

**U.S. DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL**



TO: The Alternate Designated Agency Ethics Official

FROM: The Designated Agency Ethics Official Delegation of

SUBJECT: Delegation of Authority

I. DELEGATION

Under the authority vested in me by the Delegation of Authority from the Secretary dated October 5, 1992 (Delegation Control No. EA/EGB/56), I hereby delegate to you the authority to implement the financial disclosure 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

Subject to the reservations listed below, this authority may be redelegated to Deputy Designated Agency Ethics Officials. No other redelegation is permitted.

III. RESERVATIONS

The following authority is reserved to the Designated Agency Ethics Official:

- a) The authority to make final determinations under 5 C.F.R. § 2634.906; and
- b) The authority to certify nominee reports filed by individuals who are nominated by the President for appointment to a position that requires the advice and consent of the Senate, except that the Alternate Designated Agency Ethics Official may certify such reports in the absence of the Designated Agency Ethics Official pursuant to 5 C.F.R. § 2638.203. 5 C.F.R. § 2634.605(a).

IV. CERTIFICATION AND EFFECTIVE DATE

This delegation is effective upon certification by the Department's Principal Delegation Control Officer.

This delegation supersedes the Delegation of Authority from the Designated Agency Ethics Official dated November 9, 1992 (Delegation Control No. EGB/EGB/57).

/s

Steven Y. Winnick

OGC Clearance and Date: /s/ R. Wexler

Certified Date: 12/8/1992

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

Control No. EGB/EGB/58