


DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 00-007.00
TO THE DIRECTOR OF COUNTERINTELLIGENCE

1. DELEGATION. Under the authority vested in me as Secretary of Energy and pursuant to section 642 of the Department of Energy Organization Act (Public Law 95-91, 42 U.S.C. 7252), the authority vested in me as Senior Official of the Intelligence Community ("SOIC") by Executive Order No. 12333, entitled "United States Intelligence Activities," by Presidential Decision Directive/NSC-61, "U.S. Department of Energy Counterintelligence Program," and section 811(c) of the Intelligence Authorization Act of 1995, I delegate to the Director of Counterintelligence the authority to take the following actions:
 - 1.1 Act as the Counterintelligence Officer for the Department of Energy (DOE or Department) responsible for the management, implementation and oversight of the Department's counterintelligence activities including administrative inquiries, counterintelligence polygraph examinations and investigations, except for those authorities and responsibilities of the Inspector General, the General Counsel, and the Director of Security Affairs, and the nondelegable authorities of the Secretary (Presidential Decision Directive/NSC-61).
 - 1.2 Provide overall management, guidance and oversight to the Department's counterintelligence programs.
 - 1.3 Conduct and coordinate all counterintelligence policy and investigative matters with the FBI and other law enforcement agencies (Presidential Decision Directive NCS/-61; and section 811(c) of the Intelligence Authorization Act of 1995).
 - 1.4 Analyze, produce and disseminate threat-related counterintelligence information responsive to requirements of departmental managers.
 - 1.5 On counterintelligence matters, and in coordination with the Director of the Office of Intelligence (IN), provide assistance and support to law enforcement authorities, including specialized equipment, technical knowledge and expert personnel. Provision of assistance by expert personnel shall be approved in each case by the General Counsel. This authority may not be redelegated (Executive Order No. 12333, section 2.6).
 - 1.6 Approve all requests from other Intelligence Community agencies for assistance or support in the domestic collection of counterintelligence information. This authority may not be redelegated (Executive Order No. 12333, sections 1.6(a) and 1.13(d)).

- 1.7 Provide the Intelligence Oversight Board with all information necessary to carry out its responsibilities pursuant to Executive Order No. 12863, "President's Foreign Intelligence Advisory Board" (Executive Order No. 12333, section 1.7(d); Executive Order No. 12863, section 2.4).
 - 1.8 Under section 1.4 of Executive Order No. 12958, entitled "Classified National Security Information," originally classify information as Top Secret, Secret, and Confidential (which also includes the authority to derivatively classify documents or material based on classification guides or source documents). This authority may not be redelegated.
2. RESCISSION. Delegation Orders 0204-156 and 0204-168 are hereby rescinded.
 3. LIMITATION.
 - 3.1 In exercising the authorities delegated in this Order, a delegate shall be governed by the rules and regulations of DOE and the policies and procedures prescribed by the Secretary or delegate(s).
 - 3.2 Nothing in this Order precludes the 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 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 Director of Counterintelligence 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 and Operations Support, 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 December 6, 2001.



Spencer Abraham
Secretary of Energy