d) – CIPA Waiver. This item is applicable only to your Second Funding Year. (See “Impact of CIPA Requirements on Form 479” above for the definition of your Second Funding Year.)** Check here if you are providing notification that, as of the date of the start of discounted services, you are unable to make the certifications required by the Children’s Internet Protection Act because your state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certifications otherwise required. You certify that the recipients(s) of service under your administrative authority and represented in the Funding Request Number(s) for which your Billed Entity has requested or received Funding Commitments will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.

For example, if in Funding Year 4 you certify that you are undertaking such actions necessary to put the measures required by CIPA in place for Funding Year 5, then in order to obtain discounts in Funding Year 5, you must fully implement the measures prior to the start of services in that Funding Year, unless you obtain a waiver as a result of procurement/competitive bidding constraints.

NOTE THAT the certification language in the Form 479 is not intended to fully set forth or explain all the requirements of CIPA.

Item (7) requires the Authorized Person certifying to the accuracy of the information to sign the Form 479 with an original, ink signature. **It is essential that the ORIGINAL INK SIGNATURE be provided to the Billed Entity. Photocopies of signatures are NOT acceptable.**

Item (8) - Enter the date the Form 479 was signed. This date must include the month, day and year.

Item (9) - Print the name of the Authorized Person whose signature is provided in Item (7).

Item (10) - Provide the title or position of the Authorized Person whose signature is provided in Item (7).

Item (11) - Provide the telephone number, including area code, of the Authorized Person whose signature is provided in Item (7). This information is required in order to expedite any communications that may be necessary between the Authorized Person responsible for signing the Form 479 and the Billed Entity.

Submit completed forms to your Billed Entity.

V. REMINDERS

- The person authorized to provide the information required by Form 479 must sign and date Form 479.
- Provide data for all information items.
- This Form 479 is applicable to you only if you are an Administrative Authority who is not a Billed Entity. If you are starting services for which **you** were approved for discounts as the Billed Entity on a Form 471, please file a Form 486 and submit it to the Schools and Libraries Division.
- DO NOT send the Form 479 to SLD or to the FCC.
- DO send Form 479 to your Billed Entity.