

RENEWAL OF THE  
COMPUTER MATCHING AGREEMENT BETWEEN  
THE U.S. DEPARTMENT OF EDUCATION  
AND  
THE U.S. DEPARTMENT OF JUSTICE

Under the applicable provisions of the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988, Public Law No. 100-503 (5 U.S.C. § 552a), a Computer Matching Agreement (CMA) shall remain in effect for such period, not to exceed 18 months, as the Data Integrity Boards of the participating agencies determine is appropriate. *See* 5 U.S.C. § 552a(o)(2)(C). Within 3 months prior to the CMA's expiration, the Data Integrity Boards may renew the CMA for a period not to exceed 12 months if: (1) such program will be conducted without change; and (2) each party to the CMA certifies to the Data Integrity Boards in writing that the program has been conducted in compliance with the CMA. 5 U.S.C. § 552a(o)(2)(D).

Only a "significant change" to an existing CMA requires a new agreement, notice, and reporting. *See* 5 U.S.C. § 552a(r) and Office of Management and Budget (OMB) Circular A-108, Sec. 8.b. This computer match will be conducted without any significant changes, and thus the matching program meets the conditions for renewal upon signature of the certifications at the end of this renewal agreement by the authorized source and recipient agency officials. However, please note the following non-significant changes to Section XIII, "Persons to Contact," of the CMA, along with the below non-significant changes listed in Section VI, "Changes," of this renewal agreement:

Revising "ED Contacts" in "XIII. Persons to Contact" as follows:

1. Replacing the title "ED's Contact for Matching Agreement Issues" with "Agreement Issues"
2. Adding the following immediately after item C:

"Computer Matching Compliance Issues

D. James Barthmaier, Application Systems Supervisor  
U.S. Department of Education  
Federal Student Aid  
830 First Street, NE  
UCP-63E2  
Washington, DC 20202-5454  
Telephone: (202) 377-3926  
Email: [James.Barthmaier@ed.gov](mailto:James.Barthmaier@ed.gov)

Systems Issues

E. Rachel Coghlan, Acting Director, Application Systems Division

U.S. Department of Education  
Federal Student Aid  
830 First Street, NE  
UCP-63E1  
Washington, DC 20202-5454  
Telephone: (202) 377-3205  
Email: [Rachel.Coghlan@ed.gov](mailto:Rachel.Coghlan@ed.gov)

ED Systems Security and Privacy Issues Contact

F. Devin Bhatt  
FSA Acting Chief Information Security Officer  
U.S. Department of Education  
Federal Student Aid  
Technology Office  
830 First Street, NE  
Room 102E4  
Washington, DC 20202-5454  
Telephone: (202) 377-6425  
Email: [devin.bhatt@ed.gov](mailto:devin.bhatt@ed.gov)

3. Replacing the following:

“D. ED Security Operations Center (EDSOC)  
Telephone: (202) 245-6550  
Email: [EDCIRC@ed.gov](mailto:EDCIRC@ed.gov)

With:

“G. ED Security Operations Center (EDSOC)  
Telephone: (202) 245-6550  
Email: [edsoc@ed.gov](mailto:edsoc@ed.gov)

Revising “DOJ Contacts” in “XIII. Persons to Contact” as follows:

1. Replacing the following:

“A. Maria Berry  
Program Director  
Denial of Federal Benefits Program  
Bureau of Justice Assistance  
810 7<sup>th</sup> Street, , NW, 4<sup>th</sup> floor  
Washington, DC 20531  
Telephone: (202) 598-2000  
Email: [M.A.Berry@oip.usdoj.gov](mailto:M.A.Berry@oip.usdoj.gov)”

With:

“A. Laura Mizhir  
Program Director  
Denial of Federal Benefits Program  
Bureau of Justice Assistance  
810 7<sup>th</sup> Street, NW, 4<sup>th</sup> floor  
Washington, DC 20531  
Telephone: (202) 598-2000  
Email: [Laura.Mizhir@usdoj.gov](mailto:Laura.Mizhir@usdoj.gov)

The following match meets the conditions for renewal by this recertification:

I. Title of the CMA:

Computer Matching Agreement between the U.S. Department of Education and the U.S. Department of Justice.

II. Participating Agencies:

U.S. Department of Education (ED) and the U.S. Department of Justice (DOJ).

III. Purpose of the Match:

The purpose of the matching program is to ensure that the requirements of section 421 of the Controlled Substances Act (originally enacted as section 5301 of the Anti-Drug Abuse Act of 1988, Pub. L. 100-690, 21 U.S.C. §853a, which was amended and redesignated as section 421 of the Controlled Substances Act by section 1002(d) of the Crime Control Act of 1990, Pub. L. 101-647), are met. Specifically, under sections (a) and (b) of 21 U.S.C. §862, an individual convicted of a State or Federal drug trafficking or possession offense may be denied, at the court’s discretion, certain Federal benefits, including the Student Financial Assistance programs established by Title IV of the Higher Education Act of 1965, as amended (HEA).

IV. Current CMA Effective and Expiration Dates:

Original Effective Date: January 2, 2021  
Original Expiration Date: July 1, 2022

V. Renewal Effective and Expiration Dates:

Renewal Date: July 2, 2022  
Expiration Date: July 1, 2023

VI. Changes:

By this renewal, DOJ and ED agree that there are no significant changes to the original CMA.

The following are proposed non-significant revisions to the original CMA:

Revising Section VIII, “Security Safeguards & Privacy,” as follows:

- Revising all references to “US-CERT” to “Cybersecurity and Infrastructure Security Agency (CISA);”
- In the first paragraph:
  - Revising “Federal Information Security Modernization Act of 1974 (FISMA)” to “Federal Information Security Management Act of 2002, as amended by the Federal Information Security Modernization Act of 2014 (FISMA);” and
  - Revising “National Institute of Standards and Technology (NIST) directives” to “the most current version of National Institute of Standards and Technology (NIST) directives in the Special Publications (SP) 800 series (e.g., NIST SP 800-53, and NIST SP 800-37);”
- In the second paragraph, deleting and replacing “Electronic files are encrypted” with “Electronic files are encrypted while in transit;” and,
- In Section A, “Incident Reporting:”
  - In the first paragraph, revising “NIST 800-53, Rev. 4” to “the current version of NIST 800-53;”
  - In the first paragraph, revising “OCIO 14, Department of Education Handbook for Information Security Incident Response, and Reporting Procedures,” to “ACSD-OCIO-004, *Cybersecurity Policy, IAS-04: OCIO/IAS Policy Framework Instruction—Respond*;”
  - In the second paragraph, revising “Upon detection of an incident related to this interconnection, the agency experiencing the incident will promptly notify the other agency’s Systems Security Contact named in this CMA” to “Both agencies agree to notify each other as soon as possible, but no later than 60 minutes, after the discovery of a suspected or actual breach involving PII. All incidents involving confirmed or suspected breaches of PII must be reported to the Cybersecurity and Infrastructure Security Agency (CISA) within 60 minutes of discovering the incident. In addition, the agency experiencing the loss of PII will notify the other agency’s Systems Security Contact named in this CMA;” and,
  - In the last paragraph, revising “ED and DOJ also agree to notify the security contact(s) named in this CMA as soon as possible, but no later than 30 minutes after the discovery of a breach involving PII” to “ED and DOJ also

agree to notify the security contact(s) named in this CMA as soon as possible, but no later than 60 minutes after the discovery of a breach involving PII.”

VII. Signatures:

As designated representatives of the agencies shown above, we certify that the subject matching program has been conducted in compliance with the existing CMA between the agencies, and we also agree to conduct the matching program without any substantive change to the current CMA through July 1, 2023, subject to the approval of the respective Data Integrity Boards.

Karhlton F. Moore  
Digitally signed by Karhlton F. Moore  
Date: 2022.05.04 17:16:26 -04'00'

Signature \_\_\_\_\_ Date

Karhlton Moore  
Director  
Bureau of Justice Assistance  
U.S. Department of Justice

Richard Cordray  
Digitally signed by Richard Cordray  
Date: 2022.04.04 21:23:59 -04'00'

Signature \_\_\_\_\_ Date

Richard Cordray  
Chief Operating Officer  
Federal Student Aid  
U.S. Department of Education

DATA INTEGRITY BOARDS' APPROVAL OF THE 12-MONTH  
RENEWAL OF THE COMPUTER MATCHING AGREEMENT BETWEEN THE U.S.  
DEPARTMENT OF EDUCATION AND THE U.S. DEPARTMENT OF JUSTICE

In accordance with the certification provided by the participants of the ongoing matching program, the Data Integrity Boards of both agencies agree to renew the current matching program for one additional year.

This agreement shall continue in effect from the 2nd day of July 2022, and shall expire on the 1st day of July 2023.

APPROVAL BY THE U.S. DEPARTMENT OF JUSTICE  
DATA INTEGRITY BOARD

Date: \_\_\_\_\_

Approved: \_\_\_\_\_

Lee J. Lofthus  
Chair Data Integrity Board  
U.S. Department of Justice

APPROVAL BY THE U.S. DEPARTMENT OF EDUCATION  
DATA INTEGRITY BOARD

Date: \_\_\_\_\_

Approved: \_\_\_\_\_

KEVIN HERMS

Digitally signed by KEVIN  
HERMS  
Date: 2022.04.19 15:29:08  
-04'00'

Kevin Herms  
Senior Agency Official for Privacy  
Chair, Data Integrity Board  
U.S. Department of Education

DATA INTEGRITY BOARDS' APPROVAL OF THE 12-MONTH  
RENEWAL OF THE COMPUTER MATCHING AGREEMENT BETWEEN THE U.S.  
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APPROVAL BY THE U.S. DEPARTMENT OF JUSTICE  
DATA INTEGRITY BOARD

Date: \_\_\_\_\_ Approved: JOLENE LAURIA

Digitally signed by  
JOLENE LAURIA  
Date: 2022.06.15  
10:39:19 -04'00'

Jolene Ann Lauria  
Acting Chair Data Integrity Board  
U.S. Department of Justice

APPROVAL BY THE U.S. DEPARTMENT OF EDUCATION  
DATA INTEGRITY BOARD

Date: \_\_\_\_\_ Approved: \_\_\_\_\_

Kevin Herms  
Senior Agency Official for Privacy  
Chair, Data Integrity Board  
U.S. Department of Education