



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

MEMORANDUM

TO: The Under Secretary

FROM: The Secretary

SUBJECT: Delegation of Authority

I. DELEGATION

Under the authority vested in me by section 412 of the Department of Education Organization Act (DEOA) (Public Law 96-88), 20 U.S.C. 3472, I hereby delegate to you the authority described in 34 C.F.R. Part 8 regarding demands issued to Departmental employees for testimony or records in legal proceedings with respect to records, policies, programs, and activities of the Department related to postsecondary education, vocational and adult education, and federal student aid, including those administered by the following offices:

Federal Student Aid,
Office of Vocational and Adult Education,
Office of Postsecondary Education,
White House Initiative on Historically Black Colleges and Universities,
White House Initiative on Tribal Colleges and Universities, and
White House Initiative on Asian Americans and Pacific Islanders.

This authority only applies to legal proceedings in which the United States is not a party.

Unless otherwise noted in future delegations of authority, amendments to the existing authorities delegated herein are included within the scope of this delegation.

II. RESERVATION

The authority should be exercised in consultation with the Office of the General Counsel.

III. REDELEGATION

This authority may be redelegated to Senior officials in your office who report directly to you. No other redelegation is permitted.

IV. CERTIFICATION AND EFFECTIVE DATE

This delegation is effective upon certification by the Department's Principal Delegations Control Officer.

/s/
Arne Duncan

OGC Clearance and Date: /s/ David Berthiaume, 3/11/2010

Certified Date: 3/22/2010

Departmental Delegations Control Officer: /s/ Naty G. Beetle

Control Number: EA/EE/42