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UNITED STATES  
**FEDERAL COMMUNICATIONS  
COMMISSION**

# **2023 COMPUTER MATCHING ACTIVITIES REVIEW AND REPORT**

**OFFICE OF GENERAL COUNSEL**

45 L Street NE, Washington, DC 20554

Pursuant to 5 U.S.C. § 552a(u)(3)(D) and section 14 of Office of Management and Budget (OMB) Circular No. A-108,<sup>1</sup> the Federal Communications Commission (FCC or Commission) submits this report on the computer matching programs in which it participated during 2023.

## I. Data Integrity Board Members

Mark Stephens, Managing Director  
Sharon Diskin, Acting Inspector General<sup>2</sup>  
Michele Ellison, General Counsel  
Allen Hill, Chief Information Officer (CIO), Office of Managing Director (OMD)  
Jennifer Bilbrey, Special Advisor to the CIO, OMD  
Christopher Webber, Chief Information Security Officer (CISO), OMD<sup>3</sup>  
Jae Seong, Chief Financial Officer, OMD  
Ellen Standiford, Acting Chief Human Capital Officer, OMD  
MaryKay Mitchell, Chief Administrative Officer, OMD<sup>4</sup>  
Mary Moore, Manager, Security Operations Center, OMD  
Elliot Tarloff, Senior Agency Official for Privacy (SAOP), Office of General Counsel (OGC)

## II. Data Integrity Board Secretary

Lori Alexiou, Privacy Analyst, OGC, *mailing address*: Federal Communications Commission, 45 L Street, NE, Washington, D.C. 20554, *telephone*: 202-418-2001, *e-mail*: [Lori.alexiou@fcc.gov](mailto:Lori.alexiou@fcc.gov) or [Privacy@fcc.gov](mailto:Privacy@fcc.gov).

## III. Matching Programs

The Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503) requires the Data Integrity Board (DIB) of each Federal agency to review its matching activities on a yearly basis. 5 U.S.C. § 552a(u)(3)(D). The DIB took action in 2023 to enter into 13 new or reestablished computer matching agreements (CMAs) and 9 one-year CMA renewals, in which the FCC acted as the “recipient agency” as that term is defined in 5 U.S.C. § 552a(a)(9). At the close of 2023, the FCC was engaged in a total of 27 matching programs.<sup>5</sup> These activities are discussed below.

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<sup>1</sup> Office of Management and Budget, to the Heads of Executive Departments and Agencies, Circular No. A-108, *Federal Agency Responsibilities for Reviewing, Reporting, and Publication Under the Privacy Act* (2016), [https://www.whitehouse.gov/wp-content/uploads/legacy\\_drupal\\_files/omb/circulars/A108/omb\\_circular\\_a-108.pdf](https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/circulars/A108/omb_circular_a-108.pdf).

<sup>2</sup> Sharon Diskin became Acting Inspector General on Jan. 10, 2023. Fara Damelin was confirmed as Inspector General March 8, 2024. On April 9, 2024, Inspector General Damelin requested to abstain, going forward, as a voting member of the Data Integrity Board in order to review the Inspector General’s participation as a voting member.

<sup>3</sup> Christopher Webber became CISO on March 27, 2023.

<sup>4</sup> Mary Kay Mitchell retired on December 31, 2023.

<sup>5</sup> All of the Commission’s matching agreements can be found on the agency’s dedicated Privacy Act Information webpage, <https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information#matching>

## A. Background on FCC Matching Programs

The FCC's Lifeline program provides support for discounted broadband and voice services to low-income consumers.<sup>6</sup> Consumers qualify for Lifeline through proof of income or participation in a qualifying federal benefit program, such as Medicaid, the Supplemental Nutritional Assistance Program (SNAP), Federal Public Housing Assistance, or Veterans and Survivors Pension Benefit.<sup>7</sup> In a Report and Order adopted on March 31, 2016, the Commission ordered the Universal Service Administrative Company (USAC) to create a National Lifeline Eligibility Verifier (National Verifier) that would match data about Lifeline program applicants and subscribers with other data sources to verify their eligibility.<sup>8</sup>

In the Consolidated Appropriations Act, 2021, Congress created the Emergency Broadband Benefit Program (EBBP), and directed the FCC to use the National Verifier to determine EBBP eligibility based on various criteria, including the qualifications for Lifeline (Medicaid, SNAP, etc.).<sup>9</sup> The EBBP provided \$3.2 billion in total funding to support monthly consumer discounts on broadband service and a one-time provider reimbursement for providing a connected device (laptop, desktop computer, or tablet) to a qualifying subscriber. In the Infrastructure Investment and Jobs Act, Congress modified and extended EBBP, provided an additional \$14.2 billion, and renamed it the Affordable Connectivity Program,<sup>10</sup> and in January 2022, the Commission adopted rules to implement the Affordable Connectivity Program.<sup>11</sup> Consumers qualify for the Affordable Connectivity Program through proof of income, receipt of Federal Pell Grant during the current award year, or participation in a qualifying assistance program.<sup>12</sup>

In 2023, the FCC engaged in matching programs to support enrollment in the Lifeline program and the Affordable Connectivity Program. The FCC records matched in these matching programs were maintained in the following Systems of Records, as that term is defined in the Privacy Act:

1. FCC/WCB-1, Lifeline Program system of records, 89 Fed. Reg. 28777(Apr. 19, 2024);<sup>13</sup> and/or

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<sup>6</sup> 47 CFR 54.400 *et seq.*

<sup>7</sup> 47 CFR 54.409.

<sup>8</sup> *Lifeline and Link Up Reform and Modernization Order et al.*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962 (2016).

<sup>9</sup> Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, 134 Stat. 1182, 2129-36 (2020) (codified, as amended, at 47 U.S.C. § 1752).

<sup>10</sup> Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429, 1238-44 (2021) (codified at 47 U.S.C. §§ 1751-52).

<sup>11</sup> *Affordable Connectivity Program*, Report and Order and Further Notice of Proposed Rulemaking, 37 FCC Rcd 484 (2022).

<sup>12</sup> 47 CFR 54.1800(j).

<sup>13</sup> During 2023, the applicable Lifeline Program system of records notice was published at 86 Fed. Reg. 11526 (Feb. 25, 2021).

2. FCC/WCB-3, Affordable Connectivity Program system of records, 89 Fed. Reg. 28780 (Apr. 19, 2024).<sup>14</sup>

### **B. New, Reestablished, and Modified CMAs, and 1-Year Renewals**

In 2023, the FCC's Data Integrity Board (DIB) reviewed and approved 13 new or reestablished CMAs and 9 one-year renewals. These agreements govern matching programs in which the FCC and USAC compare Lifeline and ACP applicants and subscribers against databases of persons enrolled in qualifying programs, as follows:

1. On January 6, 2023, the DIB conducted a virtual meeting to consider 1-year renewals of CMAs between the FCC and two non-Federal agencies:

- Minnesota Department of Human Services (SNAP and Medicaid)
- New Mexico Human Services Department (SNAP and Medicaid)

At the meeting, the DIB approved these agreements, which permit matching to verify Lifeline and/or ACP eligibility by establishing that applicants or subscribers are enrolled in SNAP and Medicaid. *See* 86 Fed. Reg. 32036 (June 16, 2021) (Minnesota ACP) and 86 Fed. Reg. 32929 (June 23, 2021) (New Mexico Lifeline and ACP). In its review of these agreements, the DIB determined that the benefits of the matching activity were greater than the costs.

2. On January 19, 2023, the DIB conducted a virtual meeting to consider a 1-year renewal of a CMA between the FCC and one non-Federal agency:

- Iowa Department of Human Services (SNAP)

At the meeting, the DIB approved this agreement, which permit matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in SNAP. *See* 86 Fed. Reg. 44363 (Aug. 12, 2021). In its review of this agreement, the DIB determined that the benefits of the matching activity were greater than the costs.

3. On February 16, 2023, the DIB conducted a virtual meeting to consider establishment of a CMA between the FCC and one non-Federal agency:

- Minnesota Department of Human Services (SNAP and Medicaid)

At the meeting, the DIB approved this agreement, which permits matching to verify Lifeline eligibility by establishing that applicants or subscribers are enrolled in SNAP and Medicaid. *See* 88 Fed. Reg. 18545 (Mar. 29, 2023). In its review of this agreement, the DIB determined that the benefits of the matching activity were greater than the costs.

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<sup>14</sup> During 2023, the applicable Affordable Connectivity Program system of records notice was published at 86 Fed. Reg. 71494 (Dec. 16, 2021).

4. On February 21, 2023, the DIB conducted a virtual meeting to consider establishment of a CMA between the FCC and one non-Federal agency:

- Florida Department of Children and Families, Office of Economic Self-Sufficiency (SNAP and Medicaid)

At the meeting, the DIB approved this agreement, which permits matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in SNAP and Medicaid. *See* 88 Fed. Reg. 20167 (Apr. 5, 2023). In its review of this agreement, the DIB determined that the benefits of the matching activity were greater than the costs.

5. On March 2, 2023, the DIB conducted a virtual meeting to consider 1-year renewals of CMAs between the FCC and two non-Federal agencies and one Federal agency:

- Connecticut Department of Social Services (SNAP)
- Georgia Department of Human Services, Department of Children and Family Services (SNAP)
- U.S. Department of Housing and Urban Development (HUD) (Federal Public Housing Assistance)

At the meeting, the DIB approved these agreements, which permit matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in SNAP or Federal Public Housing Assistance. *See* 86 Fed. Reg. 56266 (Oct. 8, 2021) (Connecticut); 86 Fed. Reg. 57669 (Oct. 18, 2021) (Georgia); and 86 Fed. Reg. 44021 (Aug. 11, 2021) (HUD). In its review of these agreements, the DIB determined that the benefits of the matching activity were greater than the costs.

6. On March 30, 2023, the DIB conducted a virtual meeting to consider establishment of a CMA between the FCC and one Federal agency:

- U.S. Department of Education (Federal Pell Grant Program)

At the meeting, the DIB approved this agreement, which permits matching to verify ACP eligibility by establishing that applicants or subscribers are enrolled in the Federal Pell Grant Program. *See* 88 Fed. Reg. 23675 (Apr. 18, 2023). In its review of this agreement, the DIB determined that the benefits of the matching activity were greater than the costs.

7. On June 28, 2023, the DIB conducted a virtual meeting to consider establishment of CMAs between the FCC and two non-Federal agencies:

- Indiana Family and Social Services Administration, Division of Family Services (SNAP and Medicaid)
- Pennsylvania Department of Human Services (SNAP and Medicaid)

At the meeting, the DIB approved these agreements, which permits matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in SNAP and Medicaid. *See* 88 Fed. Reg. 56020 (Aug. 17, 2023) (Indiana); and 88 Fed. Reg. 55042 (Aug. 14, 2023) (Pennsylvania). In its review of these agreements, the DIB determined that the benefits of the matching activity were greater than the costs.

8. On July 6, the DIB conducted a virtual meeting to consider establishment of a CMA between the FCC and one Federal agency:

- U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (Medicaid).

At the meeting, the DIB approved this agreement, which permits matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in Medicaid. *See* 88 Fed. Reg. 59523 (Aug. 29, 2023); and 88 Fed. Reg. 62572 (Sept. 12, 2023) (Correction). In its review of this agreement, the DIB determined that the benefits of the matching activity were greater than the costs.

9. On July 26, 2023, the DIB conducted a virtual meeting to consider establishment of a CMA between the FCC and one non-Federal agency:

- Michigan Department of Health and Human Services (SNAP, SSI, and Medicaid)

At the meeting, the DIB approved this agreement, which permits matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in SNAP, SSI, and Medicaid. *See* 88 Fed. Reg. 60454 (Sept. 1, 2023). In its review of this agreement, the DIB determined that the benefits of the matching activity were greater than the costs.

10. On August 8, 2023, the DIB conducted a virtual meeting to consider establishment of a CMA between the FCC and two non-Federal agencies and the 1-year renewal of a CMA between the FCC and one non-Federal agency:

- Puerto Rico Department of the Family (PAN)
- South Carolina Department of Social Services (SNAP) (renewal)
- Wisconsin Department of Health Services and the Wisconsin Department of Revenue (SNAP, SSI, Medicaid, and Income Verification)

At the meeting, the DIB approved these agreements, which permits matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in PAN or SNAP, SSI, Medicaid, and Income Verification. *See* 88 Fed. Reg. 63104 (Sept. 14, 2023) (Puerto Rico); 87 Fed. Reg. 14264 (March 14, 2022) (South Carolina); and 88 Fed. Reg. 63105 (Sept. 14, 2023) (Wisconsin). In its review of these agreements, the DIB determined that the benefits of the matching activity were greater than the costs.



11. On August 21, 2023, the DIB conducted a virtual meeting to consider two 1-year renewals of CMAs between the FCC and two non-Federal agencies:

- Virginia Department of Social Services (SNAP and Medicaid)
- Washington State Department of Social and Health Services, Economic Services Administration (SNAP and Medicaid)

At the meeting, the DIB approved these agreements, which permit matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in SNAP and Medicaid. *See* 87 Fed. Reg. 12167 (March 3, 2022) (Virginia); and 87 Fed. Reg. 12454 (March 4, 2022) (Washington). In its review of these agreements, the DIB determined that the benefits of the matching activity were greater than the costs.

12. On September 15, 2023, the DIB conducted a virtual meeting to consider establishment of a CMA between the FCC and one Federal agency:

- U.S. Department of Housing and Urban Development (Federal Public Housing Assistance)

At the meeting, the DIB approved this agreement, which permits matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in Federal Public Housing Assistance. *See* 88 Fed. Reg. 67281 (Sept. 29, 2023). In its review of this agreement, the DIB determined that the benefits of the matching activity were greater than the costs.

13. On October 24, 2023, the DIB conducted a virtual meeting to consider establishment of CMAs between the FCC and three non-Federal agencies:

- Kentucky Cabinet for Health and Family Services, Department for Community Based Services (SNAP and Medicaid)
- Minnesota Department of Human Services (SNAP and Medicaid)
- New Mexico Human Services Department (SNAP and Medicaid)

At the meeting, the DIB approved these agreements, which permits matching to verify Lifeline and ACP eligibility by establishing that applicants or subscribers are enrolled in SNAP and Medicaid. *See* 88 Fed. Reg. 84326 (Dec. 5, 2023) (Kentucky); 88 Fed. Reg. 84325 (Dec. 5, 2023) (Minnesota); and 88 Fed. Reg. 84324 (Dec. 5, 2023) (New Mexico). In its review of these agreements, the DIB determined that the benefits of the matching activity were greater than the costs.

#### **IV. Conduct of FCC Matching Programs in 2023**

On June 2, 2023 USAC discovered that the State of Tennessee was providing ‘Y’ (“yes”) responses to the National Verifier for consumers that participate in Temporary Assistance for Needy Families (TANF). TANF is not a qualifying program for the Commission’s

affordability programs, and this indication of eligibility was being passed through in violation of our Computer Matching Agreement (CMA). Additionally, the CMA-required matching criteria included First Name, but Tennessee had not been matching on First Name. USAC disabled the connection on June 2, 2023. Tennessee was able to discontinue TANF matching and include First Name into the matching criteria. USAC then successfully restored the connection on August 2, 2023. The Commission and USAC expect that there was minimal impact to our programs given the overlapping nature of TANF with our eligibility requirements and our understanding of TANF's small participating population. Moreover, any violations of the applicable matching agreement—*i.e.*, instances of matching based on TANF participation or made without reference to First Name—did not arise from or result in any unauthorized disclosure of records by the FCC from a system of records.

The FCC DIB affirms that all disclosures of agency records for use in the agency's matching programs continue to be justified, and that, other than the incident described above regarding the matching agreement with the State of Tennessee, the agency has fully adhered to the terms of each matching agreement.

Each matching agreement that the FCC participated in during 2023 had a favorable cost-benefit ratio.

## **V. Cost-Benefit Waivers**

The FCC DIB did not waive the requirement of a cost-benefit analysis for any matching agreement in which it participated during 2023.

## **VI. Disapproval**

The FCC DIB did not disapprove any matching agreements in 2023.

## **VII. Violations**

Other than the incident described above regarding the matching program with the State of Tennessee, there were no alleged or identified violations of FCC matching agreements in 2023.