



**UNITED STATES DEPARTMENT OF EDUCATION**  
**Office of Management**

**MEMORANDUM**

TO: Director, FOIA Service Center  
Regulatory Information Management Services

FROM: Director, Regulatory Information Management Services  
Office of Management

SUBJECT: Redelegation of Authority for Freedom of Information Act and Privacy Act

I. DELEGATION

Under the authority vested in me by a redelegation from the Assistant Secretary for Management, control number EM/EMV/315, certified on June 7, 2006, I hereby redelegate to you, your successor in function, or anyone serving for you in an acting capacity:

- A. The authority to administer the Department's responsibilities under the Freedom of Information Act (FOIA), 5 U.S.C. §552 for documents maintained in Headquarters. This delegation includes the authority to deny access to documents to the extent that such denial is consistent with the FOIA procedures and FOIA Departmental regulations. This also includes the authority to charge fees, to waive fees and to reduce fees to requesters consistent and in accordance with the FOIA and Departmental regulations and policies on such fees for documents requested; and
- B. The authority to administer the Department's responsibilities under the Privacy Act, 5 U.S.C. §552a; and

Unless otherwise noted in future delegations of authority, amendments to the 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. The authority to issue decisions on administrative appeals filed in accordance with FOIA and the Department regulations implementing that statute.

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- B. The authority under FOIA to issue decisions regarding appeals of denials of requests for records and requests for waiver of fees.
- C. The authority to administer FOIA for documents maintained in the Office of Inspector General, which is delegated to the Inspector General by delegation EA/EF/106, certified August 6, 1997.
- D. The authority to make written requests to another agency or any instrumentality of the U.S. Government for records for a legally authorized Office of Inspector General civil or criminal law enforcement activity, pursuant to 5 U.S.C. §552a (b)(7). That authority is delegated to the Inspector General by delegation EA/EF/78, certified July 22, 1994; and
- E. The authority under the Privacy Act to make final decisions regarding appeals of refusals to correct or amend records.

III. REDELEGATIONS

No further redelegation is authorized.

IV. EFFECTIVE DATE

This delegation is effective upon certification by the Department's Principal Delegations Control Officer and supersedes delegation EMV/EMVF/339.

I ratify actions within the scope of this delegation taken prior to the date of certification.

/s/

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Leo J. Eiden

Certified Date: 6/18/2008

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

Control Number: EMV/EMVF/346