



## FEDERAL COMMUNICATIONS COMMISSION

[FR ID: 167038]

### Privacy Act of 1974; Matching Program

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of a new matching program.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended (“Privacy Act”), this document announces a new computer matching program the Federal Communications Commission (“FCC” or “Commission” or “Agency”) and the Universal Service Administrative Company (USAC) will conduct with the Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS). The purpose of this matching program is to verify the eligibility of applicants to and subscribers of Lifeline, and the Affordable Connectivity Program (ACP), both of which are administered by USAC under the direction of the FCC. More information about these programs is provided in the

**SUPPLEMENTARY INFORMATION** section below.

**DATES:** Written comments are due on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. This computer matching program will commence on [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER], and will conclude 18 months after the effective date.

**ADDRESSES:** Send comments to Elliot S. Tarloff, FCC, 45 L Street NE, Washington, DC 20554, or to [Privacy@fcc.gov](mailto:Privacy@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** Elliot S. Tarloff at 202-418-0886 or [Privacy@fcc.gov](mailto:Privacy@fcc.gov).

### **SUPPLEMENTARY INFORMATION:**

The Lifeline program provides support for discounted broadband and voice services to low-income consumers. Lifeline is administered by the Universal Service Administrative Company (USAC) under FCC direction. Consumers qualify for Lifeline through proof of income or participation in a qualifying program, such as Medicaid, the Supplemental Nutritional Assistance Program (SNAP), Federal Public

Housing Assistance, Supplemental Security Income (SSI), Veterans and Survivors Pension Benefit, or various Tribal-specific federal assistance programs.

In the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, 134 Stat. 1182, 2129-36 (2020), Congress created the Emergency Broadband Benefit Program, and directed use of the National Verifier to determine eligibility based on various criteria, including the qualifications for Lifeline (Medicaid, SNAP, etc.). EBBP provided \$3.2 billion in monthly consumer discounts for broadband service and one-time provider reimbursement for a connected device (laptop, desktop computer or tablet). In the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429, 1238-44 (2021) (codified at 47 U.S.C. §§ 1751-52), Congress modified and extended EBBP, provided an additional \$14.2 billion, and renamed it the Affordable Connectivity Program (ACP). A household may qualify for the ACP benefit under various criteria, including an individual qualifying for the FCC's Lifeline program.

In a Report and Order adopted on March 31, 2016, (81 FR 33026, May 24, 2016) (*2016 Lifeline Modernization Order*), the Commission ordered USAC to create a National Lifeline Eligibility Verifier ("National Verifier"), including the National Lifeline Eligibility Database (LED), that would match data about Lifeline applicants and subscribers with other data sources to verify the eligibility of an applicant or subscriber. The Commission found that the National Verifier would reduce compliance costs for Lifeline service providers, improve service for Lifeline subscribers, and reduce waste, fraud, and abuse in the program.

The Consolidated Appropriations Act of 2021 directs the FCC to leverage the National Verifier to verify applicants' eligibility for ACP. The purpose of this matching program is to verify the eligibility of Lifeline and ACP applicants and subscribers by determining whether they receive Medicaid benefits administered by the Department of Health and Human Services, Centers for Medicare and Medicaid Services.

**PARTICIPATING AGENCIES:**

Department of Health and Human Services, Centers for Medicare and Medicaid Services; Federal Communications Commission

**AUTHORITY FOR CONDUCTING THE MATCHING PROGRAM:**

The authority for the FCC's ACP is Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429, 1238-44 (2021) (codified at 47 U.S.C. sections 1751-52); 47 CFR part 54. The authority for the FCC's Lifeline program is 47 U.S.C. 254; 47 CFR 54.400 through 54.423; Lifeline and Link Up Reform and Modernization, *et al.*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962, 4006-21, paras. 126-66 (2016) (*2016 Lifeline Modernization Order*).

**PURPOSE(S):**

The purpose of this modified matching agreement is to verify the eligibility of applicants and subscribers to Lifeline, as well as to ACP and other Federal programs that use qualification for Lifeline as an eligibility criterion. This new agreement will permit eligibility verification for the Lifeline program and ACP by checking an applicant's/subscriber's participation in Medicaid. Under FCC rules, consumers receiving these benefits qualify for Lifeline discounts and also for ACP benefits.

**CATEGORIES OF INDIVIDUALS:**

The categories of individuals whose information is involved in the matching program include, but are not limited to, those individuals who have applied for Lifeline and/or ACP benefits; are currently receiving Lifeline and/or ACP benefits; are individuals who enable another individual in their household to qualify for Lifeline and/or ACP benefits; are minors whose status qualifies a parent or guardian for Lifeline and/or ACP benefits; or are individuals who have received Lifeline and/or ACP benefits.

**CATEGORIES OF RECORDS:**

The categories of records involved in the matching program include, but are not limited to, the last four digits of the applicant's Social Security Number, date of birth, first and last name, and state of residence. The National Verifier will transfer these data elements to the Department of Health and Human Services, Centers for Medicare and Medicaid Services, which will respond either "yes" or "no" that the individual is enrolled in a qualifying assistance program: Medicaid administered by the Department of Health and Human Services, Centers for Medicare and Medicaid Services.

**SYSTEM(S) OF RECORDS:**

The CMS System of Records Notice (SORN) that supports this matching program is “Transformed - Medicaid Statistical Information System (T-MSIS)”, System No. 09-07-0541, last published in full at 84 FR 2230 (February 16, 2019).

The FCC SORNs that support this matching program are: (1) “FCC/WCB-1,” Lifeline, which was published in the Federal Register at 86 FR 11526 (Feb. 25, 2021); and (2) “FCC/WCB-3,” Affordable Connectivity Program, which was published in the Federal Register at 86 FR 71494 (Dec. 16, 2021).

**FEDERAL COMMUNICATIONS COMMISSION.**

Katura Jackson,  
*Federal Register Liaison Officer.*

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