

MEMORANDUM

**TO:** The Assistant Secretary  
Office of Postsecondary Education

**FROM:** The Secretary

**SUBJECT:** Delegation of Programmatic Authority

I. DELEGATION OF AUTHORITY

**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, your successor in function, and anyone serving for you in an acting capacity or delegated to perform the functions and duties of your position, the programmatic authorities described in the attached appendix.**

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

II. RESERVATIONS

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

- A. the authority to sign documents for publication in the Federal Register other than those documents designated in the blanket delegation of authority to sign Federal Register documents to Principal Officers, EA/GEN/12, certified on June 15, 2006;
- B. the authority to appoint members of advisory councils and fix compensation; and
- C. unless otherwise provided by law, the authority to submit reports to Congress or the President.

III. REDELEGATION

**Subject to applicable provisions of law, and unless otherwise noted, you may redelegate any of the authorities delegated to you, and may authorize further redelegation. All redelegations must be prepared in accordance with the Administrative Communications System directive, OM:1-102: Delegations of Authority, dated July 29, 2008.**



**Office of Postsecondary Education  
Delegation of Programmatic Authority  
APPENDIX**

**I. Higher Education Act of 1965, as amended (HEA)**

**A. HEA, Title I**

<b>Statutes</b>	<b>Description of Authority</b>
Parts A & B (20 U.S.C. §§1001 et seq.)	<b>General Provisions</b> (except Section 120 (a)-(d) (20 U.S.C. §1011i (a)-(d)), delegated to Federal Student Aid, see: Delegation EA/EN/71 [certified June 1, 2010] and Section 117 (20 U.S.C. § 1011f), delegated to Federal Student Aid, see: Delegation [add new delegation information], except for Section 117(f)(1) (20 U.S.C. § 1011f(f)(1)), which authority the Secretary has not delegated, and Section 117(g) (20 U.S.C. § 1011f(g)), which remains delegated to OPE)
Part C (20 U.S.C. §§1015 et seq.)	<b>Cost of Higher Education</b> (except Section 131(a) - (c)(4) (20 U.S.C. §1015(a) – (c)(4)))
Part E (20 U.S.C. §§1019 et seq.)	<b>Lender and Institution Requirements Relating to Education Loans</b>

**B. HEA, Title II**

Teacher Quality Enhancement

<b>Statutes</b>	<b>Description of Authority</b>
Part A (20 U.S.C. §§1021 et seq.)	Teacher Quality Partnership Grants (except Sections 201 – 204) (20 U.S.C. §§ 1022 – 1022c), delegated to the Office of Innovation and Improvement, see: Delegation EA/EU/23-A [certified April 16, 2009]
Part B (20 U.S.C. §§1031 et seq.)	Enhancing Teacher Education
Part C (20 U.S.C. §1041)	General Provisions

**C. HEA, Title III**

Institutional Aid

<b>Statutes</b>	<b>Description of Authority</b>
Part A (20 U.S.C. §§1057 et seq.)	Strengthening Institutions Program

<b>Statutes</b>	<b>Description of Authority</b>
Part B (20 U.S.C. §§1060 et seq.)	Strengthening Historically Black Colleges and Universities
Part C (20 U.S.C. §1065)	Endowment Challenge Grants
Part D (20 U.S.C. §§1066 et seq.)	Historically Black College and University Capital Financing
Part E (20 U.S.C. §§1067 et seq.)	Minority Science and Engineering Improvement Program
Part F (20 U.S.C. §1067q)	Strengthening Historically Black Colleges and Universities and Other Minority Serving Institutions
Part G (20 U.S.C. §§1068 et seq.)	General Provisions

#### **D. HEA, Title IV**

**Student Assistance** (operational authority for the programs and functions marked with an asterisk (\*) below have been delegated to Federal Student Aid, see: Delegation EA/EN/59 [certified May 29, 2008])

<b>Statutes</b>	<b>Description of Authority</b>
Part A, Subpart 1 (20 U.S.C. §§1070a et seq.)	Federal Pell Grant Program* Academic Competitiveness Grants (20 U.S.C. §1070a-1)*
Part A, Subpart 2	Federal Early Outreach and Student Services Programs
Part A, Subpart 2, Chapter 1 (20 U.S.C. §§1070a-11 et seq.)	Federal TRIO Programs
Part A, Subpart 2, Chapter 2 (20 U.S.C. §§1070a-21 et seq.)	Gaining Early Awareness and Readiness for Undergraduate Programs
Part A, Subpart 3 (20 U.S.C. §§1070b et seq.)	Federal Supplemental Educational Opportunity Grant Program*
Part A, Subpart 4 (20 U.S.C. §§1070c et seq.)	Leveraging Educational Assistance Partnership Program*
Part A, Subpart 6 (20 U.S.C. §§1070d-31 et seq.)	Robert C. Byrd Honors Scholarship Program
Part A, Subpart 7 (20 U.S.C. §1070e)	Child Care Access Means Parents in School
Part A, Subpart 9 (20 U.S.C. §§1070g et seq.)	TEACH Grants*
Part A, Subpart 10 (20 U.S.C. §1070h)	Scholarships for Veteran's Dependents Program
Part B (20 U.S.C. §§1071 et seq.)	Federal Family Education Loan Program*
Part C (42 U.S.C. §§2751 et seq.)	Federal Work-Study Programs*
Part D (20 U.S.C. §§1087a et seq.)	William D. Ford Federal Direct Student Loan Program*
Part E (20 U.S.C. §§1087aa et seq.)	Federal Perkins Loans*

<b>Statutes</b>	<b>Description of Authority</b>
Part F (20 U.S.C. §§1087kk et seq.)	Need Analysis: Publication of Updated Tables and Development of Simplified Application, Sections 478 and 479 only (20 U.S.C. §§ 1087rr, 1087ss)
Part G (20 U.S.C. §§1088 et seq.)	General Provisions Relating to Student Financial Assistance Programs*
Part H, Subpart 2 (20 U.S.C. §1099b	Recognition of Accrediting Agency or Association

### **E. DEA, Title V**

#### Developing Institutions

<b>Statutes</b>	<b>Description of Authority</b>
Part A (20 U.S.C. §§1101 et seq.)	Hispanic-Serving Institutions Program
Part B (20 U.S.C. §§1102 et seq.)	Promoting Postbaccalaureate Opportunities for Hispanic Americans Program

### **F. HEA, Title VI**

#### International Education Programs

<b>Statutes</b>	<b>Description of Authority</b>
Part A (20 U.S.C. §§1121 et seq.)	International and Foreign Language Studies
Part B (20 U.S.C. §§1130 et seq.)	Business and International Education Programs
Part C (20 U.S.C. §§1131 et seq.)	Institute for International Public Policy
Part D (20 U.S.C. §§1132 et seq.)	General Provisions

### **G. HEA, Title VII**

#### Graduate and Postsecondary Improvement Programs

<b>Statutes</b>	<b>Description of Authority</b>
Part A	Graduate Education Programs
Part A, Subpart 1 (20 U.S.C. §§1134 et seq.)	Jacob K. Javits Fellowship Program
Part A, Subpart 2 (20 U.S.C. §§1135 et seq.)	Graduate Assistance in Areas of National Need
Part A, Subpart 3 (20 U.S.C. §1136)	Thurgood Marshall Legal Educational Opportunity Program
Part A, Subpart 4 (20 U.S.C. §§1136a et seq.)	Masters Degree Programs at Historically Black Colleges and Universities and Predominantly Black Institutions
Part A, Subpart 5 (20 U.S.C. §1137)	Administrative Provision
Part B (20 U.S.C. §§1138 et seq.)	Fund for the Improvement of Postsecondary Education
Part C (20 U.S.C. §1139)	Urban Community Service

<b>Statutes</b>	<b>Description of Authority</b>
Part D (20 U.S.C. §§1140 et seq.)	Programs to Provide Students with Disabilities with a Quality Higher Education
Part E (20 U.S.C. §1141)	College Access Challenge Grant Program

#### H. HEA, Title VIII

<b>Statutes</b>	<b>Description of Authority</b>
Part A (20 U.S.C. §1161a)	Project GRAD
Part B (20 U.S.C. §1161b)	Mathematics and Science Scholars Program
Part C (20 U.S.C. §1161c)	Business Workforce Partnerships for Job Skills Training in High-Growth Occupations or Industries
Part D (20 U.S.C. §1161d)	Capacity for Nursing Students and Faculty
Part E (20 U.S.C. §1161e)	American History for Freedom
Part F (20 U.S.C. §1161f)	Teach for America
Part G (20 U.S.C. §1161g)	Patsy T. Mink Fellowship Program
Part H (20 U.S.C. §1161h)	Improving College Enrollment by Secondary Schools
Part I (20 U.S.C. §§1161i et seq.)	Early Childhood Education Professional Development and Career Task Force
Part J (20 U.S.C. §1161j)	Improving Science Technology, Engineering, and Mathematics Education with a Focus on Alaska Native and Native Hawaiian Students
Part K (20 U.S.C. §1161k)	Pilot Programs to Increase College Persistence and Success
Part L (20 U.S.C. §§1161l et seq.)	Student Safety and Campus Emergency Management
Part M (20 U.S.C. §1161m)	Low Tuition
Part N (20 U.S.C. §§1161n et seq.)	Cooperative Education
Part O (20 U.S.C. §1161o)	College Partnership Grants
Part P (20 U.S.C. §1161p)	Jobs to Careers
Part Q (20 U.S.C. §1161q)	Rural Development Grants for Rural-Serving Colleges and Universities
Part R (20 U.S.C. §1161r)	Campus-Based Digital Theft Prevention
Part S (20 U.S.C. §1161s)	Training for Realtime Writers
Part T (20 U.S.C. §1161t)	Centers of Excellence for Veteran Student Success
Part U (20 U.S.C. §1161u)	University Sustainability Programs
Part V (20 U.S.C. §1161v)	Modeling and Simulation Programs

<b><u>Statutes</u></b>	<b><u>Description of Authority</u></b>
Part W (20 U.S.C. §1161w)	Path to Success
Part Y (20 U.S.C. §1161y)	Early Federal Pell Grant Commitment Demonstration Program
Part Z (20 U.S.C. §1161z)	Henry Kuualoha Giugni Kupuna Memorial Archives
Part AA (20 U.S.C. §1161aa)	Masters and Postbaccalaureate Programs

## **II. Higher Education Amendments of 1998 (Pub. L. 105-244)**

<b><u>Statutes</u></b>	<b><u>Description of Authority</u></b>
Title VIII, Part C (20 U.S.C. §1070 note)	Community Scholarship Mobilization
Title VIII, Part G (20 U.S.C. §1070 note)	Olympic Scholarships
Title VIII, Part H (20 U.S.C. §1153)	Underground Railroad Educational and Cultural Program

## **III. Mutual Educational and Cultural Exchange Act of 1961 (MECEA) (the Fulbright-Hays Act of 1961)**

<b><u>Statutes</u></b>	<b><u>Description of Authority</u></b>
Section 102(b)(6) (22 U.S.C. §2452(b)(6)	Fulbright Hays Training Grants

## **IV. Native Hawaiian Education Act**

<b><u>Statutes</u></b>	<b><u>Description of Authority</u></b>
Section 701, title VII, Pub. L. 107-110 (20 U.S.C. §7515)	Native Hawaiian Education Program

## **V. Howard University**

<b><u>Statutes</u></b>	<b><u>Description of Authority</u></b>
Act of March 2, 1867, An Act to Incorporate the Howard University in the District of Columbia, as amended (20 U.S.C. §§121 et seq.)	General Support
Howard University Endowment Act, Section 201, Title II, Pub. L. 98-480 (20 U.S.C. §§130aa et. seq.)	Endowment

## **VI. Land Grant Colleges**

### **Statutes:**

- Act of July 2, 1862, ch. 130, 12 Stat. 503, First Morrill Act (7 U.S.C. §§301 et seq.)

- Act of August 30, 1890, ch. 841, 26 Stat. 417, Second Morrill Act (7 U.S.C. §§321 et seq.)
- Act of June 29, 1935, ch. 338, 49 Stat. 436, Bankhead-Jones Act (7 U.S.C. §329)

**VII. America COMPETES Act (Pub. L. 110-69)**

<u>Statutes</u>	<u>Description of Authority</u>
Title VI, Part I (20 U.S.C. §§9811 et seq)	Teachers for a Competitive Tomorrow

The Secretary has also delegated to Principal Officers certain administrative authorities subject to specified reservations.