



Department of Energy
National Nuclear Security Administration
Washington, DC 20585



April 22, 2008

MEMORANDUM FOR: INGRID KOLB
DIRECTOR, OFFICE OF MANAGEMENT

THRU: KEVIN T. HAGERTY *Kevin T. Hagerty*
DIRECTOR, OFFICE OF INFORMATION RESOURCES

FROM: WILLIAM H. TOBEY *W. H. Tobey*
DEPUTY ADMINISTRATOR
FOR DEFENSE NUCLEAR NONPROLIFERATION

SUBJECT: Notice of Intent to Develop a DOE Notice Governing the Management
of the Department's Overseas Presence

PURPOSE: To establish an organizational structure for the management of the
Department's International Offices, including an organizational
concept for an "expanded Attaché Program." Issuance of this Notice
will enable the Department to respond to:

- 1) Secretary of State Rice's February 2008 letter to Secretary
Bodman;
- 2) Section 931 of P.L. 110-140, The Energy Independence and
Security Act of 2007, which addresses "Energy Attachés;"
- 3) Long-standing organizational problems, including the need for
improved coordination and a sustainable funding mechanism that the
Executive and Legislative branches can support.

JUSTIFICATION: The Department of Energy needs a clear strategy, informed by
thorough coordination among its constituent offices, for how it will
fund, staff and sustain its overseas presence in order to effectively
meet both current requirements and emerging needs related to
nonproliferation, nuclear energy, energy security, bilateral relations
with China, India and other countries, the rebuilding of Iraq, and other
Departmental priorities yet to manifest themselves in years to follow.

Currently, NNSA directly manages and funds out of its own resources
the five largest of the seven overseas DOE offices, providing 32 of 40
deployed personnel, and performing coordination with the State
Department for all the offices. NNSA provides administrative and
logistical support on a daily basis for the entire Department, and has
offered, where sustainable and in concert with Congressional
requirements, to continue providing those services as a good citizen of
the Department. A series of *ad hoc* arrangements makes possible the
staffing of additional overseas personnel from the Energy Information



Agency (EIA), Fossil Energy (FE), Policy and International Affairs (PI) and Nuclear Energy (NE).

In December 2007 Secretary Bodman sent a letter to Secretary of State Rice proposing an “Expanded Energy Attaché Program” and a list of “priority postings for which we have funding in FY 2008.” Dr. Rice’s positive response of February 8, 2008 invites DOE to increase the role it plays abroad in strengthening national security on a broad range of issues related to energy security, nuclear security, and scientific discovery and innovation.

In addition, Section 931 of Public Law 110-140, The Energy Independence Act of 2007 (EISA), addresses “Energy Experts in Key Embassies” and delegates authority to the Secretary of Energy to “make appropriate arrangements with the Secretary of State to assign personnel from the Department of Energy or the National Laboratories of the Department of Energy to serve as dedicated advisors on energy matters in embassies of the United States or other United States diplomatic missions.”

The current ad hoc arrangement not only does not enable DOE to effectively respond to the Rice letter or the EISA’s charge, but it actively hampers the Department’s ability to play the larger role envisioned by both the Secretary of State and the Congress. Efforts to meet broader Departmental priorities have also been hampered by the lack of clear roles and responsibilities for the DOE International Offices. Without agreement amongst stakeholders, DOE cannot effectively engage with State on DOE’s future role overseas. However, even were these clear, DOE does not currently have in place a mechanism or process to fund these priorities: NNSA cannot legally fund expansion associated with energy security. In fact, on at least two occasions, Congressional staffers have questioned the appropriateness of the NNSA funding for the multi-program activities at the International Offices. Without identified funding sources the Department cannot move forward with establishing these new offices.

It is understood that the normal period for processing directives actions is 90 days. In order to be responsive to the Secretary and Deputy Secretary, an alternative processing time of thirty days is requested.

The proposed directive does not duplicate existing laws, regulations or national standards and it does not create undue burden on the Department.

IMPACT:

The Department’s focus on *Management Excellence* requires “an integrated business management approach throughout DOE with clear roles and responsibilities and accountability to include effective line management oversight. . . .” This approach will permit us to base the

Department's overseas presence on a sound strategy and long-term evaluation of Departmental needs and resources, and will serve as the basis for the Department to coordinate thoroughly all the relevant offices' overseas missions, and integrate them into the larger U.S. Government diplomatic strategy to advance U.S. national and energy security interests.

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CTA CONCURRENCE: _____ (DOE/Energy)
_____ (DOE/Science)
_____ (NNSA)

(Central Technical Authority review for concurrence of this Notice of Intent is required for all new directives, and for revisions to all directives listed in Attachment 2 of DOE O 410.1, Central Technical Authority Responsibilities Regarding Nuclear Safety Requirements. For revisions to directives not listed in Attachment 2 of DOE O 410.1, the Office of Primary Interest must note that fact in the CTA concurrence block as follows; "CTA concurrence not required per Attachment 2 of DOE O 410.1". All CTAs responsible for activities within the scope of the directive must indicate their concurrence or non-concurrence.)

RECOMMENDATION: Concur and charge the Department to complete the work within 30 days.

DECISION:

Concur: _____

Nonconcur: _____

Timeframe: ___ 30 days ___ 60 days ___ 90 days ___ 120 days

Date: _____