

DEPARTMENT OF ENERGY
REDELEGATION ORDER S2-DEL-HC1-2021
TO THE CHIEF HUMAN CAPITAL OFFICER

1. REDELEGATION. 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 the employment of an individual who has been removed from another agency under 5 U.S.C. 7312.

- 1.4 Approve personnel actions involving positions at or below the GS-15 level or equivalent in the competitive and excepted service.
- 1.5 Approve personnel actions involving positions above the GS-15 level or equivalent 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 hiring authority).
- 1.7 Establish rates of basic pay and premium pay for Dispatchers of the Southeastern Power Administration, Southwestern Power Administration, and Western Area Power Administration in accordance with the provisions of Title III of Public Law 99-141, the provisions of Title I of Public Law 100-71, and Public Law 116-94, Division C, Title III.
- 1.8 Approve, develop, and evaluate training and development programs and associated procedures pursuant to 5 U.S.C. Chapter 41 and 5 CFR Part 410. As set forth in 5 CFR 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 to DOE, including appointments in the National Nuclear Security Administration.
- 1.10 Under Public Law 101-12 (5 U.S.C. 3352), exercise the authority to give preference in transfers for employees who have had prohibited personnel actions 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 for Fiscal Year 2010, as amended by Public Law 111-84; October 28, 2009.
- 1.13 Pursuant to 5 U.S.C. 3307, 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 to the mandatory separation age, up to the age of 60, for special cases in which continuation of the employee's

services promotes the needs of the organization and clearly serves the public interest.

- 1.14 Pursuant to 5 U.S.C. 5753(a)(1)(B) and 5 CFR 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 CFR 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 CFR 352.306, provide recommendations to the Secretary of State to extend a detail beyond the five years allowed for details. In such instances, a detail may be extended for up to an additional three years if determined to be in the national interest. This authority may be delegated only to the Deputy Chief Human Capital Officer.
- 1.19 Pursuant to 5 CFR 352.308, authorize the transfer of an employee to an international organization for any period not to exceed five years, except that 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 three years. This authority may be delegated only to the Deputy Chief Human Capital Officer.
- 1.20 Pursuant to 5 U.S.C. §§ 8336a(b)(1) and 8412a(b)(1), 5 CFR Parts 831 and 848, and the DOE Executive Resources Board Charter, concur on employees' requests to enter phased retirement status.
- 1.21 Under Public Law 117-58, determine there is a severe shortage of candidates or a critical hiring need for particular positions performing duties related to the Infrastructure Investment and Jobs Act, 2021. Upon such determination, recruit

and directly appoint, from within funds provided by the Infrastructure Investment and Jobs Act, highly qualified individuals into the competitive service. Any action taken pursuant to this authority shall be consistent with the merit system principles of 5 U.S.C. § 2301, and shall comply with the public notice requirements of 5 U.S.C. § 3327. This authority does not apply to positions in the Excepted Service or the Senior Executive Service. This authority may not be redelegated.

- 1.22 Pursuant to Executive Order 13833 and 5 CFR 337.204(d), determine there is a severe shortage of candidates, or a critical hiring need exists for Information Technology (IT) positions. Upon such determination, recruit and directly appoint IT positions classified in the general schedule (GS) 2210 occupational series to address hiring challenges beyond IT positions related to information security. Any action taken pursuant to this authority shall be consistent with the merit system principles of 5 U.S.C. § 2301, and shall comply with the public notice requirements of 5 U.S.C. § 3327. This authority does not apply to positions in the Excepted Service or the Senior Executive Service. This authority may not be redelegated.
2. RESCISSION. DOE Redlegation Order No. 00-001.06A 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 made 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 12/16/21.

A handwritten signature in blue ink, reading "David M. Turk", is written over a horizontal line.

David M. Turk
Deputy Secretary of Energy