



UNITED STATES DEPARTMENT OF EDUCATION

March 28, 2023

Eric Rothschild
National Student Legal Defense Network
1701 Rhode Island Ave. NW
Washington, D.C. 20036

RE: FOIA Requests 22-01567-F, 22-02544-F, 22-02687-F, 22-03122-F, 22-03292-F, 22-03608-F, 22-02589-F, 22-02690-F, 22-03124-F, 22-03294-F, 22-03610-F, 23-00059-F, 22-02143-F, 22-02545-F, 22-02688-F, 22-03125-F, 22-03296-F, 22-03612-F, 23-00060-F, and 21-02640-F

Dear Mr. Rothschild:

This letter is a final response to your requests for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, related to the FOIA requests at issue in *National Student Legal Defense Network v. U.S. Department of Education*, 22-cv-3469. Your requests were forwarded to the appropriate offices that may have documents responsive to your request. Those offices have completed their searches for the following FOIA requests: 22-01567-F, 22-02544-F, 22-02687-F, 22-03122-F, 22-03292-F, 22-03608-F, 22-02589-F, 22-02690-F, 22-03124-F, 22-03294-F, 22-03610-F, 23-00059-F, 22-02143-F, 22-02545-F, 22-02688-F, 22-03125-F, 22-03296-F, 22-03612-F, 23-00060-F, and 21-02640-F.

In requests 22-01567-F, 22-02544-F, 22-02687-F, 22-03122-F, 22-03292-F, and 22-03608-F, you requested “a complete listing of all institutions that have been recertified as eligible to participate in Title IV, HEA programs” for specified time frames.

The Department has processed 643 pages of records responsive to your requests. However, certain information has been withheld pursuant to FOIA Exemptions 4 and 6 specified below:

- Records or portions of records relating to commercial or financial information that is privileged or confidential are exempt from disclosure pursuant to 5 U.S.C. § 552(b)(4). Disclosure of this information would constitute a clearly unwarranted invasion of privacy.
- Records or portions of records relating to personal information are exempt from disclosure pursuant to 5 U.S.C. § 552(b)(6). Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

The 643 pages of responsive records are available for Public Access Link (PAL) download. The records are as follows:

- 22-01567-F LIT
- 22-02544-F LIT
- 22-02687-F LIT

- 22-03122-F LIT
- 22-03292-F LIT
- 22-03608-F LIT

In requests 22-02589-F, 22-02690-F, 22-03124-F, 22-03294-F, 22-03610-F, and 23-00059-F, you requested that “ED produce a log, consisting of every letter of credit held by the Department” as of a certain date, “that has been posted by, or on behalf of, any institution participating in one or more Title IV, HEA programs.”

The Department has processed 103 pages of records responsive to your requests. The responsive records are available for PAL download. The records are as follows:

- 22-02589-F LIT
- 22-02690-F LIT
- 22-03124-F LIT
- 22-03294-F LIT
- 22-03610-F LIT
- 23-00059-F LIT

In requests 22-02143-F, 22-02545-F, 22-02688-F, 22-03125-F, 22-03296-F, 22-03612-F, and 23-00060-F, you requested that the Department produce “a complete listing of all institutions with unpaid liabilities stemming from closures or compliance and enforcement actions, the amount of those liabilities, and the date on which the liabilities were assessed,” as of a certain date.

The Department processed 7 pages of records responsive to your requests. The responsive records are available for PAL download. The records are as follows:

- 22-02143-F LIT
- 22-02545-F LIT
- 22-02688-F LIT
- 22-03125-F LIT
- 22-03296-F LIT
- 22-03612-F LIT
- 23-00060-F LIT

In request 21-02640-F, you requested that the Department provide records sufficient to show “the total number of recipients of Grad PLUS and Parent PLUS loans for each of the past five years,” “the total number of applicants for Grad PLUS and Parent PLUS loans, for each of the past five years, who were denied due to an adverse credit history,” “of the Grad PLUS and Parent PLUS applicants who were denied due to an adverse credit history, the total number, for each of the past five years, who appealed denials on the basis of extenuating circumstances,” and “of the Grad PLUS and Parent PLUS applicants who appealed Parent PLUS denials on the basis of extenuating circumstances, for each of the past five years, the total number who were successful in their appeal.”

The Department processed 1 page responsive to your request. The responsive record is available for PAL download. The record is as follows:

➤ 21-02640-F LIT

You can access your PAL account or register for a PAL account at this link:

<https://foiaexpress.pal.ed.gov/app/PalLogin.aspx>

Because these requests are in litigation, if you have questions regarding this response, please contact Patricia McBride at PMcBride@usa.doj.gov.

Sincerely,

/s/

Leah Travis
General Attorney

Jill Siegelbaum
General Attorney