



Universal Service
Administrative Co.

December 13, 2021

Mr. Sean Pearson
HSD ITD CIO
New Mexico Human Services Department
P.O. Box 2348
Santa Fe, NM 87504-2348

Re: Computer Matching Agreement Between New Mexico Human Services Department and Universal Service Administrative Company and the Federal Communications Commission

Dear Mr. Pearson,

New Mexico Human Services Department, the Federal Communications Commission (FCC), and the Universal Service Administrative Company (USAC) are parties to a Computer Matching Agreement effective as of July 23, 2021 (CMA). This letter is to inform you of a modification and extension of an FCC program that is the subject of this CMA.

Pursuant to Section II.A. of the CMA, the results of the data matching generated by the CMA “serve as one of several data points to verify eligibility of applicants to and subscribers of the [Emergency Broadband Benefit] program or other Federal programs that use qualification for Lifeline as an eligibility criterion (collectively, along with the Lifeline program, referenced herein as the Federal Telecommunications Benefit (FTB) programs) using the National Verifier and to further the integrity of the FTB programs.”

On November 15, 2021, the Infrastructure Investment and Jobs Act (the Act) became law.¹ The Act modifies and extends the Emergency Broadband Benefit Program (EBB Program) to a longer-term broadband affordability program to be called the Affordable Connectivity Program (ACP). Pursuant to the provisions of the Act, the EBB Program will cease, and the ACP will commence, on December 31, 2021. At that time, USAC will begin administering the ACP pursuant to the Memorandum of Understanding between the FCC and USAC and consistent with the FCC’s rules contained in Part 54 of the Code of Federal Regulations, orders, written directives, and other instructions promulgated by the FCC or its bureaus and offices and other laws as applicable.

¹ Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 (not yet published) (2021), *available at* <https://www.govinfo.gov/content/pkg/BILLS-117hr3684enr/pdf/BILLS-117hr3684enr.pdf>.

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The ACP, like the EBB Program, is a federal program that will use qualification for Lifeline as an eligibility criterion. Accordingly, the ACP is a Federal Telecommunications Benefit (FTB) program, as such term is used in the CMA. Effective December 31, 2021, data matching under the CMA for purposes of the EBB Program will cease, and data matching under the CMA will commence to determine subscriber eligibility for the ACP.²

The USAC records shared as part of the CMA for purposes of determining ACP eligibility will reside within the same system of records identified in the CMA for the EBB Program, which the FCC has designated as FCC/WCB-3. A modified System of Records Notice (to reflect the modifications to be made to the EBB Program for the ACP) will be published in the Federal Register. Routine Use No. 3 will support the FCC's disclosures under the CMA.

If you have any questions related to the foregoing, please do not hesitate to contact the undersigned.

Sincerely,

Federal Communications Commission

Universal Service Administrative Company

Mark Stephens
Managing Director

Pamela Hughet
Vice President, Lifeline

² USAC also notes that, pursuant to the June 17, 2021 Amendment to Interconnection Security Agreement Between New Mexico Human Services Department (HSD) & Universal Service Administrative Company (USAC), which amended the Interconnection Security Agreement between USAC and the State of New Mexico Human Services Department dated February 24, 2020, data exchanges to verify subscriber eligibility for purposes of the ACP will also commence under the ISA on December 31, 2021.