

DEPARTMENT OF ENERGY
REDELEGATION ORDER NO. 00-002.14
TO THE CHIEF INFORMATION OFFICER

1. **DELEGATION.** Pursuant to section 202(b) of the of the Department of Energy Organization Act (Public Law 95-91, 42 U.S.C. 72132(b)) and the Secretary of Energy's Delegation Order to the Under Secretary (for Management and Performance), I delegate to the Chief Information Officer (CIO) the authority to take the following actions:
 - 1.1 Under section 5123 of the Information Technology Management Reform Act of 1996, Public Law 104-106, "Performance and Results-Based Management," institutionalize performance and results-based management for information technology in coordination with the Senior Secretarial Officers of the Department of Energy (DOE or Department). In fulfilling this responsibility, the CIO shall
 - A. Establish goals for improving the efficiency and effectiveness of DOE operations and, as appropriate, the delivery of services to the public through the effective use of information technology;
 - B. Prepare an annual report on the progress in achieving the goals;
 - C. Prepare, for issuance by me or by the Deputy Secretary, guidance in the form of directives (policy, orders, manuals, and guidelines) that:
 1. Provides guidelines for performance measurements for information technology used by, or to be acquired for, the Department that measure how effectively information technology supports programs of the Department;
 2. Where comparable processes exist in the public or private sectors, benchmarks DOE process performance against such processes to improve cost, speed, productivity, and quality of outputs and outcomes;
 3. Analyzes DOE missions and recommend revised DOE mission-related and administrative processes (business process reengineering) before making significant investments in information technology; and
 4. Ensures that the information security policies, procedures, and practices of the DOE are adequate.

- 1.2 Under section 5122 of Public Law 104-106, "Capital Planning and Investment Control," design and implement, in coordination with DOE Chief Financial Officer, a process for maximizing the value and assessing and managing the risks of DOE information technology investments. The process shall:
 - A. Provide for the selection of information technology investments to be made by the Department, the management of such investments, and the evaluation of the results of such investments;
 - B. Integrate the information technology (IT) investment process with the budget, financial, and program management decisions within the Department;
 - C. Establish minimum criteria to be applied in considering whether to undertake a particular IT investment, including criteria related to the risk-adjusted return on investment and criteria for comparing and prioritizing alternative information technology investment projects;
 - D. Provide for identifying information technology investments that would result in shared benefits or costs for other Federal agencies or State or local governments; and
 - E. Provide the means for senior management of the Department to obtain timely information regarding the progress of an investment, including a system for measuring progress against planned major milestones, on an independently verifiable basis, in terms of cost, capability of the investment to meet specified requirements, timeliness and quality.
- 1.3 Under section 5124 of Public Law 104-106, "Acquisition of Information Technology," acquire information technology as authorized by law and to enter into a contract that provides for multi-agency acquisitions of information technology and guidance issued by the Director of the Office of Management and Budget.
- 1.4 Under section 5126 of Public Law 104-106, "Accountability," establish policies and procedures, in consultation with the Secretary of Energy and the Chief Financial Officer, to:
 - A. Ensure that accounting, financial, and asset management systems and other information systems of the Department of Energy are designed, developed, maintained, and used effectively to provide financial or program performance data for financial statements of the Department; and

- B. Ensure that financial and related performance data are provided on a reliable, consistent, and timely basis to DOE financial management systems.
- 1.5 Under section 5127 of Public Law 104-106, "Significant Deviations," identify in the strategic information resources management plan, any major information technology acquisition program, or any phase or increment of such a program, that has significantly deviated from the cost, performance, or scheduled goals established for the program.
- 1.6 Under section 301(b) of Public Law 107-347, "Federal Information Security Management Act of 2002" (FISMA), 44 U.S.C. 3544(a)(3), ensure compliance with the requirements of FISMA, including:
- A. Designating a senior agency information security officer who shall carry out the CIO's responsibilities under FISMA; possess professional qualifications, including training and experience, required to administer the functions described in sub-sections B.-E. of this section 1.6; have information security duties as that official's primary duty; and head an office with the mission and resources to assist in ensuring DOE compliance with this section 1.6;
 - B. Developing and maintaining a DOE-wide information security program;
 - C. Developing and maintaining information security policies, procedures, and control techniques to address all applicable requirements, including those issued under 44 U.S.C. 3543 and 40 U.S.C. 11331;
 - D. Training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and
 - E. Assisting senior DOE officials concerning their responsibilities to provide information security for the information and information systems that support the operations and assets under their control.
- 1.7 Under section 1062 of the National Security Intelligence Reform Act of 2004 (Publ. L. 108-458), as amended by section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Pub. L. 110-53; 42 U.S.C.2000ee-1, designate the Department's Privacy Act Officers.

- 1.8 Exercise the Secretary's authority to approve the use of persistent cookies for Department of Energy web sites in accordance with guidance issued by the Office of Management and Budget.
- 1.9 Under 44 U.S.C. 3102, establish and maintain an active, continuing program for the economical and efficient management of the records of the agency.
- 1.10 Establish, alter, consolidate or discontinue such organizational units or components within assigned organizational elements as deemed to be necessary or appropriate.
 - A. In exercising this authority, or as redelegated pursuant thereto, delegates 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 additional, deletion, or transfer of mission and functions of or between Departmental Headquarters or Field Elements, which authority is reserved to the Secretary.
 - C. Heads of Departmental Headquarters Elements may delegate the authority to alter or consolidate organizational elements further, 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 Headquarters or Field Element.
 - D. The authority to establish or discontinue organizational elements at the first or second level below the Head of the Departmental Headquarters or Field Element may not be redelegated.
 - E. Acting Heads of Departmental Headquarters or Field Elements may not redelegate these authorities and may only establish, alter, consolidate or discontinue organizational units at the third level and below. During the tenure of an acting Head of a Departmental Headquarters or Field Element, organizational units below the Head of the Departmental Headquarters and Field Elements may not exercise redelegations granting the authority to alter or consolidate units.

2. RESCISSION. Delegation Order No. 00-031.00A 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 or delegate(s).
- 3.2. Nothing in this Order precludes the Secretary or the Under Secretary (for Management and Performance) 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 Chief Information 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 _____.

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Ernest J. Moniz
Secretary of Energy