

provider, such as the Department Health and Human Services, for the purpose of treating any VA patient, including Veterans.

**16. Governmental Agencies, Health Organizations, for Claimants' Benefits:** To Federal, State and local government agencies and national health organizations as reasonably necessary to assist in the development of programs that will be beneficial to claimants, to protect their rights under law, and ensure they are receiving all benefits to which they are entitled.

**17. Law Enforcement, for Locating Fugitive:** To any Federal, State, local, Territorial, Tribal, or foreign law enforcement agency in order to identify, locate, or report a known fugitive felon, in compliance with 38 U.S.C. 5313B(d).

**18. Business Partners, for Collaborative Efforts:** To individuals or entities with whom VA has a written agreement or arrangement to perform such services as VA may deem practical for the purpose of laws administered by VA or for identifying and correlating patients.

**19. Data Breach Response and Remediation, for VA:** To appropriate agencies, entities and persons when (1) VA suspects or has confirmed that there has been a breach of the system of records; (2) VA has determined that as a result of the suspected or confirmed breach there is a risk to individuals, VA (including its information systems, programs and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities or persons reasonably necessary to assist in connection with VA efforts to respond to the suspected or confirmed breach or to prevent, minimize or remedy such harm.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

Records in this system are stored electronically.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Records are retrieved by identifiers such as full name, Social Security Number, date of birth, ICN and other assigned unique identifiers of the individuals on whom they are maintained.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

The records are maintained and disposed of in accordance with the schedule approved by the Archivist of the United States, General Records Schedule 4, item 2.

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

1. Access to VA working and storage areas is restricted to VA employees on a "need-to-know" basis; strict control measures are enforced to ensure that disclosure to these individuals is also based on this same principle. Generally, VA file areas are locked after normal duty hours and the facilities are protected from outside access by the Federal Protective Service or other security personnel.

2. Access to file information is controlled at two levels: the systems recognize authorized employees by a series of individually unique passwords/codes as a part of each data message, and the employees are limited to only that information in the file which is needed in the performance of their official duties. Information that is downloaded from this system and maintained on personal computers is afforded similar storage and access protections as the data that is maintained in the original files. Access to information stored on automated storage media at other VA locations is controlled by individually unique passwords/codes.

3. Access to the AITC is generally restricted to center employees, custodial personnel, Federal Protective Service and other security personnel. Access to computer rooms is restricted to authorized operational personnel through electronic locking devices. All other persons gaining access to computer rooms are escorted. Information stored in the computer may be accessed by authorized VA employees at remote locations including VA healthcare facilities, Information Systems Centers, VA Central Office and Veteran Integrated Service Networks. Access is controlled by individually unique passwords/codes which must be changed periodically by the employee.

4. The system is hosted in Amazon Web Services Government Cloud infrastructure as a service cloud computing environment that has been authorized at the high-impact level under the Federal Risk and Authorization Management Program. The secure site-to-site encrypted network connection is limited to access via the VA trusted internet connection.

**RECORD ACCESS PROCEDURES:**

Individuals seeking information on the existence and content of records in this system pertaining to them should contact the system manager in writing as indicated above, or write, call or visit the VA facility location where they are or were employed or made contact. A request for access to records must

contain the requester's full name, address, telephone number, be signed by the requester, and describe the records sought in sufficient detail to enable VA personnel to locate them with a reasonable amount of effort.

**CONTESTING RECORD PROCEDURES:**

Individuals seeking to contest or amend records in this system pertaining to them should contact the system manager in writing as indicated above, or write, call or visit the VA facility location where they are or were employed or made contact. A request to contest or amend records must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record.

**NOTIFICATION PROCEDURES:**

Generalized notice is provided by the publication of this notice. For specific notice, see Record Access Procedure, above.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None

**HISTORY:**

73 FR 72117 (November 26, 2008)

[FR Doc. 2023-24193 Filed 11-1-23; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF VETERANS AFFAIRS**

**Privacy Act of 1974; Matching Program**

**AGENCY:** Department of Veterans Affairs (VA).

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

**SUMMARY:** This is an 18-month re-establishment computer matching agreement (CMA) with the Defense Manpower Data Center (DMDC), Department of Defense (DoD) and the Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA), regarding Veterans who are in drilling status and also in receipt of compensation or pension benefits. The purpose of this CMA is to re-establish the agreement between VA, Veterans Benefits Administration (VBA) and the DoD, Defense Manpower Data Center (DMDC). DoD will disclose information about individuals who are in drill pay status. VBA will use this information as a match for recipients of Compensation and Pension benefits for adjustments of awards.

**DATES:** Comments on this matching program must be received no later than 30 days after date of publication in the **Federal Register**. If no public comment

is received during the period allowed for comment or unless otherwise published in the **Federal Register** by VA, the new agreement will become effective a minimum of 30 days after date of publication in the **Federal Register**. If VA receives public comments, VA shall review the comments to determine whether any changes to the notice are necessary. This matching program will be valid for 18 months from the effective date of this notice.

**ADDRESSES:** Comments may be submitted through [www.Regulations.gov](http://www.Regulations.gov) or mailed to VA Privacy Service, 810 Vermont Avenue NW, (005R1A), Washington, DC 20420. Comments should indicate that they are submitted in response to “CMA 89 Drill Pay”. Comments received will be available at [regulations.gov](http://regulations.gov) for public viewing, inspection or copies.

**FOR FURTHER INFORMATION CONTACT:** Allison Conn (VBA), Program Analyst, Department of Veterans Affairs, 810 Vermont Ave. NW, Room 1064, Washington, DC 20420, [Allison.Conn@va.gov](mailto:Allison.Conn@va.gov).

**SUPPLEMENTARY INFORMATION:** This agreement continues an arrangement for a periodic computer-matching program between the United States Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA) as the matching recipient agency and the Department of Defense (DoD), Defense Manpower Data Center (DMDC) as the matching source agency. This agreement sets forth the responsibilities of VBA and DoD with respect to information disclosed pursuant to this agreement and takes into account both agencies’ responsibilities under the Privacy Act of 1974, 5 U.S.C. 552a, as amended by the Computer Matching and Privacy Protection Act of 1988, as amended, and the regulations promulgated thereunder, including computer matching portions of a revision of OMB Circular No. A-130, 65 FR 77677 dated December 12, 2000.

**Participating Agencies:** The United States Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA) as the matching recipient agency and the Department of Defense (DoD), Defense Manpower Data Center (DMDC) as the matching source agency.

**Authority for Conducting the Matching Program:** The legal authority

for conducting the matching program for use in the administration of VA’s Compensation and Pension Benefits Programs is contained in 38 U.S.C. 5304(c), Prohibition Against Duplication of Benefits, which precludes pension, compensation, or retirement pay on account of any person’s own service, for any period for which he receives active duty pay. The law (10 U.S.C. 12316) prohibits the receipt of reserve pay and DVA compensation for the same time period, however, it does permit waiver of DVA compensation to draw reserve pay.”

**Purpose(s):** The purpose of this matching program between VBA and DoD is to identify those Veterans and VA beneficiaries who are in receipt of certain VA benefit payments and are in drilling status. VBA has the obligation to reduce or suspend compensation and pension benefit payments to veterans who are in drilling status. VBA will use the DoD records provided in the match to update the master records of veterans and VA beneficiaries receiving benefits and to adjust their VA benefits, accordingly, if needed.

**Categories of Individuals:** 1. Veterans who have applied for compensation for service-connected disability under 38 U.S.C. Chapter 11. 2. Veterans who have applied for nonservice-connected disability under 38 U.S.C. Chapter 15. 3. Veterans entitled to burial benefits under 38 U.S.C. Chapter 23. 4. Surviving spouses and children who have claimed pensions based on nonservice-connected death of a veteran under 38 U.S.C. Chapter 15. 5. Surviving spouses and children who have claimed death compensation based on service-connected death of a veteran under 38 U.S.C. Chapter 11. 6. Surviving spouses and children who have claimed dependency and indemnity compensation for service connected death of a veteran under 38 U.S.C. Chapter 13. 7. Parents who have applied for death compensation based on service connected death of a veteran under 38 U.S.C. Chapter 11. 8. Parents who have applied for dependency and indemnity compensation for service-connected death of a veteran under 38 U.S.C. Chapter 13. 9. Individuals who applied for educational assistance benefits administered by VA under title 38 of the U.S. Code. 10. Individuals who applied for educational assistance benefits maintained by the Department

of Defense under title 10 of the U.S. Code that are administered by VA. 11. Veterans who apply for training and employers who apply for approval of their programs under the provisions of the Emergency Veterans’ Job Training Act of 1983, Public Law 98-77. 12. Any VA employee who generates or finalizes adjudicative actions using the Benefits Delivery Network (BDN) or the Veterans Service Network (VETSNET) computer processing systems. 13. Veterans who apply for training and employers who apply for approval of their programs under the provisions of the Service Members Occupational Conversion and Training Act of 1992, Public Law 102-484. 14. Representatives of individuals covered by the system.

**Categories of Records:** The record, or information contained in the record, may include: 1. Name; 2. Social Security Number 3. Date of birth 4. Paid Inactive-duty training days 5. Paid Active-duty days.

**System(s) of Records:** Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records—VA (58 VA 21/22/28), published at 86 FR 61858 (November 8, 2021). DMDC 01, entitled “Defense Manpower Data Center Data Base,” last published in the **Federal Register** on May 27, 2022, 87 FR 32145 and “Veterans Affairs/Department of Defense Identity Repository (VADIR)-VA (138VA005Q)”, last amended at 87 FR 79066 (December 23, 2022).

### Signing Authority

The Senior Agency Official for Privacy, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. John Oswalt, Chief Privacy Officer and Chair of the Data Integrity Board, Department of Veterans Affairs approved this document on October 25, 2023 for publication.

Dated: October 27, 2023.

**Amy L. Rose,**

*Government Information Specialist, VA Privacy Service, Office of Compliance, Risk and Remediation, Office of Information and Technology, Department of Veterans Affairs.*

[FR Doc. 2023-24167 Filed 11-1-23; 8:45 am]

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