

DEPARTMENT OF ENERGY
NATIONAL NUCLEAR SECURITY ADMINISTRATION
DESIGNATION OF AUTHORITY AND
(RE)DELEGATION OF AUTHORITY ORDER NO. 00-003.01
TO THE DIRECTOR, OFFICE OF PROCUREMENT
AND ASSISTANCE MANAGEMENT

1. DESIGNATION. Under the authority vested in me under Section 3212 of the National Nuclear Security Administration (NNSA) Act (50 U.S.C. 2402), you are hereby designated as the Senior Procurement Executive (as defined by 41 U.S.C. 414 and Executive Order No. 12931 "Federal Procurement Reform," October 13, 1994) for the NNSA. As Senior Procurement Executive you have the responsibility and the authority to provide overall management direction of the Administration's procurement system; oversee development of procurement goals, guidelines, and innovation; measure and evaluate procurement office performance against stated goals; and enhance career development of the procurement workforce. This authority may not be redelegated. As Senior Procurement Executive you are authorized to approve justifications for other than full and open competition in the case of a contract for an amount exceeding \$50,000,000, without further delegation (41 USC 253(f)).
2. DELEGATION. Under the authority vested in me under Section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402), I delegate to the NNSA Director, Office of Procurement and Assistance Management, authority to take the following actions:
 - 2.1 Designate Heads of Contracting Activities, without further delegation, subject to such thresholds and other limitations as may be appropriate (48 CFR 1.601, 48 CFR 901.601).
 - 2.2 Designate a Senior Competition Advocate to perform the duties required by the Competition in Contracting Act of 1984, Public Law 98-369 (41 USC 418, 48 CFR 6.501, 48 CFR 906.501). This authority may not be redelegated.
 - 2.3 Designate a task and delivery order ombudsman to perform the duties required by the Federal Acquisition Streamlining Act of 1994 (Title I, section 1054(a), Public Law 103-355, 41 U.S.C. 253j(e)).
 - 2.4 Designate a program manager to implement an electronic commerce capability for the Administration who shall report directly to the Senior Procurement Executive (41 U.S.C. 252c).
 - 2.5 Assign contracting functions and responsibilities to another agency, and create joint or combined offices with another agency to exercise acquisition functions, without further delegation (41 U.S.C. 261, 48 C.F.R. 1.601, 48 C.F.R. 901.601).

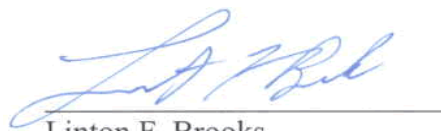
- 2.6 Enter into, approve, administer, modify, close-out, terminate, and take such other actions as may be necessary and appropriate with respect to any procurement transaction binding the National Nuclear Security Administration to the obligation and expenditure of public funds. (50 U.S. 2402).
- 2.7 Approve extraordinary contractual actions, not to exceed \$50,000 to facilitate the national defense, pursuant to Public Law 85-804 and Executive Order No. 10789 (48 CFR. 50.201).
- 2.8 Sign applications for permits to procure tax-free spirits from a distilled spirits plant for nonbeverage purposes for use by the Administration, as authorized by 26 U.S.C. 5271.
- 2.9 Determine whether to utilize the authority contained in section 101(a) of the Defense Production Act of 1950, 50 U.S.C. App. 2071(a)(1994), priority contracting authority to expedite procurement actions to promote National Defense. This determination will be made after consultation with the NNSA General Counsel and the DOE Assistant Secretary for Policy and International Affairs.
- 2.10 Acquire, manage, and dispose of personal property held by the Administration for official use by its employees or contractors.
- 3. RESCISSION. ~~Delegation Orders 0204-175.1 and 0204-175.1A are hereby rescinded.~~
(None.)
- 4. LIMITATION.
 - 4.1 In exercising the authority delegated in this Order, a delegate is governed by the applicable rules and regulations of the Department of Energy and the policies and procedures of the Secretary.
 - 4.2 Nothing in this order precludes the Secretary from disapproving any Administration-specific policy or exercising any of the authority delegated by this Order whenever in the Secretary's judgement the exercise of that authority is necessary or appropriate to administer the functions vested in the Secretary.
 - 4.3 The authorities delegated by this Order shall only be exercised with regard to NNSA employees, contractors, or activities.
 - 4.4 Any amendments to this Order shall be in consultation with the NNSA General Counsel

5. AUTHORITY TO REDELEGATE.

- 5.1 Except as expressly prohibited by law, regulation, or this Order, the NNSA Director, Office of Procurement and Assistance Management may delegate this authority further, in whole or in part.
- 5.2 Copies of redelegations and any subsequent redelegations may be provided to the Office of Management and Operations Support Communications, which manages the Secretarial Delegations of Authority system.

6. DURATION AND EFFECTIVE DATE.

- 6.1 All actions taken under any authority delegated before this Order or under any authority delegated by this Order before 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.
- 6.2 This Order is effective October 28, 2002



Linton F. Brooks
Acting Administrator
National Nuclear Security Administration