



UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

MEMORANDUM

TO: Assistant Secretary for Planning, Evaluation, and
Policy Development

FROM: The Secretary

SUBJECT: Delegation of Authority

I. DELEGATION

By 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, the following administrative authorities as delegated to all Principal Officers for their respective areas of responsibility, to be exercised with respect to the area of responsibility of the Office of Planning, Evaluation, and Policy Development. Copies of these delegations are accessible on ConnectED at:

<http://connected1.ed.gov/po/om/executive/doa/main.html>

<u>Certification Date</u>	<u>Authority Delegated</u>
A. 9/4/1992	Authority under 34 CFR Part 8 regarding demands for testimony
B. 11/7/1995	Authority under 20 U.S.C. §3481 to accept gifts of travel from ED employees
C. 7/31/1996	Authority under 5 U.S.C. §3595(b) (3) (B) to file written objections to OPM regarding SES qualifications
D. 9/29/1997	Authority to suspend or remove/terminate employees for reasons of suitability under 5 CFR Parts 315 and 731
E. 7/22/1998	Authority to assert a deliberative process privilege as a basis for withholding documents or testimony
F. 12/3/1998	Authority to certify fund availability

- G. 2/18/1999 Authority under the Federal Advisory Committee Act, P.L. 92-463, to close advisory committee meetings or portions thereof to the public
- H. 11/23/1999 Authority under 5 CFR Part 6301 and Executive Orders 12674 and 12731 to make determinations with respect to requests for approval of outside activities
- I. 4/7/2000 Authority to approve and sign certain Federal Register documents
- J. 7/30/2002 Authority under 5 U.S.C. §2903 to administer oaths of office to members of advisory and other committees
- K. 5/25/2004 Authority to certify true copies of ED records in accordance with 20 U.S.C. §3485
- L. 8/3/2005 Authority to approve travel within the Continental US and non-foreign travel areas

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, the reservations contained in the actual delegation documents remain in effect.

III. REDELEGATIONS

The authority for redelegations and the restrictions on redelegations in the actual delegation documents remain in effect.

IV. CERTIFICATION AND EFFECTIVE DATE

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

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

_____/s/_____
Margaret Spellings

OGC Clearance and Date: /s/ David Berthiaume, 10/12/2005

Certified Date: 10/17/2005

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

Control Number: EA/ED/2