

PROCEDURES FOR MATCHING PROGRAMS

1. **REASON FOR ISSUE:** This handbook revises Department-wide procedures for matching programs and describes the process for publishing the notices in the Federal Register.
2. **SUMMARY OF MAJOR CHANGES:** This Handbook details the process for approving and conducting matching programs as authorized by the [Privacy Act of 1974](#), the [Computer Matching and Privacy Protection Act of 1988](#) and the [Payment Integrity Information Act \(PIIA\)](#). It reflects the requirements from [OMB guidance including Circular A-108](#) and [Memorandum M-13-20](#) and provides the process for internal approvals of matching programs.
3. **RESPONSIBLE OFFICE:** The Assistant Secretary for Information and Technology (005), Deputy Chief Information Officer, Compliance, Risk and Remediation (005X); Deputy Chief Information Officer, FOIA, Records and Assessment Compliance (005X), and VA Privacy Service (005X6F).
4. **RELATED DIRECTIVE AND HANDBOOKS:** VA Directive 6502, VA Enterprise Privacy Program; and 6300.5, Procedures for Establishing and Managing Privacy Act Systems of Records.
5. **RESCISSION:** VA Handbook 6502.4, Procedures for Computer Matching Programs, dated August 22, 2018.

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY
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PROCEDURES FOR MATCHING PROGRAMS

1. INTRODUCTION.

- a. A matching program is the computerized comparison of records for the purpose of establishing or verifying eligibility or recouping payments for a Federal benefit program or relating to Federal personnel management. Matching data from two or more information systems is one method of data analysis that can assist in detecting and preventing fraud, waste, and abuse in Federal benefit programs. However, sharing data increases the risk of adverse effects on the privacy of the individuals whose records are matched. No record which is contained in a system of records of a source agency may be disclosed to a recipient agency or non-Federal agency for use in a matching program unless a written matching agreement between the two parties is approved by the Data Integrity Boards (DIB) of the Federal agencies involved. VA is required to publish matching notices in the *Federal Register* and notify Office of Management and Budget (OMB) and certain members of Congress for matching agreements in which VA is the recipient agency. VA must review matching activities annually and submit a report to OMB.
- b. PIIA established the Do Not Pay (DNP) Initiative, coordinated by the Department of the Treasury (Treasury). When VA is a payment-issuing agency, and it matches records against DNP's restricted sources, it may be required to enter into a matching agreement with Treasury in order to implement the DNP Initiative. VA Office of General Counsel determines whether VA is required to enter into a matching agreement with Treasury.

2. PURPOSE. This Handbook is designed to:

- a. Assist Matching Program Officers (MPO) to:
 - (1) Understand matching programs and their responsibilities regarding matching programs;
 - (2) Obtain VA DIB approval on newly established or re-established matching agreements (18 months duration), or renewed matching agreements (12 months duration);
 - (3) Prepare matching notices and coordinate publication in the Federal Register; and

- (4) Complete letters, narrative statements, and supporting documents for members of Congress and OMB.
- b. Provide an overview of matching programs to DIB members and serve as documentation for required training for DIB members.
- c. Provide an overview of matching programs for all other stakeholders.

3. SCOPE

- a. The scope of this handbook is to identify statutory and procedural requirements for matching programs pursuant to:
 - (1) The Computer Matching Act (consisting of the [Privacy Act of 1974](#), the [Computer Matching and Privacy Protection Act of 1988](#), and the Computer Matching and Privacy Protection Amendments of 1990);
 - (2) [The Payment Integrity Information Act \(PIIA\) of 2019](#);
 - (3) Office of Management and Budget (OMB) guidance, including [OMB Circular A-108](#) and [OMB Memorandum M-13-20](#); and
 - (4) [Department of Veterans Affairs \(VA\) policies](#).

4. RESPONSIBILITIES.

- a. **The Assistant Secretary for Information and Technology (ASIT), Chief Information Officer (CIO).** The ASIT, as the SAOP designated by the Secretary of Veterans Affairs, has agency-wide responsibility for privacy, including implementation of privacy protections; compliance with Federal laws, regulations, and policies relating to privacy; management of privacy risks at the agency; and a central policy-making role in the agency's development and evaluation of legislative, regulatory, and other policy proposals. At the discretion of the SAOP and consistent with applicable law, other qualified agency personnel may perform particular functions that are assigned to the SAOP in OMB Circular A-108. The SAOP has delegated the authority to sign Privacy Act notices, cover letters, and other related documents to the Executive Director for Privacy. The SAOP serves as the DIB Chairman and DIB Secretary, however, signature authority, oversight and coordination of DIB activities is delegated to the DIB Executive Secretary. The SAOP shall ensure that all members of the DIB are properly trained and prepared to fulfill their duties with respect to all matching activities at VA. The SAOP shall develop a training program that members of the DIB shall be required to complete, as appropriate. In particular, all DIB members shall receive training regarding the requirements in the Computer Matching Act, other relevant laws, and guidance from OMB, National

Archives and Records Administration (NARA), and National Institute of Standards and Technology (NIST). The SAOP must also periodically review the effectiveness and responsiveness of VA's DIB to determine whether the DIB needs additional support or instruction.

- b. **Office of the General Counsel (OGC).** OGC provides determinations to the MPO regarding whether a proposed computer data exchange meets the requirements of a matching program, concurs on the matching agreements, matching notices and supporting documents, and provides any other required legal advice to the MPO and the DIB regarding matching programs.
- c. **Office of Congressional and Legislative Affairs (OCLA).** OCLA concurs on matching notices, narrative statements, cover letters, and supporting documents that are required to be sent to members of Congress.
- d. **Office of Management (OM).** OM prepares the methodology for cost-benefit analysis for matching programs. It also concurs on the cost-benefit analyses for newly established or re-established matching programs prior to submission to the DIB. OM also has a voting member on the DIB.
- e. **Office of Inspector General (OIG).** The Inspector General is exempted from these computer matching requirements by section 406(j)(2) of the Inspector General Act. The Inspector General may enter into matching agreements with other inspectors general and agency heads that allow ongoing data matching (which shall include automated data matching) for the detection and prevention of improper payments, or for any other purpose authorized by the Inspector General Act. The process detailed in this handbook does not apply to matches conducted by the Inspector General. The Computer Matching Act requires that the Inspector General must be a member of the DIB but may not serve as the Chairman. OIG has a voting member on the DIB.
- f. **Veterans Health Administration (VHA).** The Under Secretary of VHA designates an appropriate official to service as a voting member on the DIB.
- g. **Veterans Benefits Administration (VBA).** The Under Secretary of VBA designates an appropriate official to serve as a voting member on the DIB.
- h. **Chief Privacy Officer (005X).** The SAOP has delegated the authority to sign Privacy Act notices, cover letters, and other related documents to matching agreements. The SAOP has also delegated that the Chief Privacy Officer may serve as Chair of the Data Integrity Board for the SAOP.
- i. **VA Privacy Service (005X6F).**
 - (1) The Director, Privacy Service (005X6F), serves as the DIB Executive Secretary, provides support staff, and has signature authority to certify all DIB activities delegated from the SAOP. In the absence of the Director,

Privacy Service, the Director, Office of Privacy Information and Identity Protection (PIIP) will inherit those responsibilities. Responsibilities of the DIB Executive Secretary include:

- (a) Serving as the DIB Chairman's primary point-of-contact for the oversight and coordination of VA's matching programs;
 - (b) Serving as the information resource on matching programs for the agency to answer questions from within the agency and from outside entities; advising on what actions are needed to comply with provision of the Computer Matching Act; and collecting and disseminating information on the quality of the records used in matching programs;
 - (c) Maintaining the DIB's administrative files and notice publication files for the disposition of the NARA-approved disposition schedule (official files for the matching agreements will be maintained by the MPO);
 - (d) Ensuring that all decisions of the DIB are well documented; preparing and distributing the DIB minutes;
 - (e) Coordinating the annual review of matching activities; submitting it to the DIB for approval; and filing it with OMB; and
 - (f) Ensuring training for all DIB members so they are able to fulfill their responsibilities.
- (2) VA Privacy Service Staff has the following responsibilities:
- (a) Reviewing matching agreements, matching notices, narrative statements, supplementary documents, and congressional and OMB letters, ensuring that the documents meet the requirements of the Computer Matching Act, PIIA and OMB guidance;
 - (b) Ensuring that all VA requirements for matching programs are fulfilled;
 - (c) Documenting and communicating the process for developing, approving, publishing, and maintaining a master inventory of matching agreements;
 - (d) Facilitating access to the RISC/OIRA Consolidated Information System (ROCIS) and assisting MPOs with entries into the system;
 - (e) Assisting MPOs with the process for drafting *Federal Register* notices, narrative statements, supplementary documents, and congressional and OMB letters;

- (f) Submitting the final signed matching notices to the *Federal Register* for publication;
 - (g) Notifying the MPO of comments received from the public; and
 - (h) Publishing the list of VA's matching agreements and all other required items on the VA Internet site.
- j. **Matching Program Officer (MPO).** MPOs are designated by their Administrations or Program Offices. The MPO is responsible for:
- (1) Conducting the matching program; and
 - (2) Preparing documents for internal concurrence, presentation to the DIB and publication in the *Federal Register*:
 - (a) Ensuring that the policies, practices, and procedures governing the negotiation, drafting, implementation, and maintenance of matching agreements are followed;
 - (b) Coordinating with the other Federal agencies or non-Federal agencies to draft the matching agreements and other documents;
 - (c) For matching agreements in which VA is the recipient agency, preparing the cost-benefit analyses, *Federal Register* notices, and all required documents, and obtaining the required internal VA concurrences;
 - (d) Submitting matching agreements, cost-benefit analyses, and any other required documents to VA Privacy Service in order to coordinate DIB review and approval;
 - (e) Certifying to the DIB that 12-month renewals of matching agreements will be conducted without change;
 - (f) Certifying to the DIB that VA has adhered to the terms of the matching agreement being re-established (18 months) or renewed (12 months), and that all the disclosures of agency records for use in the matching program continue to be justified; and
 - (g) Collecting all the official records for the matching agreements and maintaining case files for the disposition of the NARA-approved disposition schedule.
- k. **Data Integrity Board (DIB).**

- (1) In VA, the DIB consists of the following voting members (designations must be made in writing from senior Administration or Program Office personnel):
 - (a) Chairman: VA SAOP or designated Chief Privacy Officer (CPO);
 - (b) DIB Executive Secretary: Director, Privacy Service;
 - (c) Under Secretary for Benefits or designee;
 - (d) Under Secretary for Health or designee;
 - (e) Assistant Secretary for Management or designee; and
 - (f) Inspector General or designee.
- (2) Frequency of Meetings. The DIB shall meet with sufficient frequency to ensure that matching programs are carried out efficiently, expeditiously, and in compliance with the law. At a minimum, the DIB shall meet annually to evaluate ongoing matching programs and consider whether any modifications are warranted. In addition, VA Privacy Service shall ensure that the DIB reviews matching proposals expeditiously so as not to cause delays to necessary programs.
- (3) Responsibilities. DIB membership, procedures, objective and scope of activities are detailed in the DIB Charter. The DIB is responsible for:
 - (a) Becoming familiar with the matching program training documentation provided by the DIB Executive Secretary and certifying understanding of DIB members' responsibilities;
 - (b) Reviewing and approving or disapproving all matching agreements in which VA participates as either a recipient agency or a source agency (this responsibility may not be delegated), ensuring that all VA requirements for identity management matching are fulfilled;
 - (c) Verifying that 12-month renewals of matching agreements will be conducted without change, and that each party certifies that the matching program has been conducted in compliance with the matching agreement;
 - (d) Waiving the requirement for a cost-benefit analysis, if appropriate;
 - (e) Assessing the costs and benefits of matching programs (except for those matching programs that have been mandated by statute or for which the DIB has waived the requirement) and approve only those

for which a cost-benefit analysis demonstrates that the program is likely to be cost-effective;

- (f) Approving or disapproving all pilot computer matches within VA;
- (g) Making formal determinations as to when it is appropriate to compress the due process steps of verification and notice and wait periods into a single period for cases where matches uncover adverse information about matching subjects;
- (h) Approving or disapproving all requests to exclude a matching activity from the provision of the Computer Matching Act;
- (i) Documenting the reasons for approving or disapproving a matching agreement;
- (j) Preparing and distributing minutes of the DIB meetings to all participants; and
- (k) Annually reviewing and reporting to OMB all the matching programs in which VA has participated as either a source agency or recipient agency.

5. ABOUT MATCHING PROGRAMS. This section describes the elements of matching agreements but does not cover procedures to negotiate or draft matching agreements. Legal questions regarding whether a proposed computer data exchange meets the requirements of a matching program should be referred to the OGC Information and Administrative Law Group (024).

a. Types of Agencies Engaged in Matching Programs.

- (1) Recipient Agency. The agency receiving records contained in a system of records from a source agency for use in a matching program is responsible for preparing the matching agreement and cost-benefit analysis, and - if required - notifying members of Congress and OMB and publishing the matching notice in the *Federal Register*.
- (2) Source Agency. The agency which discloses records contained in a system of records to be used in a matching program, or any State or local government, or agency thereof, which discloses records to be used in a matching program is required to have its own DIB to approve the matching agreement, but is not responsible for publishing the matching notice or reporting the match to OMB and Congress.

b. Types of Matching Programs. At its simplest, a matching program is the comparison of records using a computer. The records must exist in automated form in order to perform the match. A matching program covers not only the

actual computerized comparison, but the investigative follow up and ultimate action, if any.

- (1) The Computer Matching Act covers two kinds of matching programs:
 - (a) Federal benefits programs and
 - (b) Matches using records from Federal personnel or payroll systems of records, done for other than administrative purposes; and in some instances may take place within a single agency.
- (2) PIIA provides for an agency to disclose records to Treasury in order to allow Treasury to engage in a Do Not Pay matching program with payment-issuing agencies. The Do Not Pay program matches against the restricted sources for Treasury's analytics, batch or continuous monitoring services for purposes of the DNP Initiative.

c. **Elements of a Federal Benefits Matching Program.** Most of VA's matching agreements are Federal benefits matching programs. There are four elements in a Federal Benefits matching program. All must be present for a matching program under the provisions of the Computer Matching Act:

- (1) Computerized comparison of data involving records from:
 - (a) Two or more automated systems of records maintained by Federal agencies that are subject to the Computer Matching Act; or
 - (b) A Federal agency's automated system of records and automated records maintained by a non-Federal agency.
- (2) Categories of subjects covered. The Computer Matching Act provisions cover only the following categories of record subjects:
 - (a) Applicants for Federal benefit programs;
 - (b) Program beneficiaries (i.e., individual program participants who are currently receiving or formerly received benefits; and
 - (c) Providers of services to support such programs (i.e., those who are not the primary beneficiaries of Federal benefits programs, but may derive income from them, health care providers, for example).
- (3) Types of programs covered. Only Federal benefit programs providing cash or in-kind assistance to individuals are covered by this definition.
- (4) Matching purpose. The matching program must have as its purpose one or more of the following:

- (a) Establishing or verifying initial or continuing eligibility for covered Federal benefit programs; or
 - (b) Verifying compliance with the requirements, either statutory or regulatory, of such programs; or
 - (c) Recouping payments or delinquent debts under covered Federal benefit programs.
- d. **Exclusions from the Definition of a Matching Program.** The following items are not included under the definition of matching programs (agencies operating such programs are not required to comply with the provisions of the Computer Matching Act, although they may be required to comply with other applicable provisions of the Privacy Act):
- (1) State programs; Federal programs not involving cash or in-kind assistance; or programs using records about subjects who are not individuals as defined by the Computer Matching Act;
 - (2) Statistical matches whose purpose is solely to produce aggregate data stripped of personal identifiers;
 - (3) Statistical matches whose purpose is in support of any research or statistical project;
 - (4) Pilot matches (i.e., small scale matches whose purpose is to gather benefit/cost data on which to premise a decision about engaging in a full-fledged matching program);
 - (5) Law enforcement investigative matches whose purpose is to gather evidence against a named person or persons in an existing investigation;
 - (6) Tax administration matches;
 - (7) Routine administrative matches using Federal personnel records;
 - (8) Internal agency matches using only records from the agency's system of records; or
 - (9) Background investigation and foreign counter-intelligence matches.
- e. **Conducting Matching Programs under the Computer Matching Act.**
- (1) No record which is contained in a system of records may be disclosed to a recipient agency or non-Federal agency for use in a matching program unless there is a written matching agreement between the source agency and the recipient agency or non-Federal agency.

- (2) Federal Agencies undertaking matching programs must:
 - (a) Comply with the Privacy Act systems of records and disclosure provisions (identify the systems of records involved and obtain the written consent of the record subjects to the disclosure or rely on one of the 12 exceptions to the written consent rule. Agencies commonly rely on the routine use exception);
 - (b) Give prior notice to record subjects, well before commencing the matching program, by direct notice when there is some form of contact between the government and the subject; or by constructive notice (e.g., publication of systems notices, routine use disclosures, and matching programs in the *Federal Register*);
 - (c) Prepare and publish matching notices in the *Federal Register*;
 - (d) Prepare and execute matching agreements;
 - (e) Secure approval of the DIBs;
 - (f) Report to OMB and certain members of Congress; and
 - (g) Provide due process to record subjects when matches uncover adverse information about them.

f. **Conducting Matching Programs under PIIA.**

- (1) The Inspector General and the Secretary of Veterans Affairs may use the authority provided in the PIIA to enter into matching agreements only if the purpose of the match is to detect and prevent improper payments.
- (2) The DNP Initiative. The DNP Initiative, coordinated by the Department of the Treasury (Treasury) includes multiple resources that are designed to help agencies confirm that the right recipient receives the right payment for the right reason at the right time. The DNP-specific standards and procedures do not apply to other efforts to combat improper payments or matching programs that are not part of the DNP Initiative. Treasury's Working System does not tell agencies whether a payment is proper or improper. It will highlight records that may require further research. Treasury's Working System is just one tool to help agencies mitigate or eliminate improper payments and improper awards by flagging payees who may not be eligible to receive Federal payments or engage in Federal programs or contracts. Agencies must still apply their internal policies and procedures to adjudicate findings and ultimately determine whether payees are eligible and payments are proper. Only the agency with authority to issue a payment or award may decide to stop the payment or award. PIIA provides that there may be circumstances in which the law requires a

payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the DNP Initiative.

g. Matching Agreements.

- (1) Matching Agreements under the Computer Matching Act: MPOs should begin drafting matching agreements at least six months prior to expiration to ensure that they can be negotiated and signed in time to secure DIB decisions. Federal agencies receiving records from or disclosing records to non-Federal agencies for use in matching programs are responsible for preparing the matching agreements and should solicit relevant data from non-Federal agencies where necessary. In cases where matching takes place entirely within an agency under the Federal personnel or payroll matching provisions, the agency may satisfy the matching agreement requirements by preparing a Memorandum of Understanding between the system of records managers involved and presenting that to the DIB for consideration. Matching agreements must contain the following (templates for matching agreement packages may be found at the VA [Privacy Hub](#)):
 - (a) Purpose and legal authority (since the Computer Matching Act provides no independent authority for the operation of matching programs, cite a specific Federal or State statutory or regulatory basis for undertaking such programs);
 - (b) Justification and expected results (why computer matching as opposed to some other administrative activity is being proposed and what the expected results will be);
 - (c) Records description (identify specific system of records involved, number of records, and data elements);
 - (d) Projected starting and completion dates (see section 4g(3));
 - (e) Notice procedures (describe the individual and general periodic notice procedures);
 - (f) Verification procedures (describe the methods the agency will use to independently verify the information obtained);
 - (g) Disposition of matched items (include a statement that information generated through the match will be destroyed as soon as it has served the matching program's purpose and any legal retention requirements the agency establishes in conjunction with the National Archives and Records Administration or other cognizant authority);

- (h) Security procedures (describe the administrative and technical safeguards to be used in protecting the information, commensurate with the level of sensitivity of the data);
 - (i) Records usage, duplication and redisclosure restrictions (describe specific restrictions imposed by either the source agency or by statute or regulation on collateral uses of the records used in the matching program; in general, recipient agencies should not subsequently disclose records for other purposes absent specific statutory requirement or where the disclosure is essential to the conduct of the matching program);
 - (j) Records accuracy assessments (any information relating to the quality of the records to be used in the matching program); and
 - (k) Comptroller General access (a statement that the Comptroller General may have access to all records of a recipient agency or non-Federal agency, necessary to monitor or verify compliance with the agreement).
- (2) Matching Agreements under PIIA. A matching agreement is not required to match against Treasury's DNP public data sources, payment integration system or single online search functionality. A matching agreement may be required to match against the restricted sources for Treasury's analytics, batch or continuous monitoring services. To adopt, integrate and apply the program, refer to the "Do Not Pay Agency Implementation Guide for Treasury's Working System" at: <https://fiscal.treasury.gov/files/dnp/DNPAgencyImplementationGuidePublic.pdf>. Payment-issuing agencies may match against only those datasets in Treasury's Working System that are relevant and necessary for the specific matching purpose. The specific terms of the DNP matching program shall be described in the matching agreement and reviewed by each payment-issuing agency's DIB. All parties to the matching agreement shall be responsible for fully adhering to these terms. Treasury may disclose information (i.e., the results of the match) to the payment-issuing agencies.
- (3) Starting and Completion Dates.
- (a) Starting Date: No matching agreement shall be effective until 30 days after VA reports the matching program to OMB and Congress, and another 30 days after publication of the matching notice in the Federal Register for the public comment period. OMB shall have 30 days to review the proposal to establish, re-establish, or significantly modify a matching program and provide any comments to VA. This 30-day review period is separate from, and may not run concurrently with, the publication period in the Federal Register.

- (b) **Completion Date:** The newly established or re-established matching agreement shall remain in effect only for such period, not to exceed 18 months, as the DIB determines is appropriate in light of the purposes, and length of time necessary for the conduct of the matching program. However, within 3 months prior to the expiration of the matching agreement, the DIB may, without additional review, renew the matching agreement for a current, ongoing matching program for not more than one additional year if the matching program will be conducted without any change; and each party to the matching agreement certifies to the DIB in writing that the program has been conducted in compliance with the matching agreement.

DNP matching agreements under PIIA have a termination date of less than 3 years; and during the 3-month period leading up to the scheduled termination of a matching agreement, agencies may renew the matching agreement for a maximum of 3 years. Before a matching program may be renewed, each party shall certify that the matching program has been conducted in compliance with the matching agreement, and the participating agencies' DIBs shall review the request for renewal and make a determination that the matching program will be conducted without change.

- (4) **Cost-Benefit Analysis.** The recipient agency must conduct cost-benefit analyses for newly established and re-established matching agreements unless the match is required by statute or if the DIB specifically waives the requirement. A cost-benefit analysis for the DNP matching program is not required to contain a specific estimate of any savings under the matching agreement. However, for all other matching programs, the analyses must include a specific estimate of any savings and must demonstrate that the matching program is likely to be cost-effective (contact VA Privacy Service for the methodology and template). The elements of the analyses are:
 - (a) **Costs:** Personnel costs, such as salaries and fringe benefits, for personnel involved in the matching process, including staff time dedicated to performing the match; and computer costs related to the processing of matching programs, such as the maintenance and use of computers at facilities.
 - (b) **Benefits:** Avoidance of future improper payments: the prevention of future overpayments by identifying and correcting an error; and recovery of improper payments and debts: the detection of an overpayment or debt already made and the collection of the money owed to an agency.

- h. **Internal Concurrences.** Refer to Appendix A for a matrix showing the DIB Approval/ Matching Notice Publication Process.

- (1) If VA is the recipient agency, and if the matching agreement is newly established or re-established (18 months), prior to submitting the matching agreement to the DIB, the MPO must:
 - (a) Secure concurrences from senior management of his or her administration or program office and from OGC;
 - (b) Prepare the cost-benefit analysis and obtain OM concurrence; and
 - (c) Prepare the matching notice, narrative statement, cover letters and supporting documents, and obtain OGC and OCLA concurrences.
- (2) If VA is the source agency for a newly established or re-established matching agreement, or if the matching agreement is a 12-month renewal, prior to submitting the matching agreement to the DIB the MPO must secure concurrences from senior management of his or her administration or program office and from OGC.

i. **DIB Review and Approval.**

- (1) Each Federal agency that acts as either a source or recipient in a matching program must establish a DIB to oversee the agency's participation. DIBs must be placed at the top of the department level organization and staffed with senior personnel. The only two mandatory members are the SAOP (who is designated as the DIB Chairman and DIB Secretary) and the Inspector General (who may not serve as the Chairman).
- (2) Before an agency may participate in a matching program, the DIB must have evaluated the proposed match and approved the terms of the matching agreement. The DIB is responsible for approving or disapproving proposed matching programs based on an assessment of the adequacy of the matching agreement and other relevant information. When the DIB reviews a proposed matching program it shall assess the matching agreement to ensure that it fully complies with the Computer Matching Act, as well as any other applicable laws, regulations, and policies. When making a determination, the DIB shall document in writing its reasons for approving or disapproving a matching program. This documentation shall be provided to the appropriate VA officials.
- (3) Frequency of DIB meetings:
 - (a) The DIB shall meet with sufficient frequency to ensure that matching programs are carried out efficiently, expeditiously, and in compliance with the law. At a minimum, the DIB shall meet annually to evaluate ongoing matching programs and consider whether any modifications are warranted. In addition, VA shall ensure that the DIB reviews

matching proposals expeditiously so as not to cause delays to necessary programs.

- (b) For DNP matching programs under PIIA, not later than 60 days after a proposal for a matching agreement has been presented to the DIB for consideration, the DIB shall respond to the proposal; and agencies shall annually report to OMB the specific number of days that it takes the DIB to approve or disapprove each proposed DNP matching program.
- j. **Providing Due Process to Matching Subjects.** The Computer Matching Act prescribes certain due process requirements that the subjects of matching programs must be afforded when matches uncover adverse information about them.
- (1) **Verification of adverse information.** Agencies may not premise adverse action upon the raw results of a computer match. Any adverse information so developed must be subjected to investigation and verification before action is taken. The DIB must make a formal determination as to when it is appropriate to compress the verification and notice and wait periods into a single period, and report this to OMB.
 - (2) **Notice and opportunity to contest findings.** In order to protect any individual whose records are used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce, or make a final denial of any financial assistance or payment under a Federal benefit program to such individual, or take other adverse action against such individual, as a result of information produced by such matching program, until:
 - (a) The agency has independently verified the information; or the DIB determines that the information is limited to identification and amount of benefits paid by the source agency under a Federal benefit program; and there is a high degree of confidence that the information provided to the recipient agency is accurate;
 - (b) The individual receives a notice from the agency containing a statement of its findings and informing the individual of the opportunity to contest such findings; and
 - (c) The individual may have 30 days to respond to a notice of adverse action; unless a statute or regulation grants a longer period (the period runs from the date of the notice until 30 calendar days later, including transit time).
 - (3) Independent verification requires investigation and confirmation of specific information relating to an individual that is used as a basis for an adverse

action against the individual, including where applicable investigation and confirmation of:

- (a) The amount of any asset or income involved;
 - (b) Whether such individual actually has or had access to such asset or income for such individual's own use; and
 - (c) The period or periods when the individual actually had such asset or income.
- (4) An agency may take any appropriate action otherwise prohibited if the agency determines that the public health or public safety may be adversely affected or significantly threatened during any notice period required.
 - (5) Sanctions. No source agency may disclose any record which is contained in a system of records to a recipient agency or non-Federal agency for a matching program if the source agency has reason to believe that the requirements for matching programs are not being met by the recipient agency. No source agency may renew a matching agreement unless the recipient agency or non-Federal agency has certified that it has complied with the provisions of that agreement; and the source agency has no reason to believe that the certification is inaccurate.

5. PUBLISHING MATCHING NOTICES.

- a. **General.** The Privacy Act requires recipient agencies (or source agencies in a matching program where a non-Federal agency is the recipient agency) to publish a notice in the *Federal Register* upon the establishment, re-establishment, or modification of a matching program. A matching notice identifies the agencies involved, the purpose(s) of the matching program, the authority for conducting the matching program, the records and individuals involved, and additional details about the matching program. The requirement for agencies to publish a matching notice allows the Federal Government to foster transparency and accountability with respect to agencies' matching programs.

NOTE: The *re-establishment* of a matching program occurs when VA re-establishes a matching program upon the expiration of a matching agreement. The re-establishment of a matching program requires the publication of a matching notice in the *Federal Register* and needs to be reported to OMB and Congress (see section 6 for information about reporting matching programs). In contrast, the *renewal* of a matching program occurs when VA's Data Integrity Board renews a matching agreement for one additional year (see section 4g(3)). The renewal of a matching program does not require the publication of a matching notice and does not need to be reported to OMB or Congress.

- b. **When to Publish a Matching Notice.** VA is required to publish a matching notice in the *Federal Register* at least 30 days prior to the establishment, re-establishment, or significant modification of a matching program. Notice is not required for the one-year renewal of a matching program by VA's DIB. If VA is re-establishing a matching program and continuing the program past the expiration of the current matching agreement (including any one-year renewal approved by the DIB), VA shall publish a notice of the re-establishment at least 30 days prior to the expiration of the existing matching agreement. VA is only required to publish a revised matching notice when making significant changes to the matching program. As a general matter, significant changes are those that are substantive in nature and therefore warrant a revision of the matching notice in order to provide notice to the public of the modified matching program. The following are examples of significant changes:
- (1) A change that modifies the purpose(s) of the matching program;
 - (2) A change in VA's authority to conduct the matching program;
 - (3) A change that expands the types or categories of records that are used in the matching program, or a significant increase in the number of records that are being matched;
 - (4) A change that expands the categories of individuals whose records are used in the matching program; and
 - (5) A change to the source and/or recipient agencies that are involved in the matching program.

If the MPO has questions about whether particular changes to a matching program are significant, VA Privacy Service shall contact OMB's Office of Information and Regulatory Affairs (OIRA) for assistance.

- c. **Who Publishes a Matching Notice.** The recipient agency (or source agency in a matching program where a non-Federal agency is the recipient agency) is responsible for meeting the publication requirements associated with a matching program. However, where a recipient agency is not the actual beneficiary of the matching program, it may, to the extent legally permissible, negotiate with the actual beneficiary agency for reimbursement of the costs incurred in publishing the matching notice. Publication shall occur at the Department level, rather than the sub-agency, component, or program level. If a matching program will be conducted by a sub-agency or component of an agency, the broader agency shall publish the matching notice and specify the sub-agency or component that will conduct the program.
- d. **Timing of a Matching Notice.** A new or revised matching notice is not effective until at least 30 days after its publication in the *Federal Register*. If VA receives public comments on a published matching notice, VA shall review the comments

to determine whether any changes to the matching notice are necessary. If VA determines the comments do not require a change, the matching notice will become effective on the date as published in the matching notice. If VA determines that significant changes to the matching notice are necessary, VA shall publish a revised matching notice and provide an additional 30-day public comment and review period.

NOTE: VA may not publish a matching notice in the *Federal Register* until it has provided advance notice of the proposal to OMB and Congress pursuant to the reporting instructions in section 6.

- e. **Format and Style of a Matching Notice.** The MPO shall follow the publication format in the Office of the Federal Register matching notice templates, which are provided by VA Privacy Service (see section 9 for contact information). It is VA policy that all matching notices shall be published in full. The MPO shall draft matching notices in plain language with an appropriate level of detail to ensure that the public is properly informed about the matching program. In addition, the MPO shall consult the Office of the Federal Register's *Document Drafting Handbook* for general guidance on drafting *Federal Register* notices (<http://www.archives.gov/federal-register/write/handbook/>). The following VA guidelines should be followed when drafting a matching notice:

- (1) Remember the audience. The matching notice must be written in a manner that allows the public to understand the matching agreement being described. Use words and phrases that the average person knows.
- (2) Ensure the matching notice contains no spelling or grammatical errors. Matching notices are published in the *Federal Register* and must be free of spelling and grammatical errors.
- (3) Expand acronyms. Spell out each acronym the first time it is used in the document. For example: Office of Management and Budget (OMB). Do not use acronyms in the summary of the notice.
- (4) Define technical terms and references. Keep in mind that readers may not understand technical terms when they are introduced without definition.
- (5) Cite legal references and other previously published documents. References to other programs and systems require explanations so the general public can gain a complete understanding of the context of the program or system. If a document pertaining to the matching notice has previously been published in the *Federal Register*, provide the citation and, if possible, a very brief description of the document type (e.g., system of records notice, statute, or final or proposed rule). Use the complete name of reference documents. For example: National Institute of Standards and Technology (NIST) Special Publication 800-53, Revision 4, Security and Privacy Controls for Federal Information Systems and Organizations.

- (6) Use active voice. Ensure the matching notice employs active voice rather than passive voice whenever possible. Also, use short and simple sentences whenever possible to improve clarity.
- (7) Adhere to VA guidelines. The notice should have page numbers at the bottom, be prepared in Word using Arial 12 font, and be double spaced.

6. REPORTING MATCHING PROGRAMS TO OMB AND CONGRESS.

- a. **General.** The Privacy Act requires each agency that proposes to establish, re-establish, or significantly modify a matching program to provide adequate advance notice of any such proposal to OMB, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate. This advance notice is separate from the public comment period for matching notices as detailed in section 5b. VA provides advance notice to OMB and the committees of jurisdiction in Congress in order to permit an evaluation of the probable or potential effect of such a proposal on the privacy or other rights of individuals.
- b. **Advance Notice of a New or Modified Matching Program.** VA shall report to OMB and Congress any proposal to establish, re-establish, or significantly modify a matching program at least 30 days prior to the submission of the notice to the Federal Register for publication. If VA is re-establishing a matching program and continuing the program past the expiration of the current matching agreement (including any one-year renewal approved by the DIB), VA shall report the proposal to re-establish the matching program at least 60 days prior to the expiration of the existing matching agreement. OMB will have 30 days to review the proposal to establish, re-establish, or significantly modify a matching program and provide any comments to VA. This 30-day review period is separate from – and may not run concurrently with – the publication period in the Federal Register. Only significant changes to a matching program that require a revision to the matching notice, as described in section 5b, need to be reported to OMB and Congress; changes that are not significant do not need to be reported. Advance notice to OMB and Congress is required by subsection (r) of the Privacy Act. The purpose of the advance notice to OMB and Congress is to permit an evaluation of the potential effect of the proposal on the privacy and other rights of individuals. Although the review period will generally require no more than 30 days, OMB has the discretion to extend the 30-day review period based on the specific circumstances of the proposal. If VA has questions about the timing of the review, SAOP shall consult with OIRA.

Note: This table illustrates the steps of the standard review process. The actual timing of the process will depend on the specific circumstances of the proposal, VA's internal review and clearance procedures, and the logistics of *Federal Register* publication.

Agency Action	Explanation	Timing
VA submits report to OMB and Congress at least 30 days before publication of the notice in the <i>Federal Register</i> , and at least 60 days before the expiration of the matching agreement in the case of a re-established matching program.	OMB and Congress have the opportunity to evaluate the probable or potential effect of such a proposal on the privacy or other rights of individuals.	Day 1
After incorporating any comments from OMB – and unless OMB provides instructions to the contrary – VA may publish the notice in the <i>Federal Register</i> and solicit comments from the public.	Matching notices published in the <i>Federal Register</i> are not effective until a minimum of 30 days after publication.	Day 31
The 30-day public comment period closes and VA reviews and considers comments received. If no changes to the notice are necessary, the notice is effective.	Review public comments received to determine whether any changes are necessary. If significant changes are necessary, begin the review process again.	Day 61

c. **Instructions for Reporting a New or Modified Matching Program.** VA is required to report to OMB and Congress any proposal to establish, re-establish, or significantly modify a matching program. VA shall report proposals to the committees of jurisdiction in Congress by messenger or by mailing the reports to the addresses provided below. VA shall report proposals to OMB using OMB’s specific web-based portal, as described below. VA shall not mail or messenger paper versions of the report to OMB. Submission of the report to OMB will officially start the 30-day advance review period.

- (1) *House of Representatives.* VA shall submit reports to the chair of the House Committee on Oversight and Government Reform, 2157 Rayburn House Office Building, Washington, DC 20515.
- (2) *Senate.* VA shall submit reports to the chair of the Senate Committee on Homeland Security and Governmental Affairs, 340 Dirksen Senate Office Building, Washington, DC 20510.
- (3) *OMB.* VA shall submit reports to OMB using the web-based portal jointly developed by OIRA and RISC. This web-based portal, called the RISC/OIRA Consolidated Information System (ROCIS), was developed to facilitate the submission and review of regulations and other VA materials.

For detailed instructions on how to use ROCIS to submit reports to OMB, VA shall consult the user manuals available on the ROCIS website or register for the training classes conducted by RISC at GSA headquarters. Note: ROCIS is available at <https://www.rocis.gov/>. All ROCIS user manuals and training information are available on the ROCIS website at <https://www.rocis.gov/rocis/login.do>.

- d. **Request for Expedited Review of a New or Modified Matching Program.** Although VA is required to provide adequate advance notice of any proposal to establish, re-establish, or significantly modify a matching program, there may be circumstances where it is not feasible for the agency to wait until the 30-day review period has expired to publish a notice in the *Federal Register*. In such cases, VA may submit a formal written request from the SAOP to OIRA for an expedited OMB review period. The request shall be included in the transmittal letter that VA submits to OIRA in ROCIS. The request shall demonstrate VA's specific and compelling need for the expedited review, indicate why VA cannot meet the established review period, and explain the consequences if the request is not granted. When OIRA grants VA's request for expedited review, VA will be allowed to publish the notice in the *Federal Register* after the expedited OMB review period. When OIRA does not grant VA's request for expedited review, the normal OMB review process will proceed. OMB may not waive the explicit requirement in the Privacy Act for a 30-day *Federal Register* public notice before conducting a new or significantly modified matching program, nor may OMB waive the adequate advance notice that is required to Congress.
- e. **Content of the Report of a New or Modified Matching Program.** The report of an established, re-established, or significantly modified matching program includes a transmittal letter, a narrative statement, a draft *Federal Register* notice, a matching agreement, and any supplementary documents.
- (1) **Transmittal Letter.** The transmittal letter serves as a brief cover letter accompanying the report. The transmittal letter shall:
 - (a) Be signed by the SAOP or the chairman of the DIB.
 - (b) Contain the name, email address, and telephone number of the individual who can best answer questions about the proposed matching program.
 - (c) Contain VA's assurance that the proposed matching program was approved by VA's DIB and fully complies with the Privacy Act and OMB policies.
 - (2) **Narrative Statement.** The narrative statement provides a brief overview of the proposed matching program making reference to the other materials in the report without simply restating information provided in those materials. The narrative statement shall:

- (a) Describe the purpose(s) for which VA is establishing, re-establishing, or significantly modifying the matching program.
 - (b) Identify the specific authority (statute or executive order) under which VA is conducting the matching program. VA shall avoid citing authority that is overly general; rather, VA shall cite the specific programmatic authority for conducting the matching program.
 - (c) Describe the administrative, technical, and physical safeguards in place to protect against unauthorized access to records used in the matching program.
 - (d) Provide VA's specific evaluation of the potential impact on the privacy of individuals whose records will be used in the matching program.
 - (e) Indicate whether a cost-benefit analysis was performed for the matching program, describe the results of the cost-benefit analysis, and explain the basis on which VA is justifying the matching program.
- (3) *Federal Register* Notice. The draft new or revised matching notice must be in the format prescribed by the Office of the Federal Register matching notice templates, which are provided by contacting VA Privacy Service (see section 9 for contact info).
- (4) Matching Agreement. Provide the full matching agreement that was approved by VA's DIB.
- (5) Supplementary Documents. The supplementary documents include:
- (a) For significantly modified matching programs, VA shall include a list of the substantive changes to the previously published version of the matching notice and/or a version of the previously published matching notice that has been marked up to show the changes that are being proposed.
 - (b) VA shall include any other supplementary documents requested by OMB.

7. ANNUAL MATCHING ACTIVITY REVIEW AND REPORT.

At the end of each calendar year, the DIB of each agency that has participated in a matching program during the year shall conduct a review of that year's matching programs and submit a report to the head of VA and to OMB. The report for the preceding calendar year shall be submitted to OMB at privacy-oira@omb.eop.gov by June 1 and posted on VA's website at <https://www.va.gov/privacy/> (see section 8 for information about VA website posting requirements).

The DIB's annual matching activity report shall include the following elements:

- a. Current information about the composition of the DIB, including:
 - (1) A list of the names and positions of the members of the DIB;
 - (2) The name and contact information of the DIB's Secretary; and
 - (3) Any changes in membership or structure of the DIB that occurred during the year.
- b. A list of each matching program in which VA 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;
 - (2) Links to the matching notice and matching agreement posted on VA's website at <https://www.va.gov/privacy/>;
 - (3) An account of whether VA has fully adhered to the terms of the matching agreement;
 - (4) An account of whether all disclosures of VA records for use in the matching program continue to be justified; and
 - (5) An indication of whether a cost-benefit analysis was performed, the results of the cost-benefit analysis, and an explanation of why VA 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.
- c. For each matching program for which the DIB waived the requirement for a cost-benefit analysis, the reasons for the waiver.
- d. A description of any matching agreement that the DIB disapproved and the reasons for the disapproval.
- e. A description of any violations of matching agreements that have been alleged or identified, and a discussion of any action taken in response.
- f. The DIB's annual matching activity report may also include a review of any VA matching activities that are not matching programs.

8. AGENCY WEBSITE POSTING.

VA shall maintain a central resource page dedicated to its privacy program on its principal website at <https://www.va.gov/privacy/>. At a minimum, VA shall provide on its central privacy program page, a list and links to up-to-date matching notices and

agreements for all active matching programs in which VA participates (see section 5 for information about publishing matching notices). Whenever VA makes matching agreements or other materials available to the public, they shall remove or redact any unnecessary personally identifiable information, as appropriate. In addition, VA shall consider removing any information that could present security risks, such as specific information about security controls for a system (e.g., password length or complexity). VA shall refer to other OMB guidance documents to understand all website posting requirements.

9. PRIVACY ACT CRIMINAL PENALTIES. Compliance with the Privacy Act is important for the general goal of balancing the government's need to maintain information about individuals with the rights of individuals to be protected against unwarranted invasions of their privacy stemming from federal agencies' collection, maintenance, use, and disclosure of personal information. However, the Privacy Act also carries criminal penalties for failure to comply with the Act which include:

- a. Any officer or employee of an agency, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by this section or by rules or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than \$5,000. 5 U.S.C. § 552a(i)(1).
- b. Any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements of subsection (e)(4) of this section shall be guilty of a misdemeanor and fined not more than \$5,000. 5 U.S.C. § 552a(i)(2).
- c. Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than \$5,000. 5 U.S.C. § 552a(i)(3).

10. VA PRIVACY SERVICE CONTACT INFORMATION.

- a. Hotline: 202-273-5070
- b. Mailbox: privacyservice@va.gov

11. DEFINITIONS.

- a. **Cost-Benefit Analysis:** Analysis conducted by the recipient agency to a matching agreement which must include a specific estimate of any savings and must demonstrate that the matching program is likely to be cost-effective (SOURCE: OMB Circular A-108).

- b. **Data Integrity Board (DIB).** The board of senior officials designated by the head of an agency that is responsible for, among other things, reviewing the agency's proposals to conduct or participate in a matching program and conducting an annual review of all matching programs in which the agency has participated. At a minimum, the DIB includes the Inspector General of the agency and the SAOP (SOURCE: OMB Circular A-108).
- c. **Do Not Pay (DNP) Initiative.** Initiative codified by section 5 of the Improper Payments Elimination and Recovery Improvement Act (IPERIA), later superseded by PIIA, to facilitate Federal agencies' review of payment or award eligibility for purposes of identifying and preventing improper payments. It may include other activities as designated by OMB (SOURCE: IPERIA).
- d. **Do Not Pay (DNP) matching program.** A matching program that is conducted for purposes of the DNP Initiative and involves at least one of the five databases enumerated in section 5(a)(2) of IPERIA (later superseded by PIIA) and/or a database designated by OMB. DNP matching programs are subject to alternative standards and procedures that apply to matching programs outside of the DNP Initiative (SOURCE: IPERIA).
- e. **Improper payment.**
 - (1) means any payment that should not have been made or that was made in an incorrect amount, including an overpayment or underpayment, under a statutory, contractual, administrative, or other legally applicable requirement; and
 - (2) includes the following:--
 - (a) any payment to an ineligible recipient;
 - (b) any payment for an ineligible good or service;
 - (c) any duplicate payment;
 - (d) any payment for a good or service not received, except for those payments where authorized by law; and
 - (e) any payment that does not account for credit for applicable discounts (SOURCE: PIIA)
- f. **Matching agreement.** A written agreement between a recipient agency and a source agency (or a non-Federal agency) that is required by the Computer Matching Act for parties engaging in a matching program. In a Do Not Pay matching program, original source agencies need not be a party to a matching agreement between Treasury and a payment-issuing agency (SOURCE: OMB Circular A-108 and IPERIA).

- g. **Matching notice.** Notice published in the *Federal Register* upon the establishment, re-establishment, or modification of a matching program that describes the existence and characteristics of the matching program. It identifies the agencies involved, the purpose(s) of the matching program, the authority for conducting the matching program, the records and individuals involved, and additional details about the matching program (SOURCE: OMB Circular A-108).
- h. **Matching Program.** Any computerized comparison of:
 - (1) Two or more automated systems of records or a system of records with non-Federal records for the purpose of:
 - (a) Establishing or verifying the eligibility of, or continuing compliance with statutory and regulatory requirements by, applicants for, recipients or beneficiaries of, participants in, or providers of services with respect to, cash or in-kind assistance or payments under Federal benefit programs, or
 - (b) Recouping payments or delinquent debts under Federal benefit programs, or
 - (2) Two or more automated Federal personnel or payroll systems of records or a system of Federal personnel or payroll records with non-Federal records (SOURCE: Privacy Act of 1974).
- i. **Non-Federal Agency.** Any State or local government, or agency thereof, which receives records contained in a system of records from a source agency for use in a matching program (SOURCE: Privacy Act of 1974).
- j. **Recipient Agency.** Any agency, or contractor thereof, receiving records contained in a system of records from a source agency for use in a matching program. (SOURCE: Privacy Act of 1974).
- k. **Record.** Any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph (Source: Privacy Act of 1974).
- l. **Senior Agency Official for Privacy (SAOP).** The senior official who has agency-wide responsibility and accountability for ensuring compliance with applicable privacy requirements and managing privacy risks. The SAOP shall have a central policy-making role and shall ensure that the agency considers the privacy impact of all agency actions and policies that involve PII. (OMB Circular A-130).

- m. **Source Agency.** Any agency which discloses records contained in a system of records to be used in a matching program, or any State or local government, or agency thereof, which discloses records to be used in a matching program (SOURCE: Privacy Act of 1974).
- n. **System of Records.** A group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. (SOURCE: Privacy Act of 1974).
- o. **Treasury's Working System.** The DNP Initiative functions performed by Treasury authorized by section 5 of IPERIA, later superseded by PIIA. Treasury's Working System includes Treasury's system of records for Do Not Pay, as well as other activities such as investigation activities for fraud and systemic improper payments detection through analytic technologies and other techniques. (SOURCE: IPERIA).

12. APPENDIX A - DIB Approval/Matching Notice Publication Process.

The MPO should allow **at least 3 months** for negotiating and drafting the matching agreement. Allow **an additional 3 months** for processing the matching notice for publication in the *Federal Register* (if required) and waiting the public comment period. The MPO may contact the VA Privacy Service (005X6F) at (202) 273-5070, or by email to privacyservice@va.gov to coordinate the process.

TYPES OF MATCHING AGREEMENTS ¹	18-MONTH w/VA as Recipient Agency	12-MONTH RENEWAL w/VA as Recipient Agency	18-MONTH w/VA as Source Agency	12-MONTH RENEWAL w/VA as Source Agency	IPERIA – <u>DO NOT PAY (DNP) INITIATIVE</u> – BATCH MATCHES
TERM	18 months	Extension must be approved by the DIB within 3 months prior to expiration of the 18-month matching agreement	18 months	Extension must be approved by the DIB within 3 months prior to the expiration of the 18-month matching agreement	Less than 3 years; may renew for a maximum of 3 years during the 3-month period prior to the scheduled termination (both parties must certify the program complies with the matching agreement and that they will conduct the matching program without change.
STAGE 1 – ALLOW 3 MONTHS					

¹ Assumes all parties are Federal agencies. If VA is the source agency in a matching with a non-Federal agency, VA prepares the notice and supporting documents.

TYPES OF MATCHING AGREEMENTS ¹	18-MONTH w/VA as Recipient Agency	12-MONTH RENEWAL w/VA as Recipient Agency	18-MONTH w/VA as Source Agency	12-MONTH RENEWAL w/VA as Source Agency	IPERIA – <u>DO NOT PAY (DNP) INITIATIVE</u> – BATCH MATCHES
<p>Step 1. The MPO coordinates the drafting of the matching agreement with the other agency.</p>	<p>VA drafts the matching agreement</p>	<p>VA drafts the matching agreement</p>	<p>The other Federal agency drafts the matching agreement</p>	<p>The other Federal agency drafts the matching agreement</p>	<p>The payment-issuing agency enters into a matching agreement with Treasury. May also use “multilateral matching agreements” – if purpose and data elements are similar.</p>
<p>Step 2. Prepare the cost-benefit analysis – required for all matching agreements unless the match is required by statute or the DIB has waived the requirement. The DIBs of both participating agencies must review and approve cost-</p>	<p>VA prepares c/b; the other agency reviews and supplements with their data as appropriate</p>	<p>N/A</p>	<p>Other agency prepares c/b; VA reviews and supplements with VA data as appropriate</p>	<p>N/A</p>	<p>The payment-issuing agency prepares the cost-benefit analysis for DNP matches. The analysis need not contain a specific estimate of any savings.</p>

TYPES OF MATCHING AGREEMENT S ¹	18-MONTH w/VA as Recipient Agency	12-MONTH RENEWAL w/VA as Recipient Agency	18-MONTH w/VA as Source Agency	12-MONTH RENEWAL w/VA as Source Agency	IPERIA – <u>DO NOT PAY (DNP) INITIATIVE</u> – BATCH MATCHES
benefit analyses.					
Step 3. Coordinate approval of matching agreement through normal concurrence process to obtain the signatures and approvals from appropriate key officials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Step 4. Upload the matching agreement and supporting documents into VIEWS and assignment to OGC (02) for concurrence on the matching agreement and to OM (004) for concurrence on the cost-benefit analysis. May combine with step 8, if all items are completed. Allow 30 days.	<input type="checkbox"/>	OGC only	<input type="checkbox"/>	OGC only	<input type="checkbox"/>
Step 5. Once concurrences from OGC and OM have been received, make	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TYPES OF MATCHING AGREEMENT S ¹	18-MONTH w/VA as Recipient Agency	12-MONTH RENEWAL w/VA as Recipient Agency	18-MONTH w/VA as Source Agency	12-MONTH RENEWAL w/VA as Source Agency	IPERIA – <u>DO NOT PAY (DNP) INITIATIVE</u> – BATCH MATCHES
an assignment directly to VA Privacy Service (005X6F) for DIB approval.					
<p>Step 6. VA Privacy Service will coordinate DIB approval and signature on the matching agreement. The signature block should be: [SAOP], Chair</p> <p>Data Integrity Board Department of Veterans Affairs Official approval is detailed in the DIB minutes and entered on the privacy website by VA Privacy Service.</p>	☐	☐	☐	☐	☐ The DIB must respond no later than 60 days after the proposal has been presented. Agencies must annually report to OMB the specific number of days to approve or disapprove each proposed DNP matching program.
STAGE 2 – ALLOW 1 MONTH					
Step 7. The MPO drafts:	☐	N/A	N/A	N/A	☐ The payment-issuing agency is

TYPES OF MATCHING AGREEMENT S ¹	18-MONTH w/VA as Recipient Agency	12-MONTH RENEWAL w/VA as Recipient Agency	18-MONTH w/VA as Source Agency	12-MONTH RENEWAL w/VA as Source Agency	IPERIA – <u>DO NOT PAY (DNP) INITIATIVE</u> – BATCH MATCHES
<ul style="list-style-type: none"> • the matching notice, • the narrative statement, • letters to OMB and Congress, • Form 4265, C&S Sheet, <p>All the draft documents should be loaded in VIEWS. Appropriate officials within the MPO’s office must concur on the C&S Sheet (Form 4265) (internal concurrence processes vary).</p>					<p>responsible for meeting the reporting and publication requirements (Steps 7-13, below). If the 3-year extension has been submitted to and approved by the DIB within the 3 months prior to the termination date of the original or renewed agreement, no notice to the <i>Federal Register</i> members of Congress, or OMB is required.</p>
<p>Step 8. The MPO then creates a submission package in the VIEWS, and makes assignments for concurrence</p>	<input type="checkbox"/>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<input type="checkbox"/>

TYPES OF MATCHING AGREEMENT S ¹	18-MONTH w/VA as Recipient Agency	12-MONTH RENEWAL w/VA as Recipient Agency	18-MONTH w/VA as Source Agency	12-MONTH RENEWAL w/VA as Source Agency	IPERIA – <u>DO NOT PAY (DNP) INITIATIVE</u> – BATCH MATCHES
(for 30 days) to: <ul style="list-style-type: none"> • OCLA (009); and • OGC (02). This step may be combined with step 4.					
Step 9. The MPO makes an assignment in VIEWS to VA Privacy Service (005X6F), with a 60-day due date.	<input type="checkbox"/>	N/A	N/A	N/A	<input type="checkbox"/>
Step 10. VA Privacy Service reviews the package. Chief Privacy Officer signs the letters and notice.	<input type="checkbox"/>	N/A	N/A	N/A	<input type="checkbox"/>
STAGE 3 – ALLOW 60 DAYS					
Step 11. Once the notice is signed, VA Privacy Service makes the submissions to Congress and OMB (allowing 30 days to review). VA Privacy Service then submits to	<input type="checkbox"/>	N/A	N/A	N/A	<input type="checkbox"/>

TYPES OF MATCHING AGREEMENT S ¹	18-MONTH w/VA as Recipient Agency	12-MONTH RENEWAL w/VA as Recipient Agency	18-MONTH w/VA as Source Agency	12-MONTH RENEWAL w/VA as Source Agency	IPERIA – DO NOT PAY (DNP) INITIATIVE – BATCH MATCHES
<p>the <i>Federal Register</i> for publication (with an additional 30 days for public comment). VA Privacy Service will receive notification of any comments from (00REG), and will send them to the MPO, who must record and respond to the comments.</p>					
<p>Step 12. Once the matching notice is published VA Privacy Service will notify the MPO and post the notice and the matching agreement on the privacy website.</p>	<input type="checkbox"/>	N/A	N/A	N/A	<input type="checkbox"/>