

UNITED STATES GOVERNMENT
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF INSPECTOR GENERAL
MEMORANDUM



DATE: March 29, 2024

TO: Mark Stephens
Managing Director

Elliott Tarloff
Senior Agency Official for Privacy

FROM: Fara Damelin
Inspector General/ *SG* For

SUBJECT: Report on the Federal Communication Commission's FY 2021 Privacy and Data Protection Program (21-INSP-10-01)

The Office of Inspector General (OIG) is providing the final report on our inspection of the Federal Communications Commission (FCC) Privacy and Data Protection (P&DP) Program for fiscal year (FY) 2021. OIG conducted this inspection consistent with our authority under the Inspector General Act of 1978, as amended, including but not limited to sections 2(1)(2) and 4(a)(1). The inspection is not intended to substitute for any agency regulatory compliance review or regulatory compliance audit.

We conducted this inspection in accordance with the Council of the Inspectors General on Integrity and Efficiency (CIGIE) Quality Standards for Inspection and Evaluation dated December 2020. Our objective was to determine whether the FCC implemented effective privacy and data protection policies and procedures in accordance with the nine requirements identified in 42 U.S.C. § 2000ee-2 Privacy and Data Protection Policies and Procedures. The scope of the privacy and data protection inspection covered the period from October 1, 2020, through September 30, 2021 (FY 2021).

Title 42 U.S.C. §2000ee-2 – Privacy and Data Protection Policies and Procedures mandates federal agencies to establish and implement comprehensive privacy and data protection procedures governing the collection, use, sharing, disclosure, transfer, storage, and security of information.

Title 42 U.S.C. §2000ee-2 also requires agency OIGs to periodically review the effectiveness of the agency's privacy and data protection program and report the results of its review to Congress.

Based on our inspection, the OIG concluded that the FCC has effectively implemented five of the nine privacy requirements in Title 42 U.S.C. § 2000ee-2. Four of the nine requirements had not been effectively implemented for the period covered by our review. The final report includes four findings and offers seven recommendations intended to improve the Commission's privacy and data protection policies and procedures related to:

- the FCC's use of automated technologies.
- the FCC's use of technologies for continuous auditing of privacy and data protection.
- the FCC's privacy impact assessment process of proposed rules.
- the FCC's annual updates to privacy policies and directives.

If you have any questions regarding this report, please contact Sophie Jones, Assistant Inspector General for Audit, at (202) 418-1655 or Sophila.Jones@fcc.gov or Robyn Williams, Deputy Assistant Inspector General for Audit, at (202) 418-7890 or Robyn.Williams@fcc.gov.

Attachment: Final FY 2021 Privacy and Data Protection Program Inspection Report

cc: Chief Information Officer
Deputy Chief Information Officer
Chief Information Security Officer