

the requirements of the Department's Privacy Act regulations at 34 CFR 5b.5, including proof of identity.

**CONTESTING RECORD PROCEDURES:**

If you wish to contest information contained in a record in this system of records, you should contact the system manager. Your request may be made either in writing or in person, and should specify: (1) The system of records from which the record is to be retrieved; (2) the particular record you are seeking to amend; (3) whether you are seeking a deletion, an addition, or a substitution; and (4) the reason(s) for the requested change(s). You should include any appropriate documentation supporting the requested change(s). Your request must meet the requirements of the Department's Privacy Act regulations at 34 CFR 5b.7, including proof of identity.

**RECORD SOURCE CATEGORIES:**

Information contained in this system is obtained from the institutions the fellows attend.

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

None.

**18-13-05**

**SYSTEM NAME:**

Education Publications Center (ED PUBS).

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Education Publications Center, U.S. Department of Education, 8242 Sandy Court, Jessup, MD 20794.

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

This system contains records on individuals who contact ED PUBS to request products from the U.S. Department of Education.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains the name, address, and telephone number of the individuals, as well as what product those individuals request.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Goals 2000: Educate America Act, Pub. L. 103-227, 951, 20 U.S.C. 6051 (Supp. I, 1995).

**PURPOSE(S):**

The information in this system is used to disseminate the Department's products to the public.

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

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

(1) *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.

(2) *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.

(3) *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, 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.

(4) *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.

(5) *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.

(6) *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.

(7) *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.

(8) *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.

(9) *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.

(10) *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.

(11) *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.

(12) *Disclosure to the Office of Management and Budget (OMB) for Credit Reform Act (CRA) Support*. The Department may disclose records to OMB as necessary to fulfill CRA requirements.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Not applicable.

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

**STORAGE:**

The records are retained in hard copy and in a computer database.

**RETRIEVABILITY:**

The records are retrieved by name and by title of requested product.

**SAFEGUARDS:**

Access to the ED PUBS records is limited to internal Department designees, warehouse switchboard operators, and ED PUBS management personnel. All physical access to the Department 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 offers a high degree of resistance to tampering and circumvention. This security system limits data access to 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 are deleted upon revision or update.

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

Executive Director of the National Library of Education, U.S. Department of Education, 400 Maryland Ave, SW., Suite 4W317, Washington, DC 20202-5523.

**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 Department's

Privacy Act regulations at 34 CFR 5b.5, including proof of identity.

**RECORD ACCESS PROCEDURES:**

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

**CONTESTING RECORD PROCEDURES:**

If you wish to contest a record regarding you in the system of records, contact the system manager. Your request must meet the requirements of the Department's Privacy Act regulations at 34 CFR 5b.7, including proof of identity.

**RECORD SOURCE CATEGORIES:**

The information in this system is obtained from the individuals who contact ED PUBS.

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

None.

**Correction**

In the Notice of New, Amended, Altered and Deleted Systems of Records published in the **Federal Register** on June 4, 1999 (30105), make the following corrections beginning on page 30105:

1. On page 30107, in the third column, under the heading "New Numbering System", "18-11-08 Student Account Management System" should read "18-11-08 Student Account Manager."

2. On page 30108, in the first column, under the heading "New Systems of Records," "18-11-07 Student Account Manager" should read "18-11-08" and "18-11-08 Postsecondary Education Participants System (PEPS)" should read "18-11-09."

3. On page 30109, in the second column, in the notice entitled "Secretary's Communication Control System 18-01-01," under the heading "Additional System Locations and System Managers," "Director, Correspondence and Communications Control Unit" should read "Director, Office of the Executive Secretariat."

4. On page 30117, in the third column, in the notice entitled "Receivables Management System 18-03-03," the information under the heading "System Manager(s) and Address" should read "Director, Financial Improvements and Post-Audit Operations, Office of the Chief Financial Officer, U.S. Department of Education, 400 Maryland Avenue, SW., Room 4C135, DC 20202."

5. On page 30118, in the second column, in the notice entitled "Files and Lists of Potential and Current Consultants, Grant Application Reviewers, Peer Reviewers and Site Visitors 18-03-04," under the heading "Routine Uses of Records Maintained in the System, Including Categories of Users and the Purpose of Such Uses," the opening paragraph should read:

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

6. On page 30125, in the third column, in the notice entitled "Grievances Filed Formally Under the Administrative Grievance Procedures 18-05-05," under the heading "System Location," delete "Room 2E200."

7. On page 30127, in the first column, in the notice entitled "Grievances Filed Formally Under the Administrative Grievance Procedures 18-05-05," under the heading "System Manager(s) and Address," "Labor Relations Group" should read, "Human Resources Group," and "Room 2W300" should read "Room 2E314."

8. On page 30142, in the first column, in the notice entitled "Congressional Members' Biographies System 18-06-02," under the heading "Routine Uses," insert the following at the end of the opening paragraph of this section, "These disclosures may be made on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Privacy Act, under a computer matching agreement."

9. On page 30142, in the third column, in the notice entitled "Congressional Grant Notification Control System 18-07-02," under the heading "Routine Uses," the opening paragraph of this section should read:

The Department of Education (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 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

Privacy Act, under a computer matching agreement.

10. On page 30149, in the second column, in the notice entitled "Employee Conduct—Government Ethics 18-09-03," the citations under the heading "Authority for Maintenance of the System" should only read "5 U.S.C. 301."

11. On page 30150, in the first and second columns, in the notice entitled "Employee Conduct—Government Ethics 18-09-03," under the heading "Retrievability," delete the second sentence that reads, "In some instances, these records are retrievable by cross-reference to index cards containing the name of the party involved and the subject matter."

12. On page 30150, in the second column, in the notice entitled "Employee Conduct—Government Ethics 18-09-03," under the heading "Safeguards," delete the existing text and add "These records are only accessible to staff of the Ethics Division of the Office of the General Counsel. The filing cabinets in which these records are maintained are locked after the close of the business day."

13. On page 30150, in the second column, in the notice entitled "Employee Conduct—Government Ethics 18-09-03," under the heading "System Manager(s) and Address," delete "Counsel" from "Ethics Counsel Division."

14. On page 30152, in the first column, in the notice entitled "Investigative Files of the Inspector General 18-10-01," under the heading "Routine Uses," the opening paragraph of this section should read:

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

15. On page 30154, in the second column, in the notice entitled "Investigatory Material Compiled for Personnel Security and Suitability Purposes 18-10-02," under the heading "Routine Uses," the opening paragraph of this section should read:

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

16. On page 30155, in the last column, in the notice entitled "Non-Federal Auditor Referral, Suspension, and Debarment File 18-10-03," under the heading "Categories of Records in the System," the text should read:

Information relating to the audit activity which led to the referral, suspension or debarment action, including the referral, suspension or debarment documents, and records on the substance, status or outcome of each referral, suspension and debarment, including voluntary exclusion settlement agreements.

17. On page 30156, in the first column, in the notice entitled "Non-Federal Auditor Referral, Suspension, and Debarment File 18-10-03," under the heading "Routine Uses," the opening paragraph of this section should read:

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

18. On page 30156, in the first column, in the notice entitled "Non-Federal Auditor Referral, Suspension and Debarment File 18-10-03," under the heading "Routine Uses," in subsection (1), "Audit Oversight and Referral Disclosure," the text should read:

A record from this system of records may be disclosed to other Federal agencies, the General Accounting Office, State agencies responsible for audit oversight, State Boards of accountancy, the American Institute of Certified Public Accountants, and other professional accountancy associations, to make and support referrals regarding inadequate audits performed by independent auditors, to track the results of proceedings against those auditors, and to inform these entities if other referrals have been made.

19. On page 30156, in the first column, in the notice entitled "Non-

Federal Auditor Referral, Suspension and Debarment File 18-10-03," under the heading "Routine Uses," in subsection (2), "Suspension and Debarment Disclosure," the text should read:

A record from this system of records may be disclosed to other Federal agencies, the General Accounting Office, State agencies responsible for audit oversight, State Boards of accountancy, the American Institute of Certified Public Accountants, and other professional accountancy associations, to inform these entities of the substance, status or outcome of suspension and debarment proceedings, including settlement, and as authorized under section 3 of Executive Order 12549 for purposes of suspending and debarring an auditor pursuant to 34 CFR part 85.

20. On page 30157, in the third column, in the notice entitled "Hotline Complaint Files of the Inspector General 18-10-04," under the heading "Routine Uses," the opening paragraph of this section should read:

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

21. On page 30159, in the second column, in the Notice entitled "Federal Student Aid Application File 18-11-01," under the heading "Categories of Records in the System," the first sentence should read:

This system consists of the name, address, birth date, Social Security number, parents' and students' personal identification numbers assigned by the Department, and financial data necessary to identify applicants, verify applicant data, and calculate their expected family contributions for Federal student financial assistance.

22. On page 30161, in the first column, in the notice entitled "Recipient Financial Management System 18-11-02," the paragraph under the heading "Categories of Records in the System," should read, "This system consists of the financial data, personal identification numbers assigned by the Department, and status of award for Pell Grant recipients."

23. On page 30161, in the third column, in the notice entitled "Recipient Financial Management

System 18-11-02," under the heading "Safeguards," add the following paragraph:

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.

24. On page 30162, in the first column, in the notice entitled "Recipient Management System 18-11-02," under the heading "Record Source Categories," the word after "school" should be "and" instead of "or."

25. On page 30162, in the second column, in the notice entitled "Student Financial Assistance Validation File 18-11-03," the paragraph under the heading "Categories of Records in the System," should read: "This system consists of student financial assistance application, award and servicing forms and documentation, and parents' and students' personal identification numbers assigned by the Department."

26. On page 30163, in the second column, in the notice entitled "Title IV Program Files 18-11-05," the paragraph under the heading "Categories of Records in the System," should read:

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; and a personal identification number assigned by the Department.

27. On page 30163, in the third column, in the notice entitled "Title IV Program Files 18-11-05," under the heading "Routine Uses," the opening paragraph of this section should read:

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

28. On page 30167, in the first column, in the notice entitled "Student Financial Assistance Collection Files 18-11-07," the paragraph under the heading "Categories of Records in the System," should read:

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; administrative resolutions and litigations; and parents' and students' personal identification numbers assigned by the Department.

29. On page 30169, in the second column, in the notice entitled "Student Account Manager 18-11-08," under the heading "Categories of Records in the System," the first sentence should read: "The Student Account Manager system contains records relating to a student and/or borrower's originated awards and disbursements of Title IV financial assistance and a personal identification number assigned by the Department."

30. On page 30172, in the first column, in the notice entitled "Postsecondary Education Participants System (PEPS) 18-11-09," under the heading "Routine Uses," the opening paragraph of this section should read:

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

31. On page 30179, in the third column, in the notice entitled "Postsecondary Education Participants System (PEPS) 18-11-09," the

paragraph under the heading "Categories of Records in the System," should read:

The PEPS contains information regarding the eligibility, administrative capability, and financial responsibility of postsecondary schools that participate in the student financial aid programs, including the names, taxpayer identification numbers (Social Security numbers), business addresses, phone numbers of the individuals with substantial ownership interests in, or control over, those institutions, and personal identification numbers assigned by the Department."

32. On page 30186, in the first column, in the notice entitled "Outcomes of Diversity in Higher Education Surveys 18-13-04," under the heading "System Name," "Surveys" should read "Study."

33. On page 30186, in the first column, in the notice entitled "Outcomes of Diversity in Higher Education Surveys 18-13-04," under the heading "Routine Uses," the opening paragraph of this section should read:

The Department of Education (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 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 Privacy Act, under a computer matching agreement.

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