

Comment from Consultative Group Member Alan B. Morrison on *Disclosure of Agency Legal Materials*
August 24, 2022

This is from a memo of the Depart of Ed GC issued today on the authority to cancel student debt. <https://www2.ed.gov/policy/gen/leg/foia/secretarys-legal-authority-for-debt-cancellation.pdf>

Given the significant public interest in this issue, and the potential for public confusion caused by the public availability of the January 2021 memorandum, I recommend making this memorandum publicly available and publishing it in the Federal Register, so as to provide the general public with notice of the Department's interpretation of the HEROES Act, consistent with statutory requirements. See 5 U.S.C. § 552(a).1

1 The Office of Legal Counsel has made its own analysis of the Secretary's authority, which will be published in tandem with this memorandum's recommended publication.