

determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C.3701(a)(3).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in standard file cabinets.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Access is restricted to authorized staff only and files are maintained in locked cabinets.

RETENTION AND DISPOSAL:

Records are maintained until resolved and then transferred to the Federal Records Center.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Certification and Program Review, Office of Student Financial Assistance Programs, U.S. Department of Education, 400 Maryland Avenue, SW., Room 4520, ROB-3, Washington, DC 20202.

NOTIFICATION PROCEDURE:

If you wish to determine whether a record exists regarding you in the system of records, contact the system manager. Your request must meet the requirements of the regulations at 34 CFR 5b.5, including proof of identity.

RECORD ACCESS PROCEDURES:

If you wish to gain access to a record regarding you in the system of records, contact the system manager. Your request must meet the requirements of the regulations at 34 CFR 5b.5, including proof of identity.

CONTESTING RECORD PROCEDURES:

If you wish to contest the content of a record regarding you in the system of records, contact the system manager. Your request must meet the requirements of the regulations at 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from application data, incoming correspondence and related material, obtained during course of investigation; Program System Service (PSS), National Student Loan Data Systems Division (NSLDS).

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

18-11-05

SYSTEM NAME:

Title IV Program Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Program System Service, Office of Student Financial Assistance Programs, U.S. Department of Education, Seventh and D Streets, SW., Room 4640, ROB-3, Washington, DC 20202-5258.

Computer Sciences Corporation, Meridan, Connecticut.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains records on the following individuals:

- (1) Individuals who apply for Federal financial student aid;
- (2) Recipients of Pell Grants;
- (3) Recipients of Federal Direct Student Loans; and
- (4) Borrowers whose loan defaulted or borrower died, became disabled or had a loan discharged in bankruptcy under the Federal Direct Student Loan Program.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records regarding the amount of Pell Grant applicant receives; applicant's demographic background, loan, and educational status; family income; Social Security number; address and telephone number; and employment information on borrowers and co-signers; default claim number; amount of claim; information pertaining to locating a borrower; collection and repayment history; information pertaining to the amount of the loan and repayment obligation; forbearance; cancellation; disability; and deferment information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Higher Education Act of 1965, Titles IV-A, IV-B, IV-D, and IV-E, as amended (20 U.S.C. 1070-1070a-6, 1070b-1070b-3, 1071-1087-2, 1087a, 1087aa-hh).

PURPOSE(S):

The information maintained in this system is used for the purposes of determining program eligibility and benefits, verifying the identity of the individual, enforcing the conditions and terms of the loan or grant, permitting the servicing and collecting of the loan or grant, counseling the individual in repayment efforts, investigating possible fraud and verifying compliance with program regulations, locating a delinquent or defaulted debtor or locating a recipient owing an overpayment on a grant, initiating legal action against an individual involved in program fraud, abuse, or noncompliance, and enforcing Title IV requirements against schools, lenders, and guaranty agencies.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The Department of Education (Department) may disclose information contained in a record in this system of records without the consent of the individual if the disclosure is compatible with the purpose for which the record was collected under the following routine uses:

(1) *Program Disclosures.* ED may disclose records for the following program purposes:

(a) To verify the identity of the applicant, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, contractors, business and personal associates and consumer reporting agencies.

(b) To determine program eligibility and benefits, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, contractors, business and personal associates and consumer reporting agencies.

(c) To facilitate default reduction efforts by program participants, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, consumer reporting agencies, contractors and hearing officials.

(d) To enforce the conditions or terms of the loan, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and

former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(e) To enforce the conditions or terms of the grant, disclosures may be made to educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(f) To permit servicing, collecting or accepting the loan, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(g) To permit collecting overpayment on grants, disclosures may be made to, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(h) To counsel the borrower in repayment efforts, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, contractors and Federal, State or local agencies.

(i) To investigate possible fraud and verify compliance with loan program regulations, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(j) To investigate possible fraud and verify compliance with grant program regulations, disclosures may be made to educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(k) To locate a delinquent or defaulted borrower, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(l) To locate an individual who owes a refund on a grant, disclosures may be made to educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(m) To issue collection letters to defaulted borrowers, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(n) To issue collection letters to an individual who owes a refund on a grant, disclosures may be made to educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(o) To locate a missing borrower, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(p) To locate a missing individual who owes a refund on a grant, disclosures may be made to educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(q) To collect in-file history information and to determine assets and ability to pay a loan debt, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(r) To collect in-file history information and to determine assets and ability to refund an overpayment, disclosures may be made to educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates,

consumer reporting agencies, contractors and hearing officials.

(s) To determine last known address, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(t) To conduct a salary offset hearing under 34 CFR Part 31, disclosures may be made to Federal agencies, contractors and hearing officials.

(u) To prepare for litigation or to litigate collection service and audit, disclosures may be made to guaranty agencies, Federal, State or local agencies, contractors and hearing officials.

(v) To initiate a limitation, suspension and termination (LS&T) or debarment or suspension action, disclosures may be made to guaranty agencies, educational and financial agencies or institutions and hearing officials.

(w) To ensure Title IV requirements are met by schools, lenders and guaranty agencies, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, and hearing officials.

(x) To verify death, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and Federal, State or local agencies.

(y) To conduct credit checks, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and Federal, State or local agencies.

(z) To investigate complaints, update files, and correct errors, disclosures may be made to guaranty agencies, educational and financial agencies or institutions, Federal, State or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, consumer reporting agencies, contractors and hearing officials.

(2) *Feasibility Study Disclosure.* Any information from this system of records may be disclosed to other Federal agencies and to guaranty agencies to determine whether computer matching programs should be conducted by the Department regarding an individual's

application for or participation in any grant or loan program administered by the Department. Purposes of these disclosures may be to determine program eligibility and benefits, facilitate default reduction efforts, enforce the conditions and terms of a loan or grant, permit the servicing and collecting of the loan or grant, enforce debarment, suspension, and exclusionary actions, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

(3) *Enforcement Disclosure.* In the event that information in this system of records indicates, either on its face or in connection with other information, a violation or potential violation of any applicable statute, regulation, or order of a competent authority, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether foreign, Federal, State, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or executive order or rule, regulation, or order issued pursuant thereto if the information is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility of the receiving entity.

(4) *Litigation and Alternative Dispute Resolution (ADR) Disclosures.*

(a) *Introduction.* In the event that one of the parties listed below is involved in litigation or ADR, or has an interest in litigation ADR, the Department may disclose certain records to the parties described in paragraphs (b), (c) and (d) of this routine use under the conditions specified in those paragraphs:

- (i) The Department of Education, or any component of the Department; or
- (ii) Any Department employee in his or her official capacity; or
- (iii) Any Department employee in his or her individual capacity if the Department of Justice (DOJ) has agreed to provide or arrange for representation for the employee;
- (iv) Any Department employee in his or her individual capacity where the agency has agreed to represent the employee; or
- (v) The United States where the Department determines that the litigation is likely to affect the Department or any of its components.

(b) *Disclosure to the DOJ.* If the Department determines that disclosure of certain records to the DOJ is relevant and necessary to litigation or ADR, the

Department may disclose those records as a routine use to the DOJ.

(c) *Administrative Disclosures.* If the Department determines that disclosure of certain records to an adjudicative body before which the Department is authorized to appear, an individual or entity designated by the Department or otherwise empowered to resolve or mediate disputes is relevant and necessary to the administrative litigation, the Department may disclose those records as a routine use to the adjudicative body, individual, or entity.

(d) *Parties, counsels, representatives and witnesses.* If the Department determines that disclosure of certain records to a party, counsel, representative or witness in an administrative proceeding is relevant and necessary to the litigation, the Department may disclose those records as a routine use to the party, counsel, representative or witness.

(5) *Employment, Benefit, and Contracting Disclosure.*

(a) *For Decisions by the Department.* The Department may disclose a record from this system of records as a routine use to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent records, such as current licenses, if the disclosure is necessary to obtain a record the Department believes may be relevant to a Department decision concerning the hiring, retention of, or any personnel action concerning an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

(b) *For Decisions by Other Public Agencies and Professional Licensing Organizations.* The Department may disclose information from this system of records as a routine use to a Federal, State, local, or foreign agency or other public authority or professional licensing organization, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit.

(6) *Employee Grievance, Complaint or Conduct Disclosure.* If a record maintained in this system of records is relevant to an employee grievance or complaint or employee discipline or competence determination proceedings of another party of the Federal Government, the Department may disclose the record as a routine use in the course of the proceedings.

(7) *Labor Organization Disclosure.* Where a contract between a component of the Department and a labor

organization recognized under Chapter 71, U.S.C. Title V provides that the Department will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed as a routine use to such an organization.

(8) *Contract Disclosure.* When the Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating, or otherwise refining records or performing any other function with respect to the records in this system, relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act Safeguards with respect to such records.

(9) *Disclosure to the Department of Justice.* The Department may disclose information from this system of records as a routine use to the Department of Justice to the extent necessary for obtaining its advice on any matter relevant to an audit, inspection, or other inquiry related to the Department's responsibilities under Title IV of the Higher Education Act of 1965.

(10) *Research Disclosure.* When the appropriate official of the Department determines that an individual or organization is qualified to carry out specific research, that official may disclose information from this system of records to that researcher solely for the purpose of carrying out that research. The researcher shall be required to maintain Privacy Act Safeguards with respect to such records.

(11) *Computer Matching Disclosure.* Any information from this system of records, including personal information obtained from other agencies through computer matching programs, may be disclosed to any third party through a computer matching program in connection with an individual's application for, or participation in, any grant or loan program administered by the Department. The purposes of these disclosures may be to determine program eligibility and benefits, enforce the condition and terms of a loan or grant, permit the servicing and collecting of the loan or grant, prosecute or enforce debarment, suspension, and exclusionary actions, counsel the individual in repayment efforts, investigate possible fraud and verify compliance with program regulations, locate a delinquent or defaulted debtor, and initiate legal action against an individual involved in program fraud or abuse.

Among other disclosures, this routine use authorizes disclosure to any other Federal agency, including the Defense Manpower Data Center, Department of

Defense, for the purposes of identifying and locating individuals who are delinquent in their repayment of debts owed to the U.S. Government under Title IV, HEA programs of the Department, in order to collect the debts under the provisions of the Debt Collection Act of 1982 (including 31 U.S.C. Chapter 37 and 5 U.S.C. 5514) and 31 CFR Part 31 by voluntary repayment or by administrative or salary offset.

(13) *Freedom of Information Act (FOIA) Advice Disclosure.* In the event that the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice or the Office of Management and Budget for the purpose of obtaining their advice.

(14) *Congressional Member Disclosure.* The Department may disclose information contained in a record in this system of records under the routine uses listed in this system of records without the consent of the individual if the disclosure is compatible with the purposes for the which the record was collected. The member's right to the information is no greater than the right of the individual who requested it.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, social security number, and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 15 U.S.C. 1681a(f) and 31 U.S.C. 3701(a)(3).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records are maintained in either hard copy, microfilm, magnetic tape, or other electronic media.

RETRIEVABILITY:

The file is indexed by Social Security number or name. Data for loans made

under the Federal Direct Student Loan Program, FISL Program, Federal Perkins Loan (formerly National Direct Student Loan) Program, Federal Pell Grant Program, and some FFELs are retrievable by Social Security number.

SAFEGUARDS:

All physical access to the Department of Education site, and the sites of Department contractors where this system of records is maintained, is controlled and monitored by security personnel who check each individual entering the building for his or her employee or visitor badge.

The computer system employed by the Department of Education offers a high degree of resistance to tampering and circumvention. This security system limits data access to Department of Education and contract staff on a "need-to-know" basis, and controls individual users' ability to access and alter records within the system. All users of this system of records are given a unique user ID with personal identifiers. All interactions by individual users with the system are recorded.

RETENTION AND DISPOSAL:

Records of individual loans may be destroyed five years after cancellation, forgiveness or final repayment of the loan. Records of Federal Supplemental Educational Opportunity Grant recipients may be destroyed five years after the fiscal operations report is filed. Records of Federal Pell Grant recipients may be destroyed five years after the initial award year has ended, as set forth in appropriate record retention schedules.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Program Systems Service, Office of Student Financial Assistance Programs, U.S. Department of Education, 400 Maryland Avenue, SW., Room 4640, ROB-3, Washington, DC 20202-5258.

NOTIFICATION PROCEDURE:

If you wish to determine whether a record exists regarding you in the system of records, you should provide to the system manager your name, date of birth, Social Security number, and the name of the school or lender from which the loan or grant was obtained. Your request must meet the requirements of the regulations at 34 CFR 5b.5, including proof of identity.

RECORD ACCESS PROCEDURES:

If you wish to gain access to a record in this system, you should contact the system manager and provide information as described in the

Notification Procedure. Requests by an individual for access to a record must meet the requirements of the regulations at 34 CFR 5b.5, including proof of identity.

CONTESTING RECORD PROCEDURES:

If you wish to change the content of a record in the system of records, contact the system manager with the information described in the Notification Procedure, identify the specific items to be changed, and provide a written justification for the change. Requests to amend a record must meet the requirements of the regulations at 34 CFR 5b.7.

RECORD SOURCE CATEGORIES:

Information is obtained from reports from borrowers and their families, lenders, schools, examining or treating physicians, employers, credit agencies, Federal and State governmental agencies, and State or private nonprofit guaranty agencies. However, lenders and guaranty agencies are not a source of information for participants in the Federal Direct Student Loan Program, since the Department maintains individual records of borrowers for this program.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

18-11-07

SYSTEM NAME:

Student Financial Assistance Collection Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATIONS:

Program Systems Support, Office of Student Financial Assistance Programs, U.S. Department of Education, Seventh and D Streets, SW., Room 4640, ROB-3, Washington, DC 20202-5258. See the Appendix to this system notice for additional system locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains records on those individuals who have student loans made under the Federal Family Education Loan (FFEL) Program: Stafford Loans (formerly the Guaranteed Student Loan Program (GSL), including Federally Insured Student Loans (FISL)), Supplemental Loans for Students (SLS), PLUS Loans (formerly Parental Loans for Undergraduate Students), and Consolidation Loans; the William D. Ford Federal Direct Student Loan (Direct Loan) Program (formerly known as the Stafford/Ford Loan