

DEPARTMENT OF ENERGY
REDELEGATION ORDER NO. 00-001.06
TO THE CHIEF HUMAN CAPITAL OFFICER

1. DELEGATION. Under the authority vested in me as Deputy 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 section 643 of the Department of Energy Organization Act (42 U.S.C. 7253), establish, alter, consolidate, or discontinue such second tier or below organizational units or components within the Chief Human Capital Officer's assigned programs and organizational elements as the Chief Human Capital Officer may deem to be necessary or appropriate.
 - A. In exercising this authority, or as redelegated pursuant thereto, the Chief Human Capital Officer will be limited by approved budgets, staffing level allocations, and Senior Executive Service and other executive resource position allocations. Organizational changes shall not be announced or implemented until appropriate union coordination and other pre-release clearances have been obtained.
 - B. This authority does not include approval of additions, deletions, or transfers of mission and functions of or between Departmental Headquarters or Field Elements, which authority is reserved to the Secretary.
 - C. The authority to alter or consolidate second tier or below organizational elements may be redelegated, in whole or in part, consistent with the terms of the Department of Energy Organization Act, to an official or officials one level below the Head of the Departmental Element.
 - D. The authority to establish or discontinue organizational elements at the second tier or below may not be redelegated.
 - 1.2 Under 5 U.S.C. 7114 (c) approve all Federal labor management agreements, including employee negotiated agreements, renegotiations, supplements, and other related agreements.
 - 1.3 Consult with and request determination of eligibility from the Office of Personnel Management for employment of an employee who has been removed from another agency under 5 U.S.C. 7312.

- 1.4 Approve personnel actions involving positions at the GS-15 level and below or equivalent in the competitive and excepted service.
- 1.5 Approve personnel actions involving positions above the GS-15 or equivalent level not requiring Executive Resources Board approval.
- 1.6 Approve personnel actions relating to the appointment of experts and consultants pursuant to 5 U.S.C. 3109 (Schedule A Authority).
- 1.7 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 Southwestern Power Administration in accordance with the provisions of title I of Public Law 100-71.
- 1.8 Approve develop and evaluate training and development programs and associated procedures pursuant to 5 U.S.C. Chapter 41 and 5 C.F.R. Part 410. As set forth in C.F.R. 410.302(b)(1), this authority does not include authorizing training for officials appointed by the President.
- 1.9 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.
- 1.10 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.
- 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 premium pay limitations in 5 U.S.C. 5547 on total compensation for an employee who performs work while in an overseas location in direct support of, or directly related to a military operation, including a contingency operation, or an operation in response to a national emergency declared by the President.
- 1.12 Approve dual compensation (salary off-set) waivers pursuant to section 1122 of the National Defense Authorization Act of Fiscal Year 2010 (Public Law 111-84; October 28, 2009).
- 1.13 Pursuant to 5 U.S.C. 3307 and DOE P 310.1, approve exemptions to the maximum entry age up to the age of 40 in cases where an organization can demonstrate critical needs or skill shortages, and grant exemptions from the mandatory separation age up to age 60 for special cases in which continuation

of the employee's services promotes the needs of the organization and retention of the incumbent's services clearly serves the public interest.

- 1.14 Pursuant to 5 U.S.C. 5753(a)(1)(B) and 5 C.F.R. Part 575, request that the Office of Personnel Management approve a category of employees to be eligible for recruitment and relocation incentives for pay plans other than GS.
- 1.15 Pursuant to 5 U.S.C. 5754(a)(1)(B) and 5 C.F.R. Part 575, request that the Office of Personnel Management approve a category of employees to be eligible for retention incentives for pay plans other than GS.
- 1.16 Pursuant to 5 U.S.C. 7906(b), provide for the assignment of a post-combat case coordinator in the case of any employee of the agency who suffers an injury or disability incurred, or an illness contracted, while in the performance of such employee's duties, as a result of a war-risk hazard or during or as a result of capture, detention, or other restraint by a hostile force or individual.
- 1.17 Pursuant to 5 U.S.C. 3307(e)(2)(A), in the case of the conversion of an agency function from performance by a contractor to performance by an employee of the agency, in consultation with the Director of the Office of Personnel Management, waive any maximum limit of age, determined or fixed for positions within the agency under 5 U.S.C. 3307(e)(1), if necessary in order to promote the recruitment or appointment of experienced personnel.
- 1.18 Pursuant to 5 C.F.R. 352.306, provide recommendations to the Secretary of State, who determines it to be in the national interest, to extend a detail beyond 5 years allowed for details. In such instances, details may be extended for up to an additional 3 years. This authority may be delegated only to the Deputy Chief Human Capital Officer.
- 1.19 Pursuant to 5 C.F.R. 352.308, authorize the transfer of an employee to an international organization for any period not to exceed 5 years, except when the Secretary of State determines it to be in the national interest, a period of employment by transfer may be extended for up to an additional 3 years. This authority may be delegated only to the Deputy Chief Human Capital Officer.
- 1.20 Pursuant to 5 U.S.C. sections 8336a(b)(1) and 8412a(b)(1), 5 C.F.R. Parts 831 and 848, and the DOE Executive Resources Board and Senior Management Review Board Charters, concur on employees' requests to enter phased retirement status.
2. RESCISSION. DOE Delegation Order No. 00-002.13 is 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 of Energy or delegate(s).
- 3.2 Nothing in this Order precludes the Secretary of Energy or the Deputy 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 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 OCT 22 2010.



Dan Brouillette
Deputy Secretary of Energy