

UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

MEMORANDUM

TO: The General Counsel

FROM: The Secretary

SUBJECT: Delegation of Authority

I. DELEGATION

I hereby designate you Department Claims Officer, and in accordance with Section 412 of the Department of Education Organization Act, Pub. L. 96-88, delegate to you authority to perform the functions vested in me by the following statutes:

1. The Federal Tort Claims Act, 28 U.S.C. 2671 et seq.;
2. The Military Personnel and Civilian Employees' Claims Act of 1964, 31 U.S.C. 3701, 3721;
3. 5 U.S.C. 5584, authorizing waiver of claims arising out of erroneous payment of pay to employees of the Department.
4. 31 U.S.C. 3702, governing the settlement of claims.

In carrying out the delegated authority, you are authorized to perform all necessary administrative functions, including the issuance of procedures and instructions for the handling of claims under these statutes and regulations promulgated thereunder.

II. RESERVATIONS

Unless otherwise noted, the following are not delegated:

1. The authority to promulgate regulations;
2. The authority to compromise, terminate or suspend collection action on claims under the Federal Claims Collection Act of 1966 as amended, 31 U.S.C. 7511, et seq.;
3. The authority to award contracts or discretionary grants; and

4. Unless otherwise provided by law, the authority to submit reports to Congress or the President;

III. REDELEGATION

Subject to the reservations contained herein, you may:

1. Redesignate any of the authority delegated to you; and
2. Authorize further redelegation.

IV. CERTIFICATION AND EFFECTIVE DATE

This delegation is effective upon certification by the Department's Principal Delegation Control Officer and supersedes the previous delegation of this authority, Delegation Control No. EA/EG/13, certified on July 26, 1983.

/s/
Lauro F. Cavazos

OGC Clearance and Date: /s/ Jeffrey Morhardt, 4/12/89

Certified Date: 4/26/1989

Departmental Delegations Control Officer: Ruby T. Tynes

Control Number: EA/EG/40