

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

Program (SFLP), Federal Direct Unsubsidized Stafford/Ford Loan Program, Federal Direct Consolidation Loan, and Federal Direct Plus Loans; and Federal Perkins Loans (formerly National Direct/Defense Student Loans (NDSL)) and those who are awarded grants under the Pell Grant Program and the Supplemental Education Opportunity Grant Program (SEOG).

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records regarding an applicant's demographic background; loan, repayment history; and educational status; family income; social security number; address and telephone numbers; employment information on borrowers and co-signers; collection activity on accounts; default claim number; amount of claim; information pertaining to locating a borrower; collection and repayment obligation; forbearance; cancellation; disability; deferment; administrative wage garnishment; bankruptcy, death; close school discharge; hearings; photocopy of all promissory notes; account collection records; and administrative resolutions and litigations.

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, and 1087aa-hh).

PURPOSE(S):

The information contained in the records 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 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 which the record was collected. These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Act, under a computer matching agreement.

(1) *Program Disclosures.* The Department may disclose information from this system to Federal, State, or local agencies, private parties such as relatives, present and former employers and creditors, business and personal associates, guaranty agencies, educational and financial agencies or institutions, consumer reporting agencies, contractors and hearing officials for the following purposes: (1) To verify the identity of the applicant; (2) to determine program eligibility and benefits; (3) to facilitate default reduction efforts by program participants; (4) to enforce the conditions or terms of the loan; (5) to permit servicing, collecting, or accepting the loan; (6) to counsel the borrower in repayment efforts; (7) to investigate possible fraud and verify compliance with program regulations; (8) to locate a delinquent or defaulted borrower; (9) to issue collection letters; (10) to locate a missing borrower; (11) to collect in-file history information to determine assets and ability to pay; (12) to determine last known address; (13) to conduct a salary offset hearing under 34 CFR part 31; (14) to prepare for litigation or to litigate collection service and audit; (15) to initiate a limitation, suspension, and termination (LS&T) or debarment or suspension action; (16) to ensure Title IV requirements are met by schools, lenders, and guaranty agencies; (17) to verify death; (18) to conduct credit checks; and (19) to investigate complaints, update files, and correct errors.

(2) *Feasibility Study Disclosure.* The Department may disclose information from this system of records 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) *Disclosure for Use by Other Law Enforcement Agencies.* The Department may disclose information to any Federal, State, local, or foreign agency or other public authority responsible for enforcing, investigating, or prosecuting violations of administrative, civil, or criminal law or regulation if that information is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility within the receiving entity's jurisdiction.

(4) *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 Department may disclose the relevant records to the appropriate agency, whether foreign, Federal, State, Tribal, or local, charged with the responsibility of investigating or prosecuting that violation or charged with enforcing or implementing the statute, executive order, rule, regulation, or order issued pursuant thereto.

(5) *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.

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

(a) *For Decisions by the Department.* The Department may disclose a record to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent records, or to another public authority or professional organization, if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee or other personnel action, 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 Organizations.* The Department may disclose a record to a Federal, State, local, or foreign agency or other public authority or professional organization, in connection with the hiring or retention of an employee or other personnel action, 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, to the extent that the record is relevant and necessary to the receiving entity's decision on the matter.

(7) *Employee Grievance, Complaint or Conduct Disclosure.* The Department may disclose a record in this system of records to another agency of the Federal Government if the record is relevant to one of the following proceedings regarding a present or former employee of the Department: complaint, grievance, discipline or competence determination proceedings. The disclosure may only be made during the course of the proceeding.

(8) *Labor Organization Disclosure.* A component of the Department may disclose records to a labor organization if a contract between the component and a labor organization recognized under Title V of the United States Code,

Chapter 71, provides that the Department will disclose personal records relevant to the organization's mission. The disclosures will be made only as authorized by law.

(9) *Freedom of Information Act (FOIA) Advice Disclosure.* The Department may disclose records to the Department of Justice and the Office of Management and Budget if the Department concludes that disclosure is desirable or necessary in determining whether particular records are required to be disclosed under the FOIA.

(10) *Disclosure to the Department of Justice (DOJ).* The Department may disclose records to the DOJ to the extent necessary for obtaining DOJ advice on any matter relevant to an audit, inspection, or other inquiry related to the programs covered by this system.

(11) *Contract Disclosure.* If the Department contracts with an entity for the purposes of performing any function that requires disclosure of records in this system to employees of the contractor, the Department may disclose the records to those employees. Before entering into such a contract, the Department shall require the contractor to maintain Privacy Act safeguards as required under 5 U.S.C. 552a(m) with respect to the records in the system.

(12) *Research Disclosure.* The Department may disclose records to a researcher if an appropriate official of the Department determines that the individual or organization to which the disclosure would be made is qualified to carry out specific research related to functions or purposes of this system of records. The official may disclose records from this system of records to that researcher solely for the purpose of carrying out that research related to the functions or purposes of this system of records. The researcher shall be required to maintain Privacy Act safeguards with respect to the disclosed records.

(13) *Congressional Member Disclosure.* The Department may disclose records to a member of Congress from the record of an individual in response to an inquiry from the member made at the written request of that individual. 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 by the Department which is 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(e). 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:

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

RETRIEVABILITY:

Records are retrievable by Social Security number.

SAFEGUARDS:

All physical access to the Department's 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 utilized by the Department offers a high degree of resistance to tampering and circumvention. This security system limits data access to the Department 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 (5) years after cancellation, forgiveness or final repayment of the loan. Records of Federal Supplemental Educational Opportunity Grant (SEOG) recipients may be destroyed five (5) years after the fiscal operations report is filed. Records of Federal Pell Grant recipients may be destroyed five (5) years after the initial award year has ended, as set forth in appropriate record retention schedules.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Program Systems Support, Office of Student Financial Assistance Programs, U.S. Department of Education, 400 Maryland Avenue, SW.,

Room 4640, ROB-3, Washington, DC 20202-5258. See the Appendix at the end of this system notice for additional system managers.

NOTIFICATION PROCEDURE:

If you wish to determine whether a record exists regarding you in the system of records, provide the system manager with your name, date of birth and Social Security number. Requests must meet the requirements of the regulations at 34 CFR 5b.5.

RECORD ACCESS PROCEDURES:

If you wish to gain access to a record in this system, 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.

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.

Appendix to 18-11-07

Additional System Managers and System Locations

Raytheon/E-Systems, 6201 I-30, Greenville, TX 75402. Assistant Regional Administrator, U.S. Department of Education, Region IV, Division of Claims and Collections, Office of Student Financial Assistance, 61 Forsyth Street, SW., Rm. 19T89, Atlanta, GA 30303.
Assistant Regional Administrator, U.S. Department of Education, Region V, Division of Claims and Collections, Office of Student Financial Assistance, 111 North Canal Street, Suite 1009, Chicago, Illinois 60605.
Assistant Regional Administrator, U.S. Department of Education, Region IX, Division of Claims and Collections, Office

of Student Financial Assistance, 50 United Nations Plaza, Room 250, San Francisco, California 94102.

18-11-08

SYSTEM NAME:

Student Account Manager System.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION(S):

Program Systems Service, Office of Student Financial Assistance Programs, U.S. Department of Education, Seventh and D Streets, SW., Room 4640, ROB-3, Washington, DC 20202. National Computer Systems, 2510 North Dodge Street, Iowa City, Iowa 52240.

Total Systems Services, Inc, 6101 Stone Mill Drive, Columbus, GA; Golden Retriever System, 8 N. Roosevelt Avenue, Chandler, AZ 85221.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The Student Account Manager System contains student financial assistance records about students and/or borrowers both who have applied for loans under any Title IV Federal loan program and students who have applied for grants under any Title IV Federal grant program.

CATEGORIES OF RECORDS IN THE SYSTEM:

The Student Account Manager System contains records relating to a student and/or borrower's originated awards and disbursements of Title IV financial assistance. The system contains three data element types as outlined below: demographic information, such as student and/or borrower name, mailing and permanent address, e-mail address, current and original Social Security number, phone number, date of birth, student account number; loan and grant funding and award information, including the Title IV code for the school(s) for which students and/or borrowers have requested determinations of Federal financial assistance eligibility, the origination date and I.D., the funding source I.D., loan holder, credit limit or award amount; loan and grant transaction information, including the transaction date, posting date, disbursement amount, acceptance/rejection field, batch number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Higher Education Act of 1965, Title IV-A through IV-H, as amended, (20 U.S.C. 1092b).

PURPOSE(S):

This system of records is provided for the purposes of:

(1) Giving students a single point of contact for information, statements, and

customer service concerning their Federal student financial assistance (loans and grants) from various programs and sources;

(2) Providing eligible institutions of higher education with a standardized method for the receipt of Title IV student financial assistance; and

(3) Creating summary reports for Federal loan and grant funding sources and program offices for loans and grants delivered through the Student Account Manager.

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 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 which the record was collected. These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Act, under a computer matching agreement.

(1) *Program purposes.* Records may be disclosed for the following program purposes:

(a) To report disbursement activity, disclosures may be made to appropriate guaranty agencies, educational and financial institutions, and Federal agencies.

(b) To deliver Federal student assistance funds to the educational institution at which the student is enrolled, disclosures may be made to that educational institution.

(2) *Disclosure for Use by Other Law Enforcement Agencies.* The Department may disclose information to any Federal, State, local, or foreign agency or other public authority responsible for enforcing, investigating, or prosecuting violations of administrative, civil, or criminal law or regulation if that information is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility within the receiving entity's jurisdiction.

(3) *Enforcement disclosures.* 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 Department may disclose the relevant records to the appropriate agency, whether foreign, Federal, State, Tribal, or local, charged with the responsibility of investigating