



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

MEMORANDUM

TO: Inspector General

FROM: The Secretary

SUBJECT: Freedom of Information Act, 5 U.S.C. §552, Request for Records of the Office of Inspector General

I. Delegation

By the authority vested in me by section 412 of the Department of Education Organization Act, 20 USC §3472, and in accordance with the Inspector General Act of 1978, 5 USC Appendix 3, as amended, I hereby delegate to you, or anyone serving for you in an acting capacity, the exclusive authority to administer the Department's responsibilities under the Freedom of Information Act (FOIA), 5 USC §552, as amended, for documents maintained in the Office of the Inspector General (OIG). This includes the authority to deny the release of documents, or portions of documents, to the extent that such denial is consistent with the FOIA, Departmental Regulations, and Executive Orders. This also includes the authority to charge fees to requesters of documents maintained in the OIG, consistent with the FOIA, Departmental Regulations, and Executive Orders.

You may seek the advice of the Office of the General Counsel in carrying out this authority, but shall not be required to obtain the concurrence, approval or participation of any official within the U.S. Department of Education.

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

II. Reservations

Unless otherwise noted in existing or future delegations of authority, the following are not delegated:

- A. Authority to issue decisions on administrative appeals of denials of requests for records is reserved to the Director, Office of Management;
- B. Authority to sign Federal Register notices;

- C. Authority to waive or reduce all or part of any fee is reserved to the Headquarters Designated Denial Officer; and
- D. Authority to submit reports to Congress or the President unless otherwise provided by law is reserved to the Secretary.

III. Redelegation

You may redelegate the authority delegated to you, and may authorize further redelegations.

IV. Certification and Effective Date

This delegation is effective upon certification by the Department's Principal Delegation Control Officer and supersedes all previous delegations of this authority.

/s/
Richard W. Riley

OGC Clearance and Date: /s/ Deborah Friendly, 7/1/97

Certification Date: 8/6/97

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

Control Number: EA/EF/106