



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FOIA Service Center

May 17, 2022

Abigail Moats
National Student Legal Defense Network
1015 15th. St. NW
Washington, DC 20005

RE: FOIA Request No. 22-00625-F

Dear Abigail Moats:

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 November 2, 2021 and received in this office on November 2, 2021. Your request was forwarded to the appropriate office to search for documents that may be responsive to your request.

You requested the following: Student Defense requests that the Department produce the following records within twenty business days of the date of this request:

- 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.

Effectively, this request is for the same report sought in our three previous FOA requests, but with updated data for this month and last. From the Department's prior responses, we understand that the Department generally produces these reports as of the month-end. Thus, the Department can construe this request for reports produced as of September 30, 2021 and October 31, 2021.

We also request that the Department produce this chart in a native or spreadsheet format (e.g., Microsoft Excel) in addition to (or in lieu of) producing as a PDF.

Further, the answers we provided in our February 16, 2021 response to the Department's February 10, 2021 request for clarification remain the same. Our answers were as follows:

- Date Range of Record: While we have requested a listing of all institutions with currently outstanding liabilities, please prioritize liabilities assessed over the last ten years.

- Scope:

- o Our request includes all unpaid amounts owed to the Department. This includes fines and any other liabilities owed, including civil penalties, liabilities stemming from closures, and liabilities associated with any other compliance and enforcement actions (including program reviews and audit determinations).

o Our request is to include closeout audit, FAD, and FRPD liabilities outstanding from schools no longer in the program, such as closed school discharge liabilities. Our request also includes unpaid FAD and FPRD liabilities from institutions that are still participating in Title IV programs. Alternatively put, this request includes any instance in which the Department assessed a financial liability or other payment obligation that remains unpaid, whether or not the school is still in the program.

Available for Public Access Link (PAL) download are 86pages of documents responsive to your request. The documents are as follows:

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

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

You have the right to seek further assistance from the Department's FOIA Public Liaison, Robert Wehausen. The Department's FOIA Public Liaison can be reached by e-mail at robert.wehausen@ed.gov; by phone at 202-205-0733; by fax at 202-401-0920; or by mail at Office of the Executive Secretariat, U.S. Department of Education, 400 Maryland Ave., SW, 7C132, Washington, DC 20202-4500, Attn: FOIA Public Liaison.

If you have any questions, please contact the FSC at (202) 401-8365 or EDFOIAMANAGER@ed.gov.

Sincerely,

Robert Wehausen

Robert Wehausen

FOIA Team Lead

Office of the Executive Secretariat