



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE GENERAL COUNSEL

April 28, 2009

JAMES (Jim) H. SHELTON III
[Signature]

CERTIFICATION OF PUBLIC INTEREST WAIVER FOR ~~MARGOT ROGERS~~

FROM: Susan Winchell
Designated Agency Ethics Official, Department of Education

SUBJECT: Waiver from Restrictions Related to the Bill and Melinda Gates Foundation

Pursuant to the authority delegated under Section 3 of Executive Order 13490 and for the reasons stated in the attached memorandum and after consultation with the Counsel to the President, I hereby certify that a waiver of the restrictions of paragraph 2 of the ethics pledge is in the public interest for appointee James (Jim) H. Shelton III in the position of Assistant Deputy Secretary for Innovation and Improvement in the Department of Education. Jim Shelton shall not be restricted from participating in any particular matter involving specific parties that is directly and substantially related to his former employer, the Bill and Melinda Gates Foundation. This waiver does not otherwise affect Mr. Shelton's obligation to comply with other provisions of the Ethics Pledge or with all other pre-existing government ethics rules.

Signed *[Signature]*
Susan Winchell
Designated Agency Ethics Official
Department of Education

Date 4/28/09