

**RENEWAL OF THE
COMPUTER MATCHING AGREEMENT
BETWEEN
THE DEPARTMENT OF HOMELAND SECURITY - UNITED STATES CITIZENSHIP
AND IMMIGRATION SERVICES (DHS-USCIS)
AND
THE UNITED STATES DEPARTMENT OF EDUCATION (ED)**

Under the applicable provisions of the Privacy Act of 1974, as amended (5 U.S.C. § 552a), a computer matching agreement (CMA) will remain in effect for a period not to exceed 18 months. *See* 5 U.S.C. § 552a(o)(2)(C). Within 3 months before the expiration of such CMA, however, the Data Integrity Board (DIB) of both agencies may, without additional review, renew the CMA for a current, ongoing matching program for a period not to exceed 12 additional months if:

- (1) Such matching program will be conducted without change; and
- (2) Each party to the CMA certifies to its DIB, in writing, that the program has been conducted in compliance with the CMA.

See 5 U.S.C. § 552a(o)(2)(D).

A copy of the CMA (DHS-USCIS ED CMA) to be renewed is attached hereto.

The following matching program meets the conditions for renewal upon signature of the officials authorized in section VII of this renewal of the DHS-USCIS ED CMA (Renewal):

I. PARTIES TO THE MATCHING PROGRAM

Source Agency: Department of Homeland Security - United States Citizenship and Immigration Services (DHS-USCIS).

Recipient Agency: United States Department of Education (ED).

II. TITLE OF THE MATCHING PROGRAM

Computer Matching Agreement Between the Department of Homeland Security – United States Citizenship and Immigration Services (DHS-USCIS) and the United States Department of Education (ED).

III. PURPOSE OF THE RENEWAL

The purpose of this Renewal is to extend the terms and conditions for providing ED continued access to the information contained in the USCIS database, referred to as the Verification Information System (VIS), under the Immigration Reform and Control Act of 1986 (IRCA), Pub. L. No. 99-603, Part C, Section 121, for the purpose of verifying the immigration status of applicants for assistance, as authorized by section 484(g) of the

Higher Education Act of 1965, as amended (HEA) (20 U.S.C. § 1091(g)), consistent with the requirements of section 484(a)(5) (20 U.S.C. § 1091(a)(5)).

ED is authorized to participate in the matching program under the authority of section 484(g)(3) of the HEA (20 U.S.C. § 1091(g)(3)), and 20 U.S.C. § 3475.

DHS-USCIS is authorized to participate in this matching program pursuant to section 103 of the Immigration and Nationality Act (INA), Pub. L. No. 82-414, as amended (8 U.S.C. § 1103), section 121 of the IRCA, Pub. L. No. 99-603 (42 U.S.C. § 1320b-7 and note), and section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208, as amended (8 U.S.C. § 1373(c)).

IV. ORIGINAL EFFECTIVE AND EXPIRATION DATES OF THE MATCH

Effective Date: April 21, 2022
Expiration Date: October 20, 2023

V. RENEWAL AND NEW EXPIRATION DATES

Renewal Date: October 21, 2023
Expiration Date: October 20, 2024

VI. CHANGES

By this Renewal, DHS-USCIS and ED agree that there are no significant changes to the DHS-USCIS ED CMA.

The following are proposed non-significant revisions to the DHS-USCIS ED CMA:

1. Deleting and replacing paragraph 1 of Section C, “DEFINITIONS,” with the following:

Applicants - noncitizen applicants for, or recipients of, the Student Financial Assistance Programs under Title IV of the Higher Education Act of 1965, as amended (Title IV Student Financial Assistance Programs), whose applications are processed through ED’s Central Processing System (CPS), which also determines applicant eligibility, and which will be retired on September 30, 2024, and replaced by the Free Application for Federal Student Aid (FAFSA®) Processing System (FPS).
2. Deleting and replacing paragraph 1 of Section E, “MATCHING TERMS AND CONDITIONS,” with the following:
 - a. ED and DHS-USCIS agree to exchange information in accordance with Federal Information Processing Standard (FIPS) 140-3. When using the SAVE Web Services system-to-system connection to exchange information, ED and DHS-USCIS will use file formats designated in a SAVE Interface Control Agreement (ICA). ED also retains the ability to

use SAVE via the SAVE web browser access method, which comports with FIPS 140-3 and other Federal information security requirements.

3. Deleting and replacing paragraph 2.a of Section E, “MATCHING TERMS AND CONDITIONS,” with the following:

- a. ED will provide identifying information from applicant files contained in the ED CPS or FPS to the DHS-USCIS SAVE system. DHS-USCIS agrees to provide ED a response within seconds except when the SAVE system or another IT system or element that SAVE or the SAVE-ED connection depends upon is experiencing an outage or degradation of service. ED will notify, in writing, the applicants of the results of the initial match.

4. Deleting and replacing the lead-in to paragraph 1 and paragraph 1.a of Section H, “RECORDS DESCRIPTION,” with the following:

1. Records to be matched:

- a. ED systems of records: ED will maintain responses received from DHS-USCIS in the CPS and FPS, which are the ED information systems that process FAFSA data covered by ED’s system of records entitled “Aid Awareness and Application Processing (AAAP)” (18-11-21), which was last fully published in the *Federal Register* on June 15, 2023 (88 FR 39233). CPS will process this data through September 30, 2024, for Award Year (AY) 2023-2024. FPS will become operational on or after December 1, 2023, and begin processing FAFSA data for AY 2024-2025. After September 30, 2024, CPS will be decommissioned and be fully replaced by FPS within AAAP. FPS will process data for the term of this renewal thereafter.

ED will redisclose all responses received from DHS-USCIS from CPS and FPS, as applicable, to ED’s Common Origination and Disbursement (COD) system, which is covered by ED’s system of records entitled “Common Origination and Disbursement (COD) System” (18-11-02), to determine the amounts and types of Title IV, HEA program assistance that an applicant for Title IV benefits will receive. ED’s COD system of records notice was last fully published in the *Federal Register* on June 28, 2023 (88 Fed. Reg. 41942).

5. Deleting and replacing paragraph 1 of Section L, “DISPOSITION OF MATCHED ITEMS,” with the following:

ED will retain all records with identifiable information received from DHS-USCIS that are matched under this CMA in ED’s CPS, FPS, and COD systems in accordance with the requirements of ED Records Schedule, 072 FSA Application, Origination, and Disbursement Records

(DAA-0441-2013-0002) (ED 072). (ED has proposed amendments to ED 072, for the National Archives and Records Administration's consideration and will not destroy records covered by ED 072 until such amendments are in effect, as applicable.)

6. Revising Section M, "SECURITY AND PRIVACY SAFEGUARDS" as follows:

- a. Deleting and replacing paragraph 1, bullet 2 of the "General Security Requirements" subsection with the following:

DHS-USCIS and ED's CPS have completed the security authorization process within the last three years, using the required NIST guidance, and have an Authorization to Operate (ATO) with the appropriate signatures. ED's FPS, which will be implemented on or after December 1, 2023, is currently undergoing a security authorization, using the required NIST guidance, and is expected to receive an ATO in December 2023.

- b. Deleting and replacing paragraph 1, bullet 4 of the "General Security Requirements" subsection with the following:

Electronic files are encrypted using the FIPS 140-3 standard and, to the extent possible, are interoperable with ED's personal identity verification logical access control card (PIV LAC) for Government employees and support contractors authorized to have an HSPD-12 card (HSPD-12 is also known as Homeland Security Presidential Directive Number 12).

- c. Deleting and replacing paragraph 1 of the "ED Security Safeguards" subsection with the following:

ED's CPS/FPS facility is located in Clarksville, VA. For CPS, the facility meets all security standards set forth in the most current version of NIST SP-800-53, while FPS is currently being assessed to ensure that it meets all security standards set forth in the most current version of NIST SP-800-53. Access within the processing facility is controlled by a computerized badge reading system, while other areas are controlled by cipher locks with combinations that are changed monthly. All employees must display a photo identification pass upon entering the building.

- d. Deleting and replacing paragraph 3 of the "ED Security Safeguards" subsection with the following:

ED limits access to the information received from DHS and maintained in the CPS and FPS databases. Access is granted only to those individuals responsible on a "need-to-know" basis, which is determined by assigned official duties and satisfying all personnel security criteria and intended system usage. These individuals make use of the data to determine

eligibility for Title IV aid. There are three general types of CPS users (Federal Student Aid employees, contractors, and Financial Aid Administrators at the IHE) and five general types of FPS users (Applicant, Applicant Spouse, Parent, Other Parent, and FAFSA Preparer). Access to this information is controlled in accordance with a strict set of security procedures documented in the CPS System Security Plan and which will be documented in the FPS System Security Plan when it is complete. Automated audit trails are maintained for all user activities and interactions within the applicable FSA system, which would include the Digital Customer Care (DCC) system for front-end system security, the Person Authentication Service (PAS) for processing FSA ID identity verification and digital signature transactional information, FPS for identity verification, CPS, and others. Additionally, all changes made by authorized users of these systems to the FAFSA data result in a new transaction, which also has a specified audit trail. All authorized users of the CPS are, and of the FPS will be, issued a unique user identifier and asked to establish and maintain a secure password that must be changed every 90 days to be compliant with this Access control requirement.

7. Revising Section T, “PERSONS TO CONTACT” to read as follows:

DHS-USCIS Contacts:

1. Matching Issues:

Shannon E. Slattery
Acting Chief, SAVE Program, Verification Division
Immigration Records and Identity Services Division
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
5900 Capital Gateway Drive, Mail Stop 2600
Camp Springs, MD 20529-2600
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Anna Priddy
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Stephen W. Martin
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2. Security Issues:

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3. Privacy Issues:

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Fax: (202) 343-4010
Email: PRIV_CMA@hq.dhs.gov or Leslie.Opsahl@hq.dhs.gov

Angela Washington, Privacy Officer
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Camp Springs, MD 20529-2600
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ED Contacts:

1. Agreement Issues:

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2. Matching Issues:

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Application Systems Supervisor
U.S. Department of Education
Federal Student Aid
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UCP-63E2
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3. Security and Privacy Issues:

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FSA Chief Information Security Officer
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Email: davon.tyler@ed.gov

VII. SIGNATURES

DEPARTMENT OF HOMELAND SECURITY, USCIS

Source Agency Certification:

As the authorized representative of the source agency named above, I certify that: (1) the subject matching program was conducted in compliance with the existing CMA between the parties; and (2) the subject matching program will continue without any change for an additional 12 months, subject to the approval of the respective DIBs of the parties.

Shannon E. Slattery
Acting Chief, SAVE Program
Verification Division
Immigration Records and Identity Services
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

Date _____

Data Integrity Board Approval:

DHS' DIB has reviewed this CMA between ED and DHS/USCIS and approves it. As Chair of the DIB of the source agency named above, I hereby approve of this CMA renewal.

Mason C. Clutter
Chief Privacy and Freedom of Information Act Officer
Data Integrity Board Chair
U.S. Department of Homeland Security


Date _____

UNITED STATES DEPARTMENT OF EDUCATION

Recipient Agency Certification:

As the authorized representative of the recipient agency named above, I certify that: (1) the subject matching program was conducted in compliance with the existing CMA between the parties; and (2) the subject matching program will continue without any change for an additional 12 months, subject to the approval of the respective DIBs of the parties.

**RICHARD
CORDRAY**

 Digitally signed by RICHARD
CORDRAY
Date: 2023.09.22 22:05:07 -0400'

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

Date _____

Data Integrity Board Approval:

ED's DIB has reviewed this CMA between ED and DHS/USCIS and approves it. As Chair of the DIB of the recipient agency named above, I hereby approve this CMA renewal.

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

Date _____