OMB Control Number

3060-0484

Estimated time per response:

1.5 – 2 hours

**CERTIFICATION FORM**

**Instructions:**  Please review and complete the form below. Please send your completed form to NORS\_DIRS\_information\_sharing@fcc.gov. On review, the Commission will contact you to resolve any questions with your application papers or issue your agency login credentials for accessing NORS and DIRS.

**[NAME OF AGENCY]**

**CERTIFICATION FORM FOR NORS AND DIRS SHARING**

[your title]

[name of agency]

[address]

[address]

Dear Commission:

[Agency name] requests access to Network Outage Reporting System (NORS) and Disaster Information Reporting System (DIRS) filings involving [for states, the District of Columbia, or U.S. Territories, the name of state(s) or jurisdiction(s); for federal agencies, the name of state(s) or nationwide; for Tribal nations, the name of the Tribal Government or component thereof] (filings).[[1]](#footnote-1)

I hereby certify and acknowledge that I am authorized to act on behalf of the [name of agency] and that [name of agency] is willing and able to be bound by the terms and conditions provided in this document.

On behalf of [agency name], I acknowledge and certify that [agency name] agrees to the terms below.

I hereby certify and acknowledge that each user account is to be assigned to a single employee and that [agency name] will promptly reassign user accounts to reflect changes as its roster of designated employees changes (e.g., due to employee departure and arrival).

I hereby certify and acknowledge that [agency name] will change user account passwords and take other reasonable measures to ensure that user account credentials are not used by individuals who are not [agency name]’s designated employees.

I hereby certify and acknowledge that NORS and DIRS filings, and the information contained therein (collectively, NORS and DIRS filings and information) are sensitive and presumed confidential for national security and commercial competitiveness reasons.[[2]](#footnote-2)

I hereby certify that [agency name] will treat NORS and DIRS filings and data as confidential under federal and state Freedom of Information Act statutes and similar laws and regulations and not disclose them absent a finding by the Commission that allows [agency name] to do so.

I hereby certify that [agency name] will treat NORS and DIRS filings and information in accordance with procedural and substantive protections that are equivalent to or greater than those afforded under federal confidentiality statutes and rules, including but not limited to the federal Freedom of Information Act.[[3]](#footnote-3) To the extent that federal confidentiality statutes and rules impose a higher standard of confidentiality than applicable state, U.S. territory, or Tribal law or regulations provide, I represent that the [name of agency] is legally able to and will adhere to the higher federal standard. I agree that the [name of agency] will notify the Commission, within 14 calendar days via the e-mail, NORS\_DIRS\_information\_sharing@fcc.gov, when [name of agency] receives a request from a third party to disclose NORS filings and DIRS filings, or related records, pursuant to a state’s open record laws or other legal authority that could compel [name of agency] to do so. I agree to notify the Commission via the e-mail, NORS\_DIRS\_information\_sharing@fcc.gov, at least 30 calendar days prior to the effective date of any change in relevant statutes of laws that would affect [name of agency]’s ability to adhere to at least the federal confidentiality rules and statutes standard.

I hereby certify and acknowledge that the Commission’s rules place restrictions on the access to and use of NORS and DIRS filings and information. I certify that I have reviewed and agree to comply with the restrictions regarding information sharing as described in Part 4 of Title 47 of the Code of Federal Regulations.

I hereby certify and acknowledge that the [name of agency] will adopt or develop a NORS and DIRS security training program, if it has not already, that satisfies each of the required training program elements identified at *Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications*, PS Docket 15-80, Second Report and Order, 36 FCC Rcd 6136, 6169-72 (2021), that the [name of agency] will administer this training to each of its designated employees prior to their access to NORS and DIRS filings and information and then at least annually thereafter. The [name of agency] will make copies of its training curriculum available for the Commission’s review upon demand.

I further acknowledge that [name of agency] will report immediately to any affected service providers and to the Commission, via the e-mail NORS\_DIRS\_information\_sharing@fcc.gov and NSOC@fcc.gov, any known or reasonably suspected breach of the protocol specified in the training program or any other known or reasonably suspected unauthorized use or improper disclosure of NORS and DIRS information.

I further acknowledge that if [name of agency] needs contact information for a provider, that [agency name] may request this information from the Commission at NORS\_DIRS\_information\_sharing@fcc.gov, and that this does not toll [agency name]’s obligation to immediately notify any affected service providers, using the best contact information known to [agency name].

 I acknowledge on behalf of [name of agency] that the Commission does not guarantee the accuracy of either the NORS or DIRS filings as both sets of filings are submitted to the respective web-based databases by service providers pursuant to mandatory reporting timeframes for NORS filings and voluntary reporting timeframes for DIRS filings. Further, I acknowledge that there may be times access to the filings is unavailable, e.g., due to planned or unplanned service and maintenance.

I hereby certify and acknowledge that [agency name’s] continued access to NORS and DIRS filings and information is conditioned on its annual recertification of a current version of this form, available on the Commission’s website. I acknowledge that the Public Safety and Homeland Security Bureau (Bureau) of the Commission may terminate [agency name]’s access at any time, and for any reason, by giving written notice to [name of agency]. If access is terminated, I agree that [name of agency] will, upon the Commission’s termination notice, cause to be securely destroyed any and all NORS and DIRS filings and information or other data received pursuant to this grant, whether electronic or hardcopy form.

I hereby certify and acknowledge that all the terms and conditions provided in this document apply to past and future NORS and DIRS filings and information.

I hereby certify that [employee name, title, phone number and email address] will manage my agency’s access to NORS and DIRS filings by managing user accounts in accordance with the Commission’s rules; coordinating the downstream sharing of NORS and DIRS filings; making available for Commission inspection a list of all localities for which the agency has disclosed NORS and DIRS data; coordinating with the Commission to manage an unauthorized access incident; and answering any questions from the Commission regarding my agency’s access, use, or sharing of NORS and DIRS filings.

I hereby certify and acknowledge my and [agency name]’s obligation to inform the Commission if I cease to be the designated representative of [agency name] with authority to obligate and bind the agency to the statements above or if the employee listed above ceases to be the designated agency contact.

I acknowledge that the Bureau makes no determinations about any provisions of [name of state] law or agency regulations or your statements about such provisions.

Sincerely,

[name and title of official], on behalf of

[name of agency]

Affirmed:

Debra Jordan, Chief

Public Safety and Homeland Security Bureau

Federal Communications Commission

**We have estimated that your response to this collection of information will take an average of 1.5 - 2 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, Office of Managing Director, AMD‑PERM, Washington, DC 20554, Paperwork Reduction Act Project (3060‑1204). We will also accept your PRA comments via the Internet if you send an e-mail to** **PRA@fcc.gov****.**

**Please DO NOT SEND COMPLETED FORMS TO THIS ADDRESS. You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number and/or we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060‑0484.**

**THIS NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507**

1. These filings are made pursuant to the Commission’s reporting rules and practices. *See, e.g.*, 47 CFR Part 4*; see also*, *e.g.*, The FCC’s Public Safety & Homeland Security Bureau Launches Disaster Information Reporting System (DIRS), *Public Notice*, DA 07-3871, 22 FCC Rcd 16757 (PSHSB 2007). [↑](#footnote-ref-1)
2. The Commission has noted that the outage reports “will contain sensitive data” and that this data “could be used by hostile parties to attack those networks, which are part of the Nation’s critical information infrastructure.” *2004 Part 4 Report and Order*, 19 FCC Rcd at 16852-53, para. 40. Further, the Commission stated that the “national defense and public safety goals” sought with outage reporting would be “seriously undermined if [the Commission] were to permit these reports to fall into the hands of terrorists who seek to cripple the nation’s communications infrastructure.” *2004 Part 4 Report and Order*, 19 FCC Rcd at 16855, para. 45. [↑](#footnote-ref-2)
3. S*ee* 5 U.S.C. § 552(b)(4). [↑](#footnote-ref-3)