

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 00-040.00
TO THE CHIEF HUMAN CAPITAL OFFICER

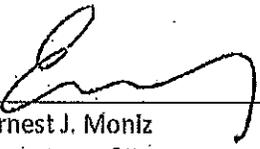
1. DELEGATION. Under the authority vested in me as Secretary of Energy and pursuant to section 642 of the Department of Energy Organization Act (Pub. L. 95-91), I hereby delegate to the Chief Human Capital Officer the authority to take the following actions:
 - 1.1 Exercise appointing authority, as that term is used in 5 USC § 3393, for Executive Resources Board (ERB) decisions consistent with the ERB Charter.
 - 1.2 Serve as Chair of the ERB.
 - 1.3 As the ERB Chair, you are delegated authority to ensure DOE's executive-level performance management systems adhere to the certification criteria in accordance with 5 CFR 430.404(a)(6)(i), (ii) and (iii).
2. RESCISSION. None.
3. LIMITATION.
 - 3.1 In exercising the authority delegated in this Delegation 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.
 - 3.2 Authorities in this delegation are provided to the Chief Human Capital Officer on a nonexclusive basis for all Departmental Elements except the Federal Energy Regulatory Commission and the Inspector General.
 - 3.3 The exercise of these authorities shall be governed by applicable rules and regulations and Departmental policies and procedures, including approvals or concurrences as may be required by such entities as the Deputy Secretary and the U.S. Office of Personnel Management.
 - 3.4 Nothing in this delegation precludes the Secretary or the Deputy Secretary from exercising any of the authority delegated by this memorandum.
 - 3.5 Nothing in this Order shall be construed to supersede or otherwise interfere with the authorities provided to the Under Secretary for Nuclear Security and National Nuclear Security Administration by law or by delegation. Furthermore, nothing herein constitutes an authority to exercise authority, direction, or control of an employee of the National Nuclear Security Administration or its contractors.
 - 3.6 Any amendments to this Delegation Order shall be made after consultation with the Department of Energy General Counsel.

4. AUTHORITY TO REDELEGATE.

- 4.1 Except as expressly prohibited by law, regulation or this delegation, this authority may be further delegated, with the exception of your designation as Chair of the ERB, which may not be delegated further except to the Deputy Chief Human Capital Officer or the Director, Office of Human Capital Management.
- 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. EFFECTIVE DATE.

- 5.1 All actions pursuant to any authority delegated prior to this memorandum or pursuant to any authority delegated by it taken prior to and in effect on the date of this memorandum are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this memorandum, unless or until rescinded, amended or superseded.
- 5.2 This Order is effective 12/11/15.


Ernest J. Moniz
Secretary of Energy