



NSLDS Access For Guaranty Agencies, Lenders/Lender Servicers, and State Grant Agencies

**July 2009
NSLDS Organization Access Process**

INTRODUCTION

This document provides Guaranty Agencies, Lender/Lender Servicers, and State Grant Agencies with the requirements, acceptable uses, and restrictions for National Student Loan Data System (NSLDS) online access. Included in and attached to this document are the instructions and the associated documents that must be submitted in order for an organization to be evaluated for approval to gain NSLDS online access.

RESTRICTIONS

In Dear Colleague Letter GEN-05-06, <http://ifap.ed.gov/dpccletters/GEN0506.html>, the Department of Education (the Department) reminded organizations of the limited and acceptable uses of NSLDS data by Title IV loan program participants. The CEO/President of an organization wishing to apply for online access to NSLDS must review the guidance included in that letter to ensure the appropriate security policies and procedures are in place. In addition, the CEO/President must be aware of the following requirements:

- Existing Relationship Required – Accessing information on a borrower with whom the organization does not already have an established relationship is prohibited. As discussed more fully in the attachments to this document, for purposes of determining a borrower's eligibility for a consolidation loan, a relationship between the lender and the borrower does not exist until the lender has received a completed and signed Federal Family Education Loan (FFEL) Consolidation Loan application. Note that borrowers may access NSLDS using their Federal Student Aid PIN to obtain the loan detail information they need to complete the consolidation loan application before submitting it to their consolidation lender. Of course, the borrower may never provide his or her PIN to anyone else, including a lender.
- No Requests for Access of Non-Organizational Users – An organization may not request NSLDS access for persons from another organization not covered under the Third-Party Servicers definition.

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- No Sharing of Access – Each individual at an organization for whom access is required must have been requested by the Primary Destination Point Administrator (PDPA). If the individual meets the NSLDS access requirements, a user ID will be generated. The individual user ID may not be shared with or used by any other person, even if that person is also employed by the organization.
 - Third-Party Servicers – Other than a Lender Servicer that has a Servicer ID from the Department, a third-party servicer that contracts with an organization to perform required FFEL Program functions under the definition of *Third-party servicer* in 34 CFR 682.200(b) may not request NSLDS access on its own. Access may only be granted for such entities if requested by the organization with which it has a contract. Note that the marketing of loans or other products is never a required FFEL Program function.
 - No Automated Tools – The use of automated tools to access NSLDS information from the Web or the use of screen scraping technology is prohibited.
 - Marketing Prohibited – NSLDS information is not to be used for the marketing of student loans or other products or services. Although the definition of the term “marketing” is broad, the prohibition includes, but is not limited to, the use of NSLDS information for such activities as:
 - Developing lists of leads
 - Sending unsolicited mailings
 - Sending unsolicited e-mails or other electronic communications
 - Making unsolicited phone calls

DEFINITIONS

The term *lender*, in addition to an entity defined in the Higher Education Act of 1965, as amended (HEA), as an eligible lender, also refers to any holder of FFEL Program loans, including secondary markets. For purposes of this document and its attachments, *lender* **does not** include an entity (frequently called a “beneficial holder”) that participates in the FFEL Program through an eligible lender trustee (ELT) arrangement with an eligible lender.

In this document and its attachments, the term “lender” refers to any lender servicer that has received a Servicer ID from the Department for the purpose of submitting interest and special allowance payment billings on behalf of otherwise eligible lenders.

AUTHORIZED USERS

NSLDS Web access is only available to persons who are not in default on Title IV aid and whose work assignments are directly related to the lender’s or GA’s statutory and regulatory responsibilities under the FFEL Program, or to state grant agencies that are eligible to participate in the Leveraging Educational Assistance Partnership (LEAP) Program. Such persons may include direct employees, contract employees, and persons who are employed by an organization with whom the organization has a third-party servicer agreement to perform required FFEL lender or LEAP activities, under the definition of *Third-party servicer* in 34 CFR 682.200(b). Such persons may have access to NSLDS only if they are responsible for performing required

FFEL lender, GA or state agency functions as defined in the NSLDS Established Relationship Definitions attachments. An organization will be held responsible for the actions of all persons it authorizes for NSLDS access whether they are direct or contract employees or are employees of a third party servicer.

Organizations that perform dual functions such as state grant agency/state guaranty agency (GA), GA/Lender, or GA/Lender Servicer must apply for access approval under each respective organization type. Persons must be enrolled and access data under the organization type for which their responsibilities fall. If responsibilities cross over between the organization types, the individual must be enrolled under both organization types. The PDPA and the user must both ensure that the correct NSLDS online User ID provided for that organization type is being used for the acceptable uses.

Organizations that perform the same functions but have multiple Servicer or Lender IDs that fall under the same CEO may apply for access using only one of its Federally assigned ID Code (i.e., 6 digit lender servicer codes beginning with '7' or 6 digit lender codes beginning with '8'.) The organization must designate on the Certification the primary code under which NSLDS access is requested. Any additional codes under that CEO must be included on the Certification signed and submitted by the CEO, and will be associated with the primary code.

ACCESS AND PENALTIES

The Department provides access to information in NSLDS to allow authorized organizations to fulfill their responsibilities in the FFEL and LEAP programs. No organization or individual is entitled to access NSLDS and no one is allowed to use the system for unauthorized purposes. Thus, the Department has instituted a “no tolerance” policy with regard to individuals who do not comply with NSLDS access and use requirements.

Any person who violates these requirements will lose access to NSLDS. Additionally, the organization as a whole risks losing NSLDS Web access when individual users, either those directly or indirectly associated with the organization, violate NSLDS access requirements. This includes persons employed by any of the lender’s third-party servicers, regardless of whether that servicer has received a Servicer ID from the Department.

APPLYING FOR ACCESS

This document includes the Established Relationship Definitions and the Certification attachments. Select the appropriate attachment and print the full document.

The CEO/President must review all of the information included in the applicable attachment and the Dear Colleague Letter GEN-05-06. After all have been reviewed, if the CEO would like to continue the process, the following steps must be completed:

1. The CEO will appoint a PDPA for the organization. This person will be responsible for applying for the access of users to NSLDS using the FSA application site at <https://fsawebenroll.ed.gov/PMEnroll/index.jsp>. The PDPA will be responsible for applying for access and removing access for users who are no longer employed or whose

job responsibilities no longer require NSLDS online access. The PDPA will also be responsible for monitoring all users' access and uses of NSLDS.

2. The CEO and PDPA must complete and sign the Certification and return it to the address provided at the bottom of the Certification.

Upon receipt of the NSLDS Access Certification, the Department will review the document along with other information related to your organization. Once that review is completed, the Department will determine if and when access will be appropriate. The CEO and PDPA will receive an e-mail from nslds.access@ed.gov with the decision and additional instructions if access is authorized.

If access is approved, the organization must ensure that it is, at all times, in compliance with the requirements noted in this document, in other documentation referenced here, and any future guidance published by the Department. Failure to meet this requirement could result in loss of access to NSLDS and other appropriate sanctions.

If there is a change in the CEO/President information, it is the organization's responsibility to notify ED of the new information. An e-mail can be sent to nslds.access@ed.gov with all of the CEO's contact information. The new CEO/President **will be required** to review all of the appropriate information and documentation in addition to submitting a new completed NSLDS Access Certification form.

Thank you for your cooperation and assisting in maintaining the usefulness and the security of the information contained in the NSLDS.

If you have other questions on the requirements for applying for NSLDS Web access, as discussed in this document or its attachments, please send them by e-mail to nslds.access@ed.gov

Attachment/Enclosures:

NSLDS Established Relationship Definitions and Access Certification for Guaranty Agencies in PDF Format

NSLDS Established Relationship Definitions and Access Certification for Lenders and Lender Servicers in PDF Format

NSLDS Established Relationship Definitions and Access Certification for State Grant Agencies in PDF Format