DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 00-010.00
TO THE CHIEF HUMAN CAPITAL OFFICER

1. DELEGATION. Under the authority vested in me as the 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 Department of Energy's (DOE) Chief Human Capital Officer the authority to take the following actions:

1.1 Under 5 U.S.C. 7114 (c) approve all Federal labor management agreements, including employee negotiated agreements, renegotiations, supplements, and other related agreements.

1.2. Consult with and request determination of eligibility from the Office of Personnel Management for employment of any employee who has been removed from another agency under 5 U.S.C. 7312.

1.3 Approve personnel actions involving positions at the GS-15 level and below or equivalent in the competitive and excepted service.

1.4 Approve personnel actions involving positions above the GS-15 or equivalent level not requiring Executive Resources Board approval.

1.5 Approve personnel actions relating to the appointment of experts and consultants pursuant to 5 U.S.C. 3109 (Schedule A Authority).

1.6 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.

1.7 Approve developmental or training assignments external to DOE of one year or less.

1.8 Under 5 U.S.C. 2903, administer the oath of office and execute appointment affidavits for all appointments for DOE, including appointments in the National Nuclear Security Administration.

1.9 Under section 3136 of the National Defense Authorization Act for FY 2001, provide transition incentives to eligible Federal employees at closure project facilities. The Chief Human Capital Officer may redelegate to the Assistant Secretary for Environmental Management the authority to grant waivers for any employee pursuant to section 3136(f)(3) of that Act, and the authority to enter into incentive agreements, if such agreements are deemed appropriate by the Assistant Secretary for Environmental Management.

1.10 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, except to the Deputy Chief Human Capital Officer or the Director, Office of Human Capital Management.

1.11 Under Public Law 107-107 (5 U.S.C. 5547(b)), waive the biweekly limitation on General Schedule premium pay for emergency situations or work that is critical to the mission of DOE. If provided for by statute, waive the limitation on total compensation of an employee for work while in an overseas location in direct support of or directly related to a military operation (including a contingency operation).

2. RESCISSION. None.

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 of Energy or delegate(s).

3.2 Nothing in this Order precludes the Secretary of Energy 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 Under Secretary 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.

3.4 Authorities in this Order are provided to the Chief Human Capital Officer 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 Chief Human Capital Officer 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, 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 SEP 2 7 2007.

Samuel W. Bodman
Secretary of Energy