




The Secretary of Energy
Washington, D.C. 20585

September 10, 2007

MEMORANDUM FOR HEADS OF DEPARTMENTAL ELEMENTS

FROM: SAMUEL W. BODMAN 

SUBJECT: Principles Governing Departmental Directives

The Department of Energy uses directives as its primary means to establish, communicate, and institutionalize policies, requirements, and procedures for Departmental Elements and, in some instances, our contractors. Directives help ensure that the Department operates in a safe, secure, efficient, and cost-effective manner. They promote operational consistency throughout the DOE complex, foster sound management, and facilitate achievement of DOE's strategic goals.

While directives provide an effective means of promulgating requirements, they must be used judiciously to promote rather than stifle productivity, accountability, and innovation. In developing directives, we must devote sufficient care and attention to ensure that their objectives are accomplished without being unclear, overly prescriptive, duplicative, or contradictory.

To improve the existing system of directives, the following principles will be applied to simplify and clarify directives, reduce unnecessary burden, and ensure that directives support improved departmental management and mission accomplishment.

- What vs. How: Directives shall be written clearly and will specify the goals and requirements that must be met and, to the extent possible, refrain from mandating *how* to fulfill the goals and requirements, thus increasing emphasis on results. However, it will sometimes be necessary to specify *how* requirements are to be met in directives that cover high risk functions such as safety and security or areas that require consistency such as financial reporting and information technology.
- Duplication of Laws, Regulations, or National Standards: Departmental directives shall not duplicate or be inconsistent with applicable laws or regulations. To the extent possible, directives also should be written so that they are consistent with or incorporate widely accepted national standards.
- Improved Planning: The need for a new directive or a major revision to an existing directive must be confirmed early in the planning process. Organizations developing a directive will also assess the inherent risk or particular need for consistency to determine the degree of prescription required. The estimated financial impact of proposed directives will be determined, as appropriate, and factored into the decision-



making process. Program offices with oversight for affected contractors will establish procedures for soliciting the views of those contractors on proposed directives early in the planning process.

- Applicability and Tailoring: Organizations developing a directive are responsible for identifying specifically which Departmental Elements need to be covered by the proposed directive. These organizations should not approach development of directives from a “one size fits all” perspective. Departmental Elements and contractors covered by directives should make full use of tailoring and/or waiver provisions, as appropriate, to avoid unnecessary burden.
- Impasse Process: Understanding that consensus is not always possible, in instances where consensus among relevant Departmental Elements on a proposed directive is not achieved expeditiously, the established impasse process will be used to resolve differences. Issues that cannot be resolved quickly will be elevated to the Deputy Secretary for decision. Dissenting views on directives will also be included in the review packages to ensure that the Department’s senior leadership is aware of differing positions.
- Unofficial Guidance: On-going requirements that cross organizational lines and apply to contractors, but that have not been reviewed and adopted through the formal directives process, will be developed and promulgated through that process. To the extent possible, program offices, including field offices, should refrain from supplementing directives with additional guidance.

Improving departmental directives is important and will require the personal involvement of senior managers to ensure that views expressed by Departmental Elements reflect the position of the Heads of Departmental Elements. This will require your cooperation and active participation in this critical initiative.

I have directed the Office of Management to establish a process to review existing and proposed directives to ensure that they are written and managed in accordance with the principles outlined in this memorandum. Additional information will be provided by the Office of Management in the near future. In the meantime, please contact Ingrid Kolb, Director, Office of Management, with any questions.