



**UNITED STATES DEPARTMENT OF EDUCATION**  
THE SECRETARY

MEMORANDUM

TO: The General Counsel  
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, 20 U.S.C. 3472, I hereby delegate to you, to your successor in function, and to anyone serving for you in an acting capacity, as the Secretary's principal adviser on all legal matters affecting Departmental programs and activities, the authority to review and approve any agency settlement involving the resolution of any litigation, including, but not limited to, administrative or Federal court litigation, in which the Department is obligated or agrees to make a monetary payment, commitment, or distribution arising from allegations seeking damages, fees, costs, or other relief.

In carrying out the delegated authority, you are authorized to perform all necessary administrative functions including issuance of procedures and instructions to Principal Offices on the review process.

II. RESERVATIONS

None.

III. REDELEGATION

This authority may be redelegated.

IV. Certification and Effective Date

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

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/s/  
Margaret Spellings

OGC Clearance and Date: /s/ David Berthiaume, 4/11/2008  
Certified Date: 4/17/2008  
Departmental Delegations Control Officer: /s/ Naty G. Beetle  
Control Number: EA/EG/109