

NATIONAL NUCLEAR SECURITY ADMINISTRATION REDELEGATION OF  
AUTHORITY ORDER NO. ~~00-003.02A~~ S5-DEL-NAMB-2018 TO THE  
ASSOCIATE ADMINISTRATOR FOR MANAGEMENT AND BUDGET

1. REDELEGATION. Under the authority vested in me as the Administrator for the National Nuclear Security Administration (NNSA) by the *National Nuclear Security Administration Act* (P. L. 106-65) and by Secretarial delegation (Delegation Order 00-003.00D), I delegate to the Associate Administrator for Management and Budget authority to exercise the full complement of federal human resources (HR) authorities not reserved by statute or delegation to my exclusive authority (e.g., personnel actions which require Executive Resources Board (ERB) approval). I delegate in particular the authority to take and direct a full range of actions relating to the selection, appointment, employment, advancement, compensation, performance, and separation of Administration personnel, including, but not limited to:
  - 1.1 The authority (sec. 3212(d) of P. L. 106-65) to develop and prescribe NNSA-wide HR programs and guidelines governing the efficient administration of all applicable competitive and excepted service personnel programs. This authority includes (but is not limited to) Demonstration Project position classification, delegated competitive examination, merit recruitment, leave administration, pay administration, hours of work, benefits, employee relations, performance management, workforce planning, staffing, personnel suitability and security, incentives, human capital evaluation, etc.
  - 1.2 The authority to classify and certify positions (pursuant to section 5107 of title 5, United States Code (U.S.C.), and sec. 3241 of P. L. 106-65) throughout the NNSA, including competitive service Demonstration Project positions and excepted service positions (with the exception of those EN positions subject to the Administrator's ERB), the authority to determine which Office of Personnel Management (OPM) job classifications are included in these excepted service positions (such determinations subject to consultation and concurrence by the NNSA Office of General Counsel), and the authority to approve and certify final agency classification appeal decisions filed by employees across the NNSA enterprise.
  - 1.3 The authority to approve appointments, promotions, and details to positions across NNSA under a myriad of federal statutory authorities (5 U.S.C. 3101, 3301, sec. 3241 of P. L. 106-65, et al.), including appointments of experts and consultants. This authority does not extend to Senior Executive Service (SES) appointments, appointments to EN excepted service positions subject to the Secretary's and

Administrator's ERBs, and appointments to Senior Level (SL) and Scientific and Professional (ST) positions.

- 1.4 The authority to administer oaths of office (5 U.S.C. 2903) and execute appointment affidavits (5 U.S.C. 3333).
- 1.5 The responsibility (conferred by 5 U.S.C. 2302) for preventing prohibited personnel practices when taking, or when directing others to take, recommend or approve, any personnel action.
- 1.6 The authority (under pertinent parts of title 5, Code of Federal Regulations) to fix NNSA tours of duty, to determine hours of duty, to establish the administrative work week; to determine when employees shall receive premium pay on an annual basis; to approve appointments above the minimum pay rate; and to approve other matters relating to pay administration.
- 1.7 The authority under 5 U.S.C. 5547(b) to waive the biweekly limitation on General Schedule premium pay for emergency situations and work that is critical to the mission of the agency.
- 1.8 The authority to approve competitive area designations and changes in competitive areas across NNSA, to notify OPM of changes in competitive areas that will be in effect less than 90 days prior to the effective date of a reduction in force (RIF), and to approve the RIF notifications and plans of NNSA components.
- 1.9 The authority to approve performance management plans for NNSA components prior to implementation, approve NNSA's incentive awards plans, and authorize monetary incentive awards for individual employees and on-the-spot awards up to the pre-approved monetary limits.
- 1.10 The authority to establish a system for the approval and payment of recruitment, relocation, and retention incentives and student loan repayments. This authority does not include positions subject to the Secretary's and Administrator's ERBs.
- 1.11 The authority (5 U.S.C. 3352) to give preference to an employee whom the Merit Systems Protection Board (MSPB) has determined has had a prohibited personnel action taken against said employee. This authority may not be redelegated.
- 1.12 The responsibility for overseeing the administration of HR programs across the enterprise through a planned program of systemic evaluation designed in complement with the merit principles underlying OPM's Human Capital Framework Evaluation Program.

- 1.13 The responsibility for overseeing the conduct of an integrated program of workforce analysis and managed staffing across the enterprise.
  - 1.14 The responsibility to oversee the preparation and execution of personnel actions for positions above pay band IV/GS-15 (e.g., SES, SL, and ST) and EN excepted service positions in pay band IV with a salary at or above mid-range SES salary, or in EN pay band V, which the Administrator's and Secretary's ERB Chairs have approved.
  - 1.15 The authority (5 U.S.C. 3372) to arrange *Intergovernmental Personnel Act* assignments and to enter into agreements involving employees in positions at pay band IV, GS-15 and below, or in excepted service positions pay band IV (with a salary below the ES-1 rate of basic pay for the SES) and below. This authority does not cover agreements with respect to established SES positions and EN excepted service positions, and SL and ST positions, subject to the Secretary's and Administrator's ERBs.
  - 1.16 The authority to render a final decision on the appropriateness of a rejection or cancellation of a grievance by the deciding official, and the authority to direct that a decision be rendered on the merits of the grievance.
2. RESCISSION. Redlegation Order No. 00-003.02 is hereby rescinded.
  3. LIMITATION.
    - 3.1 In exercising the authority delegated in this Order, the delegate shall be governed by the rules and regulations of the Department of Energy, the National Nuclear Security Administration, and the policies and procedures prescribed by the Secretary and Under Secretary for Nuclear Security/NNSA Administrator.
    - 3.2 Nothing in this Order precludes the Undersecretary for Nuclear Security/NNSA Administrator from rescinding, modifying, superseding, and otherwise exercising these authorities whenever it is judged necessary for proper personnel administration and management effectiveness.
    - 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/NNSA Administrator by law or delegation.

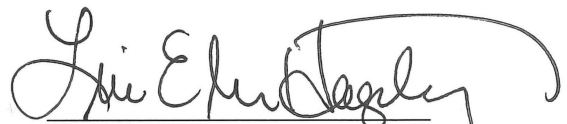
- 3.4 The exercise of these HR authorities and program responsibilities are governed by various statutes, notably the *NNSA Act* and 5 U.S.C., by Presidential executive orders, by the regulations of OPM, MSPB, Federal Labor Relations Authority, and Equal Employment Opportunity Commission, by OMB's guidelines, and by DOE's and NNSA's HR policies.
- 3.5 Any amendments to this Order shall be made in consultation with the NNSA General Counsel.

4. AUTHORITY TO REDELEGATE.

- 4.1 Except as expressly prohibited by law, regulations, or this Order, the Delegate may redelegate this authority further, in whole or in part.
- 4.2 Unless stipulated otherwise, the HR authorities herein enumerated and delegated, and those implied, may be further delegated in whole or in part to ensure that 1) NNSA-wide HR policies and workforce management plans are developed in a manner contributory to corporate management effectiveness, and that 2) management practices and personnel operations are carried out efficiently and fairly.

5. DURATION AND EFFECTIVE DATE.

- 5.1 All actions pursuant to any authority delegated prior to this Order or 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 Copies of redelegations and any subsequent redelegations shall be provided to the Policy Division through Business Services, which manages the Delegations of Authority system for NNSA.
- 5.3 This Order is effective immediately.
- 5.4 Dated this 31<sup>st</sup> day of October 2019.



Lisa E. Gordon-Hagerty  
Under Secretary for Nuclear Security  
Administrator, NNSA