



**Universal Service
Administrative Co.**

PRIVACY IMPACT ASSESSMENT FOR THE HIGH COST BROADBAND PORTAL (HCBP)

Draft 7-16-2021

Record of Approval

Document Approval		
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Eligible Location Adjustment Process

1.1. Introduction

Section 208 of the E-Government Act of 2002¹ requires agencies to conduct a **Privacy Impact Assessment (PIA)** whenever they procure or develop an information technology system that will collect, maintain, or disseminate information about individual people. The PIA must document how the system will use information it collects about individuals and, unless it contains classified or sensitive information, it must be made available to the public. The PIA was intended to be a tool for agencies to protect personal information throughout a technology system's life cycle. The Office of Management and Budget (OMB) has commented: "In general, PIAs are required to be performed and updated as necessary where a system change creates new privacy risks."²

The FCC is subject to the requirements of the E-Government Act and is committed to identifying and addressing privacy risks whenever it develops or makes changes to its information systems. The questions below explore important privacy issues identified in the Act and in later guidance by the Office of Management and Budget (OMB) and the National Institute of Standards and Technology (NIST). A longer discussion of the FCC's PIA policies can be found in Chapter 9 of the FCC's Privacy Act Manual (FCC Inst. 1113.1).

System owners, in collaboration with the Information System Security Officers (ISSOs) should complete the **Initial Privacy Assessment (IPA)** prior to filling out the PIA. The USAC Privacy Officer, in consultation with the FCC Senior Agency Official for Privacy (SAOP), uses the IPA to determine whether a system will collect the kind of information that would make it subject to the requirements of Section 208, including a PIA. A PIA should not be completed until an IPA is completed and the SAOP makes a determination..

If you have any questions, please contact the USAC Privacy Officer at privacy@USAC.org or the FCC Privacy Team at privacy@fcc.gov.

¹ 44 U.S.C. § 3501 note.

² OMB Memorandum No. M-03-22 (Sep. 26, 2003), https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2003/m03_22.pdf.

1.2. Authority To Operate (ATO) Boundary Overview

For each IT system that resides within the ATO Boundary, please use the table below to provide the system name, a brief description of the what the system does, whether it contains Personally Identifiable Information (PII) and a brief description of the PII (if applicable), the applicable System of Records Notice, the legal authorities to collect and maintain the PII, and whether the PII is shared with other systems (internal or external).

Please copy the table as necessary to complete the information for each system within the boundary.

INFORMATION ABOUT THE SYSTEM
NAME OF THE SYSTEM High Cost Broadband Portal (HCBP) ³
DOES THE SYSTEM CONTAIN PII? Yes
PLEASE PROVIDE A BRIEF DESCRIPTION OF THE PII (IF APPLICABLE) The High Cost Broadband Portal (HCBP) includes four modules – the High Cost Universal Broadband (HUBB) Module, the Performance Measures Module (PMM), the Eligible Locations Adjustment Process Module Phase I (ELAP Phase I), ⁴ and the Eligible Location Adjustment Process Phase II (ELAP Phase II). The first three modules may contain business PII or PII inadvertently entered by the filing party. The PII in HCBP resides in ELAP Phase II, a module that adjusts obligations of carriers participating in various High Cost universal service funds. In ELAP Phase II, USAC will gather information to verify the identity of prospective Stakeholders and their direct interests in receiving certain services in the relevant locations. The submitted PII may link one or more individuals to locations and/or commercial interests and services relating to such locations. In some circumstances, prospective Stakeholders must certify that they do not hold a controlling interest in one or more competitors of the Participant that they are challenging.
IN WHAT SYSTEM OF RECORDS (SORN) IS THE INFORMATION CONTAINED (IF APPLICABLE)? FCC/WCB-4, Consumer Challenge Process, 86 Fed. Reg. 15482 (Mar. 23, 2021).
WHAT ARE THE LEGAL AUTHORITIES FOR THE COLLECTION OF THIS PII?

³ HCBP was previously known as the High Cost Universal Broadband (HUBB) Portal.

⁴ ELAP Phase I collects geo-location data representing eligible, ineligible and prospective service locations as well as evidentiary and methodology files pertaining to these locations.

47 U.S.C. 254; 47 U.S.C. 254; 47 CFR Part 54 Subpart D; ; Connect America Fund, WC Docket No. 10–90 et al., Order on Reconsideration, 33 FCC Rcd 1380, 1390–92, paras. 23– 28 (2018); Connect America Fund, WC Docket No. 10–90, 34 FCC Rcd 10395 (2019).

DOES THIS SYSTEM SHARE THE PII WITH OTHER SYSTEMS?

Yes

A. Is this a new ATO Boundary or an existing ATO Boundary?

- New Boundary
- Existing Boundary

Aside from the addition of the new Eligible Locations Adjustment Process Phase II (ELAP Phase II), the HCBP boundary is unchanged. It now includes the High Cost Universal Broadband Module (HUBB), the Performance Measures Module (PMM), Eligible Locations Adjustment Process Phase I (ELAP Phase I), and the ELAP Phase II module.

B. If the ATO Boundary is/will consist of cloud-based computing system(s),⁵ please check the box that best describes the service USAC receives/will receive from the cloud computing provider:

- USAC uses provider-supported application/s on the provider’s cloud network (Software as a Service or SaaS)
 - USAC has deployed application/s on the provider’s cloud network and the provider supports the applications (Platform as a Service or PaaS)
 - USAC has deployed its own application/s on the cloud network and controls how these application(s) are configured and operate (Infrastructure as a Service or IaaS)
- USAC’s data center at its colocation uses a managed private cloud integrated with AWS storage.

C. If the IT systems in the ATO Boundary are in the cloud, are they FedRAMP certified?

- Yes, all the IT systems are FedRAMP certified

⁵ See NIST, *The NIST Definition of Cloud Computing*, Special Pub. No. 800-145 (Sep. 2011), <https://csrc.nist.gov/publications/detail/sp/800-145/final>.

No, none, or only some, of the IT systems are FedRAMP certified

1.3. Collection of Data

A. Please explain why it is necessary to collect PII to carry out the purpose of each of the system(s) that maintain PII within this Boundary.

The PII collected in the ELAP Phase II module is necessary to facilitate challenges to Participants' defined deployment obligations (and associated support) under the Universal Service Fund (USF). USAC will gather information to verify the identity of prospective Stakeholders (including individuals) and their direct interests in receiving certain services in the relevant locations. The submitted PII may link one or more individuals to locations and/or commercial interests and services relating to such locations. In some circumstances, prospective Stakeholders must certify that they do not hold a controlling interest in one or more competitors of the Participant that they are challenging.

USAC strongly encourages the public not to submit PII beyond the registration information. If additional PII is submitted and detected, USAC manually removes and destroys the PII. The registration PII is collected to identify and area of interest to permit individuals to establish their identity and area of interest to provide information about the eligibility of locations in their area of interest.

B. For each system within this Boundary, will this PII be collected from individuals themselves, or from third-parties? If collected from individuals themselves, link to the Privacy Act Notice⁶ for each system that is included with the online or paper form the system(s) use(s) to collect the PII.

The PII will be collected from individuals. The Privacy Notice for ELAP has not been finalized. This PIA will be updated with the Privacy Notice when it becomes available.

C. What steps is USAC taking to limit the collection of PII to only that which is necessary?

USAC only collects PII as directed by the FCC and that is needed to perform the ELAP process. USAC is conducting outreach efforts for this program and has published

⁶ A Privacy Act Notice must inform individuals about (1) the authority to solicit information, (2) the principal purpose(s) for collecting the information, (3) the routine uses for disclosing the information, and (4) whether providing the information is mandatory or voluntary.

support documentation and help manuals along with a webinar where USAC and the FCC are requesting that individuals do not submit PII beyond that which is required.

What steps will USAC take to make sure this PII is accurate, complete, and up-to-date?

All participating ELAP program users must certify under the penalty of perjury to the accuracy of the information provided to the ELAP program, including PII obtained from individuals. In addition, USAC utilizes a third-party verifier (Trans Union) to ensure the PII is accurate.

1.4. Use of the Data

A. Please explain the data flow, including whether the PII will be ingested from, or shared with, another system.

An individual's PII data will be entered by accessing the USAC website, completing the form which is shared with the ELAP Phase II module in order to register to use the ELAP system and to verify their identity. ELAP performs the following validations on the applicants data: identity validation (via a third party identity verification (TPIV) service), census block validation by geocoding the address and checking this against USAC's shape files (which are in HCBP) to ensure the individual's area of interest falls within a participating census block(s) within a state. Individuals are instructed not to submit other PII documentation. If we are notified that they have done so, or if we become aware of it, we will remove this excess documentation.

Will the information be shared with third-parties as part of the operations of the information system (e.g., through an application programming interface or "API")?

The PII data will be shared with a TPIV service for identity verification.

B. How long will the PII be retained and how will it be disposed of?

The National Archives and Records Administration (NARA) established records schedule DAA-0173-2017-0001-001 for the Universal Service High Cost Program Files. In accordance with this records schedule, the FCC and USAC will maintain all information in the ELAP system of records for ten (10) years after cut-off, or when no longer needed for business or audit purposes, whichever comes later. Cut-off is determined as the end of the calendar year from the date an item is filed or prepared. Disposal of obsolete or out-of-date paper documents and files is by shredding only.

Electronic data, files, and records are destroyed by electronic erasure in compliance with National Institute of Standards and Technology (NIST) guidelines.

1.5. Data Security and Privacy

A. What are the system’s ratings for confidentiality, integrity, and availability?

Confidentiality	<input type="checkbox"/> High	<input checked="" type="checkbox"/> Moderate	<input type="checkbox"/> Low
Integrity	<input type="checkbox"/> High	<input checked="" type="checkbox"/> Moderate	<input type="checkbox"/> Low
Availability	<input type="checkbox"/> High	<input checked="" type="checkbox"/> Moderate	<input type="checkbox"/> Low

B. Discuss the physical, administrative, and technical controls in place to protect the data in the system.

The ELAP Phase II functionality will reside in the HCBP boundary. The System Security Plan (SSP) for HCBP is being updated for this new feature. As such, the controls for HCBP will be defined in the HCBP SSPs.

C. Does the system inherit privacy controls from an external provider? If an Interconnection Security Agreement (ISA) , Memorandum of Understanding (MOU) , or similar document is in place, please summarize the privacy applicable portions of the document.

No. An ISA will be executed with Trans Union, the TPIV. There will be an electronic data interchange for the purposes of identity verification. The traffic will be encrypted.

1.6. Access to the Information

A. Which types of users will have access to the PII in this information system?

USAC users (including USAC contractors) and FCC users. A stakeholder ID number is shared with the participant carrier, but this does not reveal the underlying PII (other than limited geocoding information). In addition, either the individual or the participating carrier, or both, can request the underlying files but only contingent upon the parties entering into a protective order as mandated by the FCC.

B. Does this system leverage Enterprise Common Controls (ECC)?

Yes, it inherits controls from USAC ECC.

C. Does the system leverage the FCC’s Accounting for Disclosure control?

Yes.









HCBP ELAP PIA (Final 7-19-2021)

Final Audit Report

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