

(7) *Disclosure for Use By Law Enforcement Agencies.* The Department may disclose information to any Federal, State, local or other agencies 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 prosecutorial responsibility within the entity's jurisdiction.

(8) *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.

(9) *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 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.

(10) *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.

(11) *Labor Organization Disclosure.* The Department may disclose records from this system of records to an arbitrator to resolve disputes under a negotiated grievance procedure or to officials of labor organizations recognized under 5 U.S.C. chapter 71 when relevant and necessary to their duties of exclusive representation.

(12) *Disclosure to Providers of Web-based Postsecondary Education Admissions Applications.* The Department may disclose records in this system of records to providers of Web-based postsecondary educational institution admissions applications so that users of the Web site may "pre-populate" their college or university admissions applications with their own registration information that was previously saved on the Web site. (See Appendix at the end of the Notice where registration information is identified as "Data Collected in Students Portal Modules").

#### **DISCLOSURES TO CONSUMER REPORTING AGENCIES:**

Not applicable to this system of records.

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

##### **STORAGE:**

A majority of the Student data will be stored in a database (SQL Server 2000) maintained at XAP Corp. The student data is also stored in an Oracle database at the Virtual Data Center (VDC). Each location includes safeguards, including physical security of the server room, firewalls, etc.

##### **RETRIEVABILITY:**

Each record in this system is indexed and retrieved by a user name and password that is created by the user of the <http://www.studentaid.ed.gov> Web site.

##### **SAFEGUARDS:**

All users of this system will have a unique user ID with a personal identifier.

This system does not use persistent cookies (data that a web server causes to be placed on a user's hard drive) to implement personalization. It is the policy of the Department to prohibit the use of persistent cookies on U.S. Department of Education web sites except where: there is a compelling need; there are appropriate safeguards in place; the use is personally approved by the Secretary of Education; and there

is clear and conspicuous notice to the public.

All physical access to the U.S. Department of Education web 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 U.S. Department of Education 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.

#### **RETENTION AND DISPOSAL:**

FSA Students Portal customers can remove any information about their web preferences (*i.e.*, the subjects, levels of education, types of resources, and audience-targeted materials in which they are interested), as well as any bookmarks or saved searches they have stored on the Department's web pages. U.S. Department of Education customers, however, cannot delete their names, zip codes, or e-mail addresses from the system (although they can replace it with other information). The system, however, automatically will purge any unused accounts after a certain period of disuse. National Archives and Records Administration General Records Schedule 20, Item 1.c provides disposal authorization for electronic files and hard-copy printouts created to monitor system usage, including, but not limited to, log-in files, password files, audit trail files, system usage files, and cost-back files used to assess charges for system use. Records will be deleted or destroyed when the agency determines they are no longer needed for administrative, legal, audit, or other operational purposes.

#### **SYSTEM MANAGERS AND ADDRESS:**

General Manager, Students Channel, Federal Student Aid, U.S. Department of Education, 830 First Street, NE., Washington, DC 20202.

#### **NOTIFICATION PROCEDURE:**

If you wish to determine whether a record exists regarding you in this system of records, you may gain access to the system by entering your user name and password to the <http://www.studentaid.ed.gov> Web site. Individuals may also present their requests in writing or in person by contacting the system administrator through the [fsa.portals@ed.gov](mailto:fsa.portals@ed.gov) e-mail address or at the above address. If you