ASSISTANT TO THE SECRETARY OF DEFENSE FOR
PRIVACY, CIVIL LIBERTIES, AND TRANSPARENCY
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155

May 24,2023

The Honorable Richard Revesz
Administrator
Office of Information and Regulatory Affairs
725 17th Street NW
Washington, D.C. 20503

Dear Mr. Revesz,

Enclosed please find the Department of Defense Annual Matching Activity Report for Calendar Year 2022. This report is made pursuant to the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988, and Office of Management and Budget Circular No. A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act."

Any inquiries or comments regarding this report may be addressed to Ms. Lyn Kirby, Executive Secretary, Defense Data Integrity Board, 4800 Mark Center Drive, ATTN: PCLFD, Mailbox #24, Alexandria, VA 22350-1700; or by email at lyn.m.kirby.civ@mail.mil.

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Date: 2023.05.22 16:17:46 -04'00'

Joo Y. Chung
Chair, Defense Data Integrity Board

Enclosure:
As stated

Department of Defense
Annual Matching Activity Report

Report for
Calendar Year 2022

Department of Defense (DoD)
Annual Matching Activity Report
for Calendar Year 2022

In accordance with the reporting requirements established in the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988, and Office of Management and Budget Circular No. A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act," dated December 23, 2016, the following is provided:

a. Current information about the composition of the Data Integrity Board, including:

(1) a list of the names and positions of the members of the Data Integrity Board;
(2) the name and contact information of the Data Integrity Board's secretary; and
(3) any changes in membership or structure of the Data Integrity Board that occurred during the year.

Defense Data Integrity Board Chair:
Ms. Joo Chung
Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency
Senior Agency Official for Privacy

Defense Data Integrity Board Executive Secretary:
Ms. Lyn Kirby
Director for Privacy, Civil Liberties, and Freedom of Information
Office of the Assistant to the Secretary of Defense
for Privacy, Civil Liberties, and Transparency
4800 Mark Center Drive
Mailbox #24
Alexandria, VA 22350-1700
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Defense Data Integrity Board Members:
Ms. Joyce Luton
Department of the Army
Director, Records Management Directorate

Mr. Danny Cain
Department of the Navy
Office of the Chief Information Officer
Cybersecurity and Privacy, Privacy Lead

Mr. James Bishop
Department of the Air Force
Chief Information Security Officer

Mr. Rodolph Morrison
Office of the Secretary of Defense
Office of the DoD Chief Information Officer
Deputy DoD Records Officer

Mr. Erik Ablin
Office of the Secretary of Defense
DoD Office of the General Counsel
Associate Deputy General Counsel

Mr. Sam Yousefzadeh
Office of the Secretary of Defense
Defense Manpower Data Center
Acting Director

Mr. Paul Hadjiyane *(Advisory Capacity Only)*
Office of the Secretary of Defense
Office of Inspector General
General Counsel

There were two changes to the Data Integrity Board in 2022: the members representing the Air Force and the Defense Manpower Data Center changed.

b. A list of each matching program in which the agency participated during the year. For each matching program, the report shall include:

(1) A brief description of the matching program, including the names of all participating Federal and non-Federal agencies;

See Appendix A.

(2) The links to the matching notices and matching agreements posted on the agency's website at:

https://dpcld.defense.gov/privacy/matching-agreements

(3) An account of whether the agency has fully adhered to the terms of the matching agreement.

The DoD periodically reviewed the agreements to ensure compliance and to determine whether a renewal or re-establishment was necessary. CMA #19 lapsed in 2022 and is currently being re-established. There was also a short lapse between the prior renewal term for CMA #87 and the existing re-establishment of CMA #87. The Defense Manpower Data Center and the Data Integrity Board verified that no matching activity occurred during the lapse of either agreement.

On CMA #86 data was sent by a State public assistance agency via encrypted email to DMDC-authorized recipients rather than via secure portal. The incident was mitigated and data sharing processes were reaffirmed.

(4) An account of whether all disclosures of agency records for use in the matching program continue to be justified.

The DoD reviews each matching agreement upon establishment and renewal to ensure only disclosures of Privacy Act-covered records that are necessary to the matching agreement occur. For all external disclosures, DoD ensures appropriate routine uses are in place and maintains an accurate method for accounting of disclosures.

(5) An indication of whether a cost-benefit analysis was performed, the results of the cost-benefit analysis, and an explanation of why the agency proceeded with any matching program for which the results of the cost-benefit analysis did not demonstrate that the program is likely to be cost effective.

A cost-benefit analysis was performed for each of the matching programs, and all were favorable or resulted in a conclusion that the match was nonetheless justified. See Appendix A and the response to section c below.

c. *For each matching program for which the Data Integrity Board waived the requirement for a cost-benefit analysis, the reasons for the waiver.*

None. A cost-benefit analysis was performed for all matching programs. In one case, the requirement of a cost-benefit analysis showing the matching program *as likely to be cost-effective* was waived for CMA #18 because the program nonetheless resulted in efficient and accurate consumer eligibility determinations, substantially reduced administrative burdens, provided significant benefit to the public by determining benefit eligibility more quickly while minimizing consumer burden, increased public trust in participating agencies, and improved overall health care delivery.

d. *A description of any matching agreement that the Data Integrity Board disapproved and the reasons for the disapproval.*

None. No agreements were disapproved by the Data Integrity Board.

e. *A description of any violations of matching agreements that have been alleged or identified, and a discussion of any action taken in response.*

None (aside from incident noted in response b.3 above for CMA #86 concerning an encrypted email transmitted outside of the normal transmission channel). Non-significant changes and clarifications may be noted in renewal agreements.

Appendix A

DoD Annual Matching Activity Report for Calendar Year 2022

Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
Health and Human Services (HHS) / Centers for Medicare and Medicaid Services (CMS)	**Disclosure of Enrollment and Eligibility Information for Military Health System Beneficiaries Who are Medicare Eligible** CMA #12	**18 Month Agreement** Started: 08/10/2021 Expired: 02/09/2023 **One Year Renewal** Started: 02/10/2023 Expires: 02/09/2024	To verify the eligibility of Military Health System (MHS) beneficiaries who are Medicare eligible to receive TRICARE benefits. 10 U.S.C. § 1086(d) requires DoD to discontinue military health care benefits for MHS beneficiaries when they become eligible for Medicare Part A unless they enroll in Medicare Part A and Medicare Part B. This also applies to MHS beneficiaries under the age of 65 who are eligible for Medicare Part A. **Authorities:** 10 U.S.C. § 1086.	DoD Recipient Agency	Favorable	86 FR 36261 July 9, 2021
Department of Education	**Federal Pell Grant** CMA #14	**18 Month Agreement** Started: 03/01/2021 Expired: 08/31/2022 **One Year Renewal** Started: 09/01/2022 Expires: 08/31/2023	To fulfill the requirements of section 473(b)(3) of the Higher Education Act of 1965, as amended (HEA) (20 U.S.C. §1087mm(b)(3)), which requires the Secretary of Defense to provide the Secretary of Education with information to identify children whose parent or guardian was a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001. Under the provisions of sections 473(b) and 420R of the HEA (20 U.S.C. §1070h), such persons may be eligible for increased amounts of student assistance authorized under Title IV of the HEA. **Authorities:** 20 U.S.C. 1087mm, Family Contribution; and 20 U.S.C. 1070h, Scholarships for Veteran's Dependents.	DoD Source Agency	Favorable	86 FR 7547 January 29, 2021

Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
Department of Veterans Affairs (VA) / Veterans Benefits Administration (VBA)	**Montgomery GI Bill and Post 9/11 GI Bill** CMA #17	**18 Month Agreement** Started: 11/26/2020 Expired: 05/25/2022 **One Year Renewal** Started: 05/26/2022 Expires: 05/25/2023	To verify that individuals meet the conditions of military service and eligibility criteria for payment of benefits determined by VA under three enacted programs. **Authorities:** 10 U.S.C. 16131, 16131a, 16132, 16132a, 16133 and 16136 (Montgomery GI Bill – Selected Reserve); 38 U.S.C. 3011, 3012, 3018A and 3018B (Montgomery GI Bill – Active Duty); 38 U.S.C. 3301, 3311, 3312, and 3313 (Post-9/11 GI Bill); Public Law 114-315 (Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016); Public Law 115-48 (Harry W. Colmery Veterans Educational Assistance Act of 2017); Public Law 115-407 (Veterans Benefits and Transition Act of 2018). See also 38 U.S.C. 5106 and 3684A(a)(1).	DoD Source Agency	Favorable	85 FR 67814 October 26, 2020

Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
HHS / CMS	**Verification of Eligibility for Minimum Essential Coverage Under the Patient Protection and Affordable Care Act Through a Department of Defense Health Benefits Plan** CMA #18	**18 Month Agreement** Started: 05/30/2021 Expired: 11/29/2022 **One Year Renewal** Started: 11/30/2022 Expires: 11/29/2023	To verify an Applicant's or Enrollee's eligibility for Minimum Essential Coverage through a TRICARE Health Program to assist CMS or a State-based exchange in determining eligibility for the following benefits: (1) advanced payment of the premium tax credit under 26 U.S.C. 36B; and (2) a cost-sharing reduction under Section 1402 of the ACA (42 U.S.C. 18071). **Authorities:** Patient Protection and Affordable Care Act o2010 (ACA) (Public Law 111-148), as amended by tbe Healtb Care and Education Reconciliation Act of 2010 (Public Law No. 111-152) (ACA); 26 U.S.C. 36B, Refundable credit for coverage under a qualified bealth plan (Sec. 1401 of ACA); 26 U.S.C. 5000A, Requirement to maintain minimum essential coverage (Sec. 1501 of ACA); 42 U.S.C. 18071, Reduced cost-sharing for individuals enrolling in qualified health plans (Sec. 1402 of ACA); 42 U.S.C. 18051, State flexibility to establish basic bealth programs for low-income individuals not eligible for Medicaid (Sec. 1331 of ACA); 42 U.S.C. 18081, Procedures for determining eligibility for Exchange participation, premium tax credits and reduced cost-sharing, and individual responsibility exemptions (Sec. 1411 of ACA); 42 U.S.C. 18031, Affordable choices of bealth benefit plans (Sec. 1311 of ACA); 42 U.S.C. 18041, State flexibility in operation and enforcement of Excbanges and related requirements (Sec. 1321 of ACA); 42 U.S.C. 18081, Procedures for determining eligibility for Excbange participation, premium tax credits and reduced cost-sharing, and individual responsibility exemptious; 42 U.S.C. 18083, Streamlining of procedures for enrollment through an Excbange and State Medicaid, CHIP, and bealtb subsidy programs; 445 CFR Subpart D - Exchange Functious in the Individual Market: Eligibility Determinatious for Excbange Participation and Insurance Affordability Programs (45 C.F.R. 155.300-355).	DoD Source Agency	Cost-Benefit Analysis was conducted but did not show program likely cost-effective. Matching Program found to be justified and requirement of cost-benefit analysis showing program as likely to be cost-effective waived. Reason: matching program - resulted in efficient and accurate consumer eligibility determinations and substantially reduced the administrative burden of HHS and administering entities - provides a significant benefit to tbe public by determining eligibility quicker while minimizing consumer burden -increases public trust in participating agencies by continuing to use the current matching program, whicb is less costly than any alternative structure - improves overall health care delivery	86 FR 16217 March 26, 2021

Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
Department of Education	**Benefit Eligibility for Imminent Danger Pay (IDP) or Hostile Fire Pay (HFP)** CMA #19	**18 Month Agreement** Started: 12/20/2019 Expired: 06/19/2021 **One Year Renewal** Started: 06/20/2021 Expired: 06/19/2022 *(Currently lapsed with no matching activity being conducted; in process of being re-established)*	To provide eligible service members with no-interest accrual benefits on qualifying Title IV loans made under the Higher Education Act of 1965, as amended, during the time those service members were deployed to qualifying locations. **Authorities:** 20 U.S.C. § 1087e(o) (Section 455(o) of the Higher Education Act of 1965, as amended.)	DoD Source Agency	Favorable	84 FR 64052 November 20, 2019
State Public Assistance Agencies (Non-Federal Agencies) **HHS / Administration for Children and Families** (Facilitating Agency)	**Verification of Continued Eligibility for Public Assistance Reporting Information System (PARIS)** CMA #86	**18 Month Agreement** Started: 10/04/2021 Expired: 04/03/2023 **One Year Renewal** Started: 04/04/2023 Expires: 04/03/2024 (approximate)[1]	To identify Federal personnel who are receiving both Federal compensation or pension benefits and public assistance benefits under Federal programs being administered by the states and to verify public assistance clients' declarations of income circumstances. **Authorities:** 42 U.S.C. Chapter 7, Social Security; 42 U.S.C. 602, Eligible States (Sec. 402 of Social Security Act); State plan; 42 U.S.C. 1320b-7, Income and Eligibility Verification System (Sec. 1137 of Social Security Act); 42 U. S. C. 1396b(r), Payment to States (Sec. 1903 of Social Security Act).	DoD Source Agency	Favorable	86 FR 49333 September 2, 2021

[1] Approximate dates provided due to inconsistency with Partner Agency tracked date.

Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
VA / VBA	**Verification of Disability Compensation and Pension** CMA #87	**18 Month Agreement** Started: 06/13/2019 Expired: 12/12/2020 **One Year Renewal** Started: 12/13/2020 Expired: 12/12/2021 (approximate)[2] **18 Month Agreement** Started: 01/10/2022 Expires: 07/09/2023 *(Briefly lapsed from 12/13/2021 before resuming on 01/10/2022)*	To verify an individual's continuing eligibility for VA benefits by identifying VA disability benefit recipients who return to active duty and to ensure that benefits are terminated if appropriate. **Authorities:** 38 U.S.C. 5106, Furnishing of Information By Other Agencies; 38 U.S.C. 5304(c), Prohibition against duplication of benefits.	DoD Source Agency	Favorable	84 FR 20968 May 13, 2019 86 FR 70162 December 9, 2021
Social Security Administration	**Verification of Eligibility of SSI/SVB** CMA #88	**18 Month Agreement** Started: 11/18/2021 Expired: 05/17/2023 **One Year Renewal** Started: 05/18/2023 Expires: 05/17/2024	To verify information of applicants for and recipients of Supplemental Security Income payments and Special Veterans Benefits with respect to determination of eligibility and calculating payment amounts. **Authorities:** 42 U.S.C. 1006(b), Applications and furnishing of information, Verification requirement; 42 U.S.C. 1383(e)(1)(B), Procedure for Payment of Benefits, Administrative Requirements Prescribed By Commissioner; Criteria; Reduction of Benefits To Individual for Noncompliance With Requirements; Payment To Homeless; 42 U.S.C. 1383(f), Procedure for Payment of Benefits, Furnishing of Information by Federal Agencies; 42 U.S.C. 1306(a), Disclosure of Information in Possession of Social Security Administration or Department of Health and Human Services; Disclosure prohibited; exceptions.	DoD Source Agency	Favorable	86 FR 57726 October 18, 2021

[2] Approximate dates provided due to inconsistency with Partner Agency tracked date.

Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
VA / VBA	**Reserve Pay Reconciliation** CMA #89	**18 Month Agreement** Started: 06/07/2021 Expired: 12/06/2022 **One Year Renewal** Started: 12/07/2022 Expires: 12/06/2023	To verify eligibility for DoD/U.S. Coast Guard members of the Reserve forces who receive VA disability compensation or pension to receive, in lieu and upon election, military pay and allowances when performing reserve duty. **Authorities:** 10 U.S.C. 12316, Payment of certain Reserves while on duty; and 38 U.S.C. 5304(c), Prohibition against duplication of benefits.	DoD Source Agency	Favorable	86 FR 24695 May 7, 2021