



Department of Energy
Washington, DC 20585

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JSJ _____

November 27, 2001

MEMORANDUM FOR HEADS OF DEPARTMENTAL ELEMENTS

FROM: BRUCE M. CARNES, DIRECTOR
OFFICE OF MANAGEMENT, BUDGET
AND EVALUATION/CFO

SUBJECT: FUNDING OF WORK IN SUPPORT OF
ANTI-TERRORISM ACTIVITIES

We have recently received field office inquiries regarding the need for availability of a budgetary resource before incurring costs in support of Departmental (DOE) work or Work for Others (WFO) related to emergency anti-terrorism activities. Although I realize the extreme nature of the overall terrorist threat, it is still incumbent upon the Department and its operating contractors to maintain fiscal discipline. The purpose of this memorandum is to clarify financial requirements for funding work in support of emergency anti-terrorism activities.

In the vast majority of situations, a budgetary resource; i.e., sufficient funding for DOE work, an inter-agency agreement for federal WFO, or a cash advance for non-federal WFO, must be in place before authorizing the performance of work by a DOE contractor. In the rare and unusual situation where the lapse of time until the budgetary resource can be put in place would preclude the Department from fulfilling its responsibilities for the safety of human life and protection of property under threat of imminent danger, the head of the cognizant field element or, for Headquarters elements, the Chief Financial Officer (CFO), may authorize an exception to the requirement for a budgetary resource. Exceptions may only be authorized when the WFO customer is (1) another federal agency, (2) a non-federal entity requesting services of the DOE facility contractor to enable that entity to perform work under a federal contract or financial assistance award, and (3) a state or local government. Furthermore, each field exception must be coordinated with the cognizant field CFO as soon as possible but no later than close of business on the workday immediately following authorization.

For DOE work, the cognizant field office must make every attempt to fund such activity locally. If funds available at the local level are insufficient, the field office must promptly request funding from the appropriate Program Secretarial Officer. On WFO, the interagency agreement or cash advance must be received within five workdays of authorization. If not received within five workdays, the contracting officer must immediately issue a stop-work order, and the Field CFO must take immediate action to collect the amount due to cover all project costs incurred. For any project where the budgetary resource is not obtained or the amount owed is not collected, a report must be submitted to me within 10 workdays of authorization of work on that project. This report should include a summary write-up on the project, a description of the efforts taken to date to obtain a budgetary resource or collect the amount due, and an action plan to resolve the matter.



I am personally available to assist in resolving funding issues that may present themselves under these very trying circumstances. Should it prove necessary for the Department to have a separate funding source to support emergency requirements related to anti-terrorism activities, I will be more than willing to pursue the matter with both the Office of Management and Budget and the Congress.

If you should have any questions on this memorandum, please contact Helen Sherman on 202-586-4860 or have your staff contact Mary Rosicky on 202-586-9354.

cc: Field CFOs