



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FOIA Service Center

June 16, 2023

Ms. Isabel Tessier
National Student Legal Defense Network
1015 15th St NW #600
Washington, DC 20005

RE: FOIA Request No. 22-01264-F

Dear Isabel Tessier:

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated December 14, 2021, and received in the FOIA Service Center on December 14, 2021. Your request was forwarded to Federal Student Aid (FSA) to search for documents that may be responsive to your request.

You requested the following:

- “1. All documents constituting a notice issued by the Department to an IHE between December 2018 to present, pursuant to 34 C.F.R. § 668.83, beginning an emergency action against the IHE.
2. All documents constituting a notice issued by the Department to an IHE or third-party servicer between December 2018 to present, pursuant to 34 C.F.R. § 668.83, that begins an emergency action against a servicer contracting with a Title IV-participating IHE.”

FSA provided records responsive to item 1 of the request. FSA has no responsive records for item 2 of the request.

Available for Public Access Link (PAL) download are 103 pages of documents responsive to your request. The documents provided are:

- IHE Emergency Actions FSA – Dec. 2018- 2021

You can access your PAL account at this link: <https://foiexpress.pal.ed.gov/app/PalLogin.aspx>

However, certain information has been withheld according to FOIA exemption (b)(6), specified below:

- Records or portions of records relating to personal information is exempt pursuant to 5 U.S.C. §552 (b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

Provisions of the FOIA allow us to recover the costs pertaining to your request. The Department has concluded that you fall within the category of Other. However, the Department has granted your request for a fee waiver; therefore, the Department has provided you with this information at no charge. The Department’s release of this information at no cost does not infer or imply that you will be granted a fee waiver for future requests made under FOIA to the Department.

You have the right to seek assistance and/or dispute resolution services from the Department’s FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to appeals or litigation. They can be contacted by:

Mail	FOIA Public Liaison Office of the Secretary U.S. Department of Education 400 Maryland Ave., SW, LBJ 7C132 Washington, DC 20202-4500	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road Room 2510 College Park, MD 20740-6001
E-mail	robert.wehausen@ed.gov	OGIS@nara.gov
Phone	202-205-0733	202-741-5770; toll free at 1-877-684-6448
Fax	202-401-0920	N/A

You have the right to appeal this decision by writing to the address below, 90 calendar days from the date of this letter. Using the services described above does not affect your right or the deadline to file an appeal. Your appeal must be in writing and must include detailed statement of all legal and factual bases for the appeal; it should be accompanied by this letter, a copy of your initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in making an administrative determination on your appeal.

Appeals may be submitted using the on-line form available at www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf.

E-mail: EDFOIAappeals@ed.gov
Fax: 202-401-0920
Mail: Appeals Office
Office of the Secretary
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 7W106A
Washington, DC 20202-4536

Sincerely,

Sandra Lewandowski

Sandra Lewandowski
Government Information Specialist
Office of the Secretary