

**U.S. DEPARTMENT OF EDUCATION  
OFFICE OF THE SECRETARY**



TO: The Designated Agency Ethics Official

FROM: The Secretary –s- Lamar Alexander

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 the authority to implement the Financial Reporting Systems required under 5 C.F.R. Part 2634, including, but not limited to, the authority to:

- (a) determine the positions for officers and employees, including special government employees, that are subject to the requirements for filing confidential financial disclosure reports (5 C.F.R. §§ 2634.904-905) or subject to the requirements for filing public financial disclosure reports (5 C.F.R. §§ 202-204);
- (b) review and certify reports submitted to the Department in accordance with internal agency procedures (5 C.F.R. § 2634.605);
- (c) determine appropriate remedial action necessary after a determination that a conflict, or the appearance of a conflict, exists between an employee's interests and the performance of the employee's service for the Government (5 C.F.R. § 2634.605(b)(5)); and
- (d) review and make initial determinations relating to any complaint filed by an individual that his or her position has been improperly determined to be one which requires the submission of a confidential financial disclosure report (5 C.F.R. § 2634.906).

This authority must be exercised in accordance with the Ethics in Government Act, Public Law 95-521, as amended; by Executive Order 12674 of April 12, 1989, as modified by Executive Order 12731 of October 17, 1990.

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

II. REDELEGATION

The authority to make an initial determination regarding a complaint referred to in section I.d above must be redelegated immediately to the Alternate Designated Agency Ethics Official.

III. RESERVATIONS

- a) An initial determination made by the Alternate DAEO, as described in subsection II above, may be appealed to ou for a final determination. Therefore, you may not redelegate the authority to make such final determination.
- b) The initial determination and the final determination regarding an individual's complaint under subsection I.d. above may not be made by the same person.

IV. CERTIFICATION AND EFFECTIVE DATE

This delegation is effective on October 5, 1992 upon certification by the Department's Principal Delegation Control Officer.

This delegation does not supersede the provisions of the Delegation of Authority dated March 8, 1989 (Delegation Control No. EA/EG/37) relating to the implementation of confidential reporting requirements contained in Subpart E of Part 73 of 34 Code of Federal Regulations. Subpart E will be revoked as of October 5, 1992, but will remain in effect with respect to any matters that are still pending under its provisions.

OGC Clearance and Date: /s/ R. Wexler

Certified Date: 10/5/1992

Departmental Delegations Control Officer: /s/ Wilma J. Hodo

Control No. EGB/EGB/56