



OFFICE OF THE DIRECTOR OF ADMINISTRATION AND MANAGEMENT
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

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

Dear Ms. Block,

Enclosed please find the Department of Defense Annual Matching Activity Report for Calendar Year 2020. This report is submitted 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: DPCLTD, Mailbox #24, Alexandria, VA 22350-1700; or by email at lyn.m.kirby.civ@mail.mil.

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Joo Y. Chung
Chair, Defense Data Integrity Board

Enclosure:
As stated

Department of Defense Annual Matching Activity Report

Description of Contents Calendar Year 2020

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.

See Attachment A for the names and positions of the members of the Data Integrity Board, and the name and contact information of the Data Integrity Board's secretary. There were two changes to the Data Integrity Board in 2020: the Executive Secretary and the DIB member representing the U.S. Air Force changed.

- b. A list of matching agreements in effect during 2020 for matching programs in which the agency participated, including:
 - (1) A brief description of the matching program, including the names of all participating Federal and non-Federal agencies;

See Attachment B.

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

<https://dpcl.d.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.

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

The DoD carefully 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 eight matching programs, and all were favorable or resulted in a conclusion that the match was justified. See Attachment B.

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

A cost-benefit analysis was performed for all eight matching programs. For the two programs for which the cost-benefit analysis did not show a favorable ratio, the matches were determined to be justified. See Attachment B.

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

None.

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

During 2020, the Department of Education (ED) notified DoD that certain DoD information received by ED pursuant to a matching agreement between the agencies had been re-disclosed within ED to other ED systems in contravention of the terms of the matching agreement. The violations were investigated, confirmed, and rectified by ED by terminating the unwarranted re-disclosures. In addition, the re-established agreement between the agencies (effective 3/21/2021) identified all relevant ED systems authorized to receive DoD information.

The Department of Health and Human Services (HHS) and DoD also identified a violation that involved the continuation of matching activities following the expiration of a matching agreement. Corrective action to re-establish the lapsed matching agreement is under way and expected to be completed later this year. Discussion between the agencies about other appropriate remedial action is ongoing.

In addition to the above matters, non-significant changes and clarifications to agreements were identified in renewal agreements, including one matching agreement between DoD and State Public Assistance Agencies (and facilitated by HHS) for which the renewal clarified certain statistical uses of data and the Defense Manpower Data Center's role as a non-party service provider on related agreements.

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Data Integrity Board Members
Calendar Year 2020

Chairwoman:

Ms. Joo Chung

Senior Agency Official for Privacy
Director of Oversight and Compliance
Office of the Director for Administration and Management

Executive Secretary:

Ms. Lyn Kirby

Chief, Defense Privacy, Civil Liberties, and Transparency Division
Directorate of Oversight and Compliance
4800 Mark Center Drive
Mailbox #24
Alexandria, VA 22350-1700
E-mail: lyn.m.kirby.civ@mail.mil

Defense Data Integrity Board Members:

Mr. Myron Wong

Department of the Army
Chief, Army Privacy and Civil Liberties Office

Mr. Steve Daughety

Department of the Navy
Office of the Chief Information Officer
Cybersecurity and Privacy, Privacy Lead

Mr. William Feeney

Department of the Air Force
Privacy and Civil Liberties Officer

Mr. Rodolph Morrison

Department of the Defense
Office of the DoD Chief Information Officer
Deputy DoD Records Officer

Mr. Erik Ablin

Associate Deputy General Counsel
(Legal Counsel)
DoD Office of the General Counsel

Mr. Paul Hadjiyane

General Counsel
Office of Inspector General
Department of Defense
(Advisory Capacity Only)

Mr. Michael V. Sorrento

Director
Defense Manpower Data Center

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Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
Health and Human Services	Disclosure of Enrollment and Eligibility Information for Military Health System Beneficiaries Who are Medicare Eligible CMA# 12	18 Month Agreement (previously lapsed) Re-establishment pending final signatures and submission to the Federal Register	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	TBD
Department of Education	Federal Pell Grant CMA# 14	18 Month Agreement Started: 08/29/2018 Expired: 02/28/2020 One Year Renewal Started: 02/29/2020 Expired: 02/28/2021 18 Month Agreement Started: 03/01/2021 Expires: 08/31/2022	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	83 FR 35626 July 27, 2018 86 FR 7547 January 29, 2021

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Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
<p>Department of Veterans Affairs (VA)</p>	<p>Montgomery GI Bill and Post 9/11 GI Bill CMA# 17</p>	<p>18 Month Agreement Started: 05/26/2018 Expired: 11/25/2019</p> <p>One Year Renewal Started: 11/26/2019 Expired: 11/25/2020</p> <p>18 Month Agreement Started: 11/26/2020 Expires: 05/25/2022</p>	<p>To verify that individuals meet the conditions of military service and eligibility criteria for payment of benefits determined by VA under three enacted programs.</p> <p>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); and Public Law 115-407 (Veterans Benefits and Transition Act of 2018).</p>	<p>DoD Source Agency</p>	<p>Favorable</p>	<p>83 FR 18396 April 26, 2018</p> <p>85 FR 67814 October 26, 2020</p>

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Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
<p>Health and Human Services / Centers for Medicare and Medicaid Services (CMS)</p>	<p>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</p>	<p>18 Month Agreement Started: 11/30/2018 Expired: 05/29/2020</p> <p>One Year Renewal Started: 05/30/2020 Expired: 05/29/2021</p> <p>18 Month Agreement Started: 5/30/2021 Expires: 11/29/2022</p>	<p>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).</p> <p>Authorities: Patient Protection and Affordable Care Act of 2010 (ACA) (Public Law 111-148), as amended by the Health 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 health 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 health 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 health benefit plans (Sec. 1311 of ACA); 42 U.S.C. 18041, State flexibility in operation and enforcement of Exchanges and related requirements (Sec. 1321 of ACA); 445 CFR Subpart D - Exchange Functions in the Individual Market: Eligibility Determinations for Exchange Participation and Insurance Affordability Programs (45 C.F.R. 155.300-355).</p>	<p>DoD Source Agency</p>	<p>Matching Program Justified. Reason: matching program increases accuracy and timeliness of determinations, resulting in improved and more efficient eligibility determinations. Matching program is less costly than any alternative structure.</p>	<p>83 FR 54755 October 31, 2018</p> <p>86 FR 16217 March 26, 2021</p>

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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 Expires: 06/19/2021	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
Health and Human Services / Administration for Children and Families	Verification of Continued Eligibility for Public Assistance Reporting Information System (PARIS) CMA# 86	18 Month Agreement Started: 03/30/2019 Expired: 09/29/2020 One Year Renewal Started: 09/30/2020 Expires: 09/29/2021	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); and 42 U. S. C. 1396b(r), Payment to States (Sec. 1903 of Social Security Act).	DoD Recipient Agency	Favorable	84 FR 6388 February 27, 2019
Department of Veterans Affairs	Disability Compensation Verification CMA# 87	18 Month Agreement Started: 06/13/2019 Expired: 12/12/2020 One Year Renewal Started: 12/13/2020 Expires: 12/12/2021	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; and 38 U.S.C. 5304(c), Prohibition against duplication of benefits.	DoD Source Agency	Favorable	84 FR 20968 May 13, 2019

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Agency	Title of Match	Timelines	Purpose	DoD Source or Recipient	Cost Benefit Analysis (CBA)	Federal Register Citation
Social Security Administration	Verification of Eligibility of SSI/SVB CMA# 88	18 Month Agreement Started: 05/18/2019 Expired: 11/17/2020 One Year Renewal Started: 11/18/2020 Expires: 11/17/2021	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), Administrative Requirements Prescribed By Commissioner; Criteria; Reduction of Benefits To Individual for Noncompliance With Requirements; Payment To Homeless; 42 U.S.C. 1383(f), Furnishing of Information by Federal Agencies; and 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	Matching Program Justified. Reason: matching is the most efficient means of obtaining information needed for certain recipients / beneficiaries. Alternative of a manual record comparison would impose a considerable administrative burden, a greater intrusion on individual privacy, and result in benefit payment delays or recovery of improper payments / benefits. Net cost is relatively small.	84 FR 16133 April 17, 2019
Department of Veterans Affairs	Reserve Pay Reconciliation CMA# 89	18 Month Agreement Started: 11/14/2018 Expired: 05/13/2020 One Year Renewal Started: 05/14/2020 Expired: 05/13/2021 18 Month Agreement Starts: 06/08/2021 Expires: 12/07/2022	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 (Recipient for initial match)	Favorable	83 FR 51673 October 12, 2018 86 FR 24695 May 7, 2021