

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 00-008.00
TO THE DIRECTOR OF THE OFFICE OF
MANAGEMENT, BUDGET AND EVALUATION

1. DELEGATION. Under the authority vested in me as Secretary of Energy and pursuant to section 642 of the Department of Energy Organization Act (Public Law 95-91, 42 U.S.C. 7252), I delegate to the Director of the Office of Management, Budget and Evaluation (Chief Financial Officer) authority to take the following actions:

Financial Matters

- 1.1 Determine the existence and amount of employee indebtedness and the method of collecting repayments as provided by 5 U.S.C. 5514.
- 1.2 Exercise the authority of the Secretary related to the waiver of claims arising out of erroneous payments of pay or allowances or travel, transportation, or relocation allowances as provided in 5 U.S.C. 5584.
- 1.3 Exercise the duties and responsibilities of the Secretary for authorizing and approving travel and establishing policies and procedures on behalf of the Secretary with respect to employee travel and relocation allowances under 5 U.S.C., chapter 57, and the Federal Travel Regulation.
- 1.4 Certify vouchers and provide written authorization to Department of Energy (DOE or Department) employees to certify vouchers as provided in 31 U.S.C. 3325.
- 1.5 Carry out the responsibilities assigned to the Secretary with regard to the exchange of funds between the Department and the States (31 U.S.C. 6503) and the timely disbursement of funds (31 U.S.C. 3335).
- 1.6 In accordance with 31 U.S.C. 3527 and the GAO Policies and Procedures Manual for the Guidance of Federal Agencies, recommend or grant relief from accountability for losses or deficiencies of disbursing officers, cashiers, or other accountable officers.
- 1.7 Process the payment of claims by employees for personal property losses as provided by 31 U.S.C. 3721.
- 1.8 Carry out the responsibilities assigned to the Secretary with respect to prompt payments as provided in 31 U.S.C., chapter 39.

- 1.9 Act as trustee for Department of Energy escrow funds and carry out the responsibilities assigned to the Secretary for investing excess balances with the Department of the Treasury in Treasury non-marketable Government account series securities or with minority financial institutions as provided in the "Department of Energy - Department of Treasury Agreement on Establishment of a Deposit Fund Escrow Account for Payments in Regard to Possible or Actual Violations of Law Enforced by DOE," of April 7, 1980.
- 1.10 Exercise the responsibilities assigned to the Secretary in 31 U.S.C. 3332(b)(1) with respect to the granting of waivers of the requirement to receive wage and salary payments electronically.
- 1.11 Exercise the responsibilities assigned to the Secretary in 31 U.S.C. 3332(e)(2) with respect to the granting of waivers of the requirement to make all recipient payments electronically.

Real Property Matters

- 1.12 Take all necessary actions to acquire, by purchase, lease, or otherwise, real property interests; take necessary additional action following the initiation of condemnation proceedings and the execution of declarations of taking; and exercise all authority of the Secretary regarding the management and disposal of Departmental real property, including the acceptance by donation of real property. This authority does not extend to initiation of condemnation proceedings or execution of declarations of taking.
- 1.13 In reference to the acquisition of easements for the Strategic Petroleum Reserve, acquire easements necessary for the construction and operation of the Strategic Petroleum Reserve, including the authority to acquire easements by condemnation, to exercise such authority as the Secretary has to condemn without prior negotiations, to execute all documents, including declarations of taking, in connection with such proceedings, and to exercise the Secretary's authority to take such other actions in connection with such proceedings as may be necessary and appropriate, subject to the following limitations:
 - A. For acquisition of easements in conjunction with the construction of pipelines and service roads for the enhancement of petroleum distribution from the Bryan Mound, West Hackberry, Big Hill and Bayou Choctaw storage facilities of the Strategic Petroleum Reserve, the purchase price, or the appraised value in the event of condemnation, of each tract to be acquired may not exceed \$2,000,000; and
 - B. For the acquisition of all other easements in conjunction with the Strategic Petroleum Reserve, the purchase price, or the appraised value in the event of condemnation, of each tract to be acquired may not exceed \$250,000.

Human Resources Administration

- 1.14 Approve Federal labor-management agreements.
- 1.15 Approve personnel actions involving positions at the GS-15 level and below or equivalent in the competitive and excepted service.
- 1.16 Approve personnel actions involving positions above the GS-15 or equivalent level not requiring Executive Resources Board approval.
- 1.17 Approve personnel actions relating to the appointment of experts and consultants pursuant to section 3109 of title 5 of the United States Code (Schedule A Authority).
- 1.18 Establish rates of basic pay and premium pay for Dispatchers of the Western Area Power Administration in accordance with the provisions of Title III of Public Law 99-141 and Dispatchers of the Southeastern Power Administration in accordance with the provisions of Title I of Public Law 100-71.
- 1.19 Approve developmental or training assignments external to the Department of Energy (DOE or Department) of one year or less.
- 1.20 Under 5 U.S.C. 2903, administer the oath of office and execute appointment affidavits for all appointments for the DOE, including appointments in the National Nuclear Security Administration.
- 1.21 Under section 3136 of the National Defense Authorization Act for FY 2001, provide transition incentives to eligible Federal employees at closure project facilities. The authority to determine and approve appropriate incentives for Federal employees under their jurisdiction, may be redelegated to the Manager for the Ohio Field Office and the Manager for the Rocky Flats Field Office. The Director may redelegate to the Assistant Secretary for Environmental Management the authority to grant waivers for any employee pursuant to section 3136(f)(3) of the Act, and the authority to enter into incentive agreements with the Managers of Ohio Field Office and Rocky Flats Field Office, if such agreements are deemed appropriate.
- 1.22 Under Public Law 101-12 (5 U.S.C. 3352), exercise the functions granted regarding giving preferences to employees who have had a prohibited personnel action taken against them. This authority may not be delegated further.

Procurement and Assistance Management

- 1.23 Enter into, approve, administer, modify, close-out, terminate and take such other actions as may be necessary and appropriate with respect to any financial assistance agreement, sales contract, or similar transaction, whether or not binding the DOE to the obligation and expenditure of public funds. Such action shall include the rendering of approvals, determinations, and decisions, except those required by law or regulation to be made by other authority.
- 1.24 Acquire, manage, and dispose of personal property held by the Department for official use by its employees or contractors.
- 1.25 Serve as deciding official for all appeals from an initial challenge decision under the Federal Activities Inventory Reform Act of 1998 (Public Law 105-270, 31 U.S.C. 501 note). This authority may not be delegated further.

General Administration

- 1.26 Administer the Departmental Directives System.
 - 1.27 Designate the Department's Freedom of Information Act and Privacy Act Officers.
 - 1.28 Administer the Working Capital Fund.
- 2. RESCISSION. Delegation Orders 0204-23, Amendment 2; 0204-145; 0204-178 and 0204-182 are hereby rescinded.
 - 3. LIMITATION.
 - 3.1 In exercising the authority delegated in this Order, a delegate shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary or delegate(s).
 - 3.2 Nothing in this Order precludes the Secretary from exercising any of the authority delegated by this Order.
 - 3.3 Nothing in this Order shall be construed to supersede or otherwise interfere with the authorities provided to the Administrator for Nuclear Security by law or by delegation. Furthermore, nothing herein constitutes authority to exercise authority, direction, or control of an employee of the National Nuclear Security Administration or its contractors. At the same time, nothing herein constrains the Chief Financial Officer's authority under the Chief Financial Officers Act of 1990 to provide policy guidance and oversight of the Department's financial management personnel, activities, and operations.

3.4 Authorities provided in this Order in the areas of Human Resources Administration, Procurement Assistance Management and General Administration are provided to the Director of the Office of Management, Budget and Evaluation on a nonexclusive basis for all Departmental elements, except the National Nuclear Security Administration and the Federal Energy Regulatory Commission (unless specifically stated otherwise).

3.5 Any amendments to this Order shall be in consultation with the Department of Energy General Counsel.

4. AUTHORITY TO REDELEGATE.

4.1 Except as expressly prohibited by law, regulation, or this Order, the Director of the Office of Management, Budget and Evaluation may delegate this authority further, in whole or in part.

4.2 Copies of redelegations and any subsequent redelegations shall be provided to the Office of Management and Operations Support, which manages the Secretarial Delegations of Authority system.

5. DURATION AND EFFECTIVE DATE.

5.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are ratified and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.

5.2 This Order is effective December 6, 2001.



Spencer Abraham
Secretary of Energy