

determination proceedings. The disclosure may only be made during the course of the proceeding.

(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.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Not applicable to this system of records.

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

**STORAGE:**

Records are maintained in file folders and/or microcomputer disk.

**RETRIEVABILITY:**

Records are indexed and retrieved by name of individuals, firms or other professional associations.

**SAFEGUARDS:**

Records are secured in file cabinets and are locked in offices after office hours.

**RETENTION AND DISPOSAL:**

Records are maintained and destroyed in accordance with the Department's Records Disposition Schedule (ED/RDS, Part 16). A copy of the ED/RDS can be obtained from the system manager at the address below.

**SYSTEM MANAGER(S) AND ADDRESSES:**

Assistant Inspector General for Audit Services, Office of Inspector General, U.S. Department of Education, 400 Maryland Avenue, SW., Switzer Building, Washington, DC 20202-1510.

**NOTIFICATION PROCEDURE:**

Individuals wishing to know if they are named in this system of records must submit a written request to the system manager. Requests must reasonably specify the system of records containing the information and the particular record contents being sought. For a complete statement of notification procedures, see the regulations, 34 CFR 5b.5.

**RECORD ACCESS PROCEDURES:**

Individuals wishing to gain access to a record in this system of records must submit a written request to the system manager. Requests must reasonably

specify the system of records containing the information, the particular record contents being sought, and the reason for the request. For a complete statement of notification procedures, see the regulations, 34 CFR 5b.5.

**CONTESTING RECORD PROCEDURES:**

Individuals desiring to contest information contained in a record in this system of records should contact the system manager. Requests must be made either in writing or in person, and must specify: (1) The system of records from which the record is to be retrieved; (2) the particular record which the requestor is seeking to amend; (3) whether a deletion, an addition, or a substitution is being sought; and (4) the reason(s) for the requested change(s). Requestors may wish to include in their requests any appropriate documentation supporting the requested change(s). For a complete statement of contesting record procedures, see the regulations, 34 CFR 5b.7.

**RECORD SOURCE CATEGORIES:**

Information contained in the system will be obtained principally from OIG employees. Information regarding the status of referral actions will be obtained from the appropriate State licensing board and professional organizations to which the referral was made.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

None.

**18-10-04**

**SYSTEM NAME:**

Hotline Complaint Files of the Inspector General.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Office of Inspector General, U.S. Department of Education, 330 C Street, SW., Room 4116, Switzer Building, Washington, DC 20202-1510.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Categories include individuals who are sources of information or have made complaints to the OIG Hotline, individuals who allegedly have knowledge regarding wrongdoing affecting the programs and operations of the Department, and individuals about whom complaints and allegations have been made concerning wrongdoing involving the programs and operations of the Department of Education. These individuals may include, but are not limited to, current and former

Department employees, grantees, subgrantees, contractors, subcontractors, program participants, recipients of Federal funds or federally insured funds, and officers, employees, or agents of institutional recipients or program participants.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records in this system contain information obtained from complainants who report allegations of wrongdoing relating to Department of Education programs and operations. Specific data may include name and address (if available) of the complainant, the date the complaint was received, the affected program area, the nature and subject of the complaint, and any additional contacts and specific comments provided by the complainant. In addition, information on the OIG disposition of the complaint is included in the system.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Inspector General Act of 1978, as amended (IG Act), 5 U.S.C. app. 3.

**PURPOSES:**

Pursuant to the Inspector General Act, the system is maintained for the purposes of maintaining a record of complaints and allegations received concerning Department of Education programs and operations and concerning the disposition of those complaints and allegations.

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

The Department of Education 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) *Disclosure for Use by Other Law Enforcement Agencies.* In the event that any records from this system of records, either by themselves or in combination with any other information, indicate a violation or potential violation of criminal or civil law or regulation, the Department may disclose information from this system of records as a routine use 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 of the receiving entity.

(2) *Litigation Disclosure.*

(a) *Introduction.* In the event that one of the following parties is involved in litigation, or has an interest in litigation, the Department may disclose certain records to the parties described in paragraphs (2), (3), and (4) of this routine use under the conditions specified in those paragraphs:

(i) The Department, or any component of the Department; or

(ii) Any Department employee in his or her official capacity; or

(iii) Any employee of the Department in his or her individual capacity if the Department of Justice has agreed to provide or arrange for representation for the employee; or

(iv) Any employee of the Department in his or her individual capacity if the agency has agreed to represent the employee; or

(v) The United States if the Department determines that the litigation is likely to affect the Department or any of its components.

(b) *Disclosure to the Department of Justice.* If the Department determines that disclosure of certain records to the Department of Justice or attorneys engaged by the Department of Justice is relevant and necessary to litigation, the Department may disclose those records as a routine use to the Department of Justice.

(c) *Administrative Disclosures.* If the Department determines that disclosure of certain records to an adjudicative body before which the Department is authorized to appear or to an individual or an entity designated by the Department or otherwise empowered to resolve 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) *Opposing Counsels, Representatives, and Witnesses.* If the Department determines that disclosure of certain records to an opposing 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 counsel, representative, or witness.

(3) *Disclosure to Public and Private Entities to Obtain Information Relevant to the Department's OIG Functions and Duties.* The Department may disclose information from this system of records as a routine use to public or private sources to the extent necessary to obtain information from those sources relevant to a Department of Education/OIG investigation, audit, inspection, or other inquiry.

(4) *Disclosure to Public and Private Sources in Connection with the Higher*

*Education Act of 1965, as amended (HEA).* The Department may disclose information from this system of records as a routine use to any accrediting agency that is or was recognized by the Secretary of Education pursuant to the HEA, to any guarantee agency that is or was a party to an agreement with the Secretary of Education pursuant to the HEA, or to any agency that is or was charged with licensing or legally authorizing the operation of any educational institution or school that was eligible, is currently eligible, or may become eligible to participate in any program of Federal student assistance authorized by the HEA.

(5) *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 OIG investigation, audit, inspection, or other inquiry related to the responsibilities of the OIG.

(6) *Congressional 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:

None.

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

##### STORAGE:

The records are maintained in complaint files, computer mainframe files, and computer-printed listings.

##### RETRIEVABILITY:

Hard copy records are organized by and retrievable by the assigned Hotline number. The computer files are indexed and retrievable by Hotline number, name of complainant, and the name of the subject or subjects.

##### SAFEGUARDS:

Records are maintained in locked file cabinets or in metal file cabinets in secured rooms or premises to which access is limited to those persons whose official duties require access. Computer terminals are secured in controlled areas that are locked when unoccupied. Access to automated records is limited to authorized personnel who must use a password system to gain access.

#### RETENTION AND DISPOSAL:

Hotline records not resulting in investigations are destroyed when five years old, in accordance with the Department's Records Disposition Schedules (ED/RDS, part 16). Investigative case files are destroyed 10 years after close-out in accordance with the Department's Records Disposition Schedules (ED/RDS, Part 16).

#### SYSTEM MANAGER AND ADDRESS:

Assistant Inspector General for Investigation Services, Office of Inspector General, U.S. Department of Education, 400 Maryland Avenue, SW., Room 4106, Switzer Building, Washington, DC 20202-1510.

#### NOTIFICATION PROCEDURE:

See Systems Exempted. As provided in 34 CFR 5b.11(f), the notification procedures are not applicable to Hotline files except at the discretion of the Inspector General. The notification procedures are applicable to non-criminal files only under the conditions in 34 CFR 5b.11(f)(2). To the extent these procedures apply to the Department of Education Hotline Complaint Files, they are governed by 34 CFR 5b.5.

#### RECORD ACCESS PROCEDURES:

See Notification Procedure.

#### CONTESTING RECORD PROCEDURES:

Not applicable. See Systems Exempted.

#### RECORD SOURCE CATEGORIES:

Complainants who include, but are not limited to, current and former employees of the Department, employees of other Federal agencies, employees of State and local agencies, private individuals, and officers and employees of non-governmental organizations that are involved with Department programs, contracts, or funds or have knowledge about Department programs, contracts, or funds.

#### SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Secretary has by regulations exempted the Hotline Complaint Files of the Inspector General from the following provisions of the Privacy Act:

(1) Pursuant to 5 U.S.C. 552a(j)(2):

(a) 5 U.S.C. 552a(c)(3), regarding access to an accounting of disclosures of a record.

(b) 5 U.S.C. 552a(c)(4), regarding notification to outside parties and agencies of correction or notation of dispute made in accordance with 5 U.S.C. 552a(d).

(c) 5 U.S.C. 552a(d)(1) through (4) and (f), regarding notification or access to

records and correction or amendment of records.

(d) 5 U.S.C. 552a(e)(1), regarding maintaining only relevant and necessary information.

(e) 5 U.S.C. 552a(e)(2), regarding collection of information from the subject individual.

(f) 5 U.S.C. 552a(e)(3), regarding notice to individuals asked to provide a record to the Department.

(g) 5 U.S.C. 552a(e)(4)(G), (H), and (I), regarding inclusion of information in the system notice about procedures for notification, access, correction, and source of records.

(h) 5 U.S.C. 552a(e)(5), regarding maintaining records with requisite accuracy, relevance, timeliness, and completeness.

(i) 5 U.S.C. 552a(e)(8), regarding service of notice on subject individual if a record is made available under compulsory legal process if that process becomes a matter of public record.

(j) 5 U.S.C. 552a(g), regarding civil remedies for violation of the Privacy Act.

(2) Pursuant to 5 U.S.C. 552a(k)(2):

(a) 5 U.S.C. 552a(c)(3), regarding access to an accounting of disclosures of records.

(b) 5 U.S.C. 552a(d)(1) through (4) and (f), regarding notification of and access to records and correction or amendment of records.

(c) 5 U.S.C. 552a(e)(1), regarding the requirement to maintain only relevant and necessary information.

(d) 5 U.S.C. 552a(e)(4)(G), (H), and (I), regarding inclusion of information in the system notice about procedures for notification, access, correction, and source of records.

These exemptions are stated in 34 CFR 5b.11.

18-11-01

**SYSTEM NAME:**

Federal Student Aid Application File.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Application & Pell Processing Systems Division, Office of Student Financial Assistance Programs, U.S. Department of Education, Seventh and D Streets, SW., Room 4621, ROB-3, Washington, DC 20202-5459.

Federal Student Aid Application Processing Center, Iowa City, IA 52240.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

This system contains records on students applying for Federal student financial assistance under Title IV of the Higher Education Act of 1965 (HEA).

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system consists of the name, address, birth date, Social Security number, and financial data necessary to identify applicants, verify applicant data, and calculate their expected family contributions for Federal student financial assistance. In addition, information on the student's prior Pell Grant awards and student loan status from the National Student Loan Data System (NSLDS) database is maintained in the system.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Title IV of the Higher Education Act of 1965, as amended.

**PURPOSE(S):**

Information contained in this system is maintained for the purposes of: (1) Determining an applicant's eligibility for the Federal student financial assistance programs authorized by title IV of the HEA; (2) Maintaining a record of the data supplied by those requesting assistance; (3) Documenting the results of an applicant's need analysis and Pell Grant eligibility; (4) Reporting the results of the need analysis and Pell Grant eligibility determination to applicants, postsecondary institutions, and State agencies designated by the applicant, and to other Departmental and investigative components for use in operating and evaluating the title IV, HEA programs and in the imposition of criminal, civil or administrative sanctions; and (5) Acting as a repository and source for information necessary to fulfill the requirements of title IV of the HEA.

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

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) *Disclosure to institutions of postsecondary education.* The Department may disclose identifying information, financial data, and expected family contributions of applicants to those institutions of postsecondary education (or their designated agents) in which the applicants plan to enroll or are enrolled.

Disclosure of such information is made only to postsecondary institutions that are listed by the applicant on the Federal Student Aid Application file.

(2) *Disclosure to State agencies.* The Department may disclose the data described in paragraph (1) to State agencies having agreements with the Secretary for purposes of coordinating student aid.

(3) *Disclosure to parents and spouses.* The Department, upon request, may disclose information that is provided by parents or spouses on the application form to those individuals.

(4) *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.

(5) *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.

(6) *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