

DEPARTMENT OF ENERGY  
DELEGATION ORDER NO. 00-030.00  
TO THE DIRECTOR OF THE OFFICE OF SECURITY

1. DELEGATION. Under the authority vested in me as Secretary of Energy by the President pursuant to Executive Order No. 12958 of April 17, 1995, entitled "Classified National Security Information," section 203 of Executive Order No.12829 of January 6, 1993, entitled "National Industrial Security Program," section. 6.1 of Executive Order No. 12968 of August 2, 1995, entitled "Access to Classified Information," section 642 of the Department of Energy Organization Act (Public Law 95-91, 42 U.S.C. 7252), and sections 141 through 148 of the Atomic Energy Act of 1954, as amended, I delegate to the Director, Office of Security, the authority to:
  - 1.1 Act as Senior Agency Official responsible for the direction and administration of the Department of Energy (DOE or Department) information security program (Executive Order No.12958, section 5.6(c)).
  - 1.2 Make determinations of trustworthiness and establish controls to ensure that classified information is used, processed, stored, reproduced, transmitted, and destroyed only under conditions that will provide adequate protection and prevent access by unauthorized persons (Executive Order No.12958, section 4.2 (a) through (h)). This authority may be delegated to the Deputy Director, Office of Security, who may not further delegate such authority.
  - 1.3 Exercise all other authorities vested in me under Executive Order No.12958 and in any implementing directives issued pursuant to section 5.3(b)(1), except for:
    - A. the authority specified in section 1.4(c)(2) pertaining to delegations of "Top Secret" original classification authority;
    - B. the authority specified in section 4.4(a) pertaining to establishment of special access programs;
    - C. the authority specified in section 4.4(b)(2) pertaining to establishment and maintenance of a system of accounting for special access programs consistent with directives issued pursuant to the Executive Order;
    - D. any authority which has been or may be delegated to me by the Secretary of Defense in furtherance of the provisions of section 3.5(c) of the Executive Order pertaining to establishment of special procedures for systematic review for declassification of classified cryptologic information;
    - E. any authority which has been or may be delegated to me by the Director of Central Intelligence in furtherance of the provisions of section 3.5(c) of the Executive Order pertaining to establishment of special procedures for

systematic review for declassification of classified information pertaining to intelligence activities (including special activities), or intelligence sources or methods; and

- F. the authority specified in section 6.1(b) to request of the Attorney General an interpretation of the Executive Order with respect to any question arising in the course of its administration.
- 1.4 Make determinations pursuant to section 145b. of the Atomic Energy Act of 1954, as amended, permitting an individual access to Restricted Data prior to review of completed investigation if such access is clearly consistent with the national interest (section 145b. of the Atomic Energy Act of 1954, as amended). This authority may be delegated to the Deputy Director, Office of Security who may not further delegate such authority.
  - 1.5 Issue subpoenas, in accordance with the provisions of section 161c. of the Atomic Energy Act (section 161c. of the Atomic Energy Act of 1954, as amended).
  - 1.6 Classify, declassify, and transclassify Restricted Data and classify and declassify Formerly Restricted Data as provided in section 142 of the Atomic Energy Act (section 142 of the Atomic Energy Act of 1954, as amended).
  - 1.7 For Headquarters and all non-National Nuclear Security Administration Field activities, authorize Department employees and contractor employees to carry firearms and make arrests without warrant (section 161k. of the Atomic Energy Act of 1954, as amended).
  - 1.8 Make the final determination concerning appeals involving the denial of requests made under the Freedom of Information Act for classified information or the denial of requests for information made under the Freedom of Information Act falling within the scope of section 148 of the Atomic Energy Act of 1954, as amended, pursuant to 10 CFR 1004.8(f) (The Freedom of Information Act, 5 U.S.C., section 552, paragraph (a)(6)(A)).
  - 1.9 Act as Senior Agency Official responsible for the direction and administration of the DOE implementation and compliance with the National Industrial Security Program (Executive Order No.12829, section 203(a)).
  - 1.10 Under section 1.4 of Executive Order No.12958, entitled “Classified National Security Information,” the authority to originally classify information as Top Secret, Secret, and Confidential (which also includes the authority to derivatively classify documents or material based on classification guides or source documents). This authority is also delegated to (or, in their absence, those persons acting in their stead):

- A. Deputy Director, Office of Security
- B. Director, Information Classification and Control Policy Staff
- C. Director, Office of Classified and Controlled Information Review

This authority may not be further delegated, with the exception of the authority to classify information originally as Secret or Confidential which may be delegated by the Director, Office Security, consistent with the terms of Executive Order No.12958.

- 1.11 Act as Senior Agency Official responsible for the direction and administration of the DOE personnel security program (Executive Order No.12968, section 6.1(a)).
- 2. RESCISSION. Delegation Order 0204-154 and 0204-156 are hereby rescinded.
- 3. LIMITATION.
  - 3.1 In exercising the authorities 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.
  - 3.4 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, Office of Security may delegate this authority further, in whole or in part, consistent with the terms of the Executive Orders and the Atomic Energy Act of 1954, as amended.
  - 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 Authorities 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.



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Spencer Abraham  
Secretary of Energy