

[RESCINDED]

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 0204-74
TO THE DIRECTOR, PROCUREMENT AND
CONTRACTS MANAGEMENT DIRECTORATE

Pursuant to the authority vested in me as Secretary of Energy ("Secretary") and by Section 101(c) of the Defense Production Act of 1950, as amended, Bureau of Domestic Commerce Delegation 4, 41 FR 52331, and Section 642 of the Department of Energy Organization Act (Pub. L. 95-91), there is hereby delegated on an exclusive basis to the Director, Procurement and Contracts Management Directorate, the authority to:

1. Determine that utilization of the authority contained in Section 101(c) of the Defense Production Act of 1950, as amended, will "maximize domestic energy supplies," as contemplated by Section 2(b) of Defense Mobilization Order 13. This determination will be made after consultation with the General Counsel and the Assistant Secretary, Policy and Evaluation.
2. Find that certain supplies of material or equipment are critical and essential to maintain or to increase exploration for energy supplies or their production, refining, transportation or conservation or to construct and to maintain energy facilities, as described in Section 101(c) (3)(A) of the Defense Production Act of 1950, as amended. This authority was delegated to the Secretary by Executive Order 11912, in Defense Mobilization Order No. 13, and Bureau of Domestic Commerce Delegation No. 4.

The authority delegated to the Director, Procurement and Contracts Management Directorate by this Order shall not be delegated, in whole or part.

In exercising the delegated by this Order the delegatee shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary or his delegate.

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 hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended or superseded.

Nothing in this Order shall preclude the Secretary from exercising any of the authority so delegated whenever in his judgment his exercise of such authority is necessary or appropriate to administer the functions vested in him.

This Order is effective October 10, 1980.

_____/s/
Charles W. Duncan, Jr.
Secretary