

# Weatherization Assistance Program

## Federal Legal Perspective

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# Office of General Counsel Mission

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**The General Counsel is charged by the Secretary of Energy with the authority to determine the Department's authoritative position on any question of law. The Office of the General Counsel provides legal advice, counsel, and support to the Secretary, the Deputy Secretary, and program offices throughout DOE to further the Department's mission of advancing the national, economic, and energy security of the United States through scientific and technological innovation and the environmental cleanup of the national nuclear weapons complex.**

# Please Note

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**I am not an attorney. I do not play one on TV,  
nor do I act in this capacity at DOE, nor do I  
have this authority.**

# General Counsel (GC) Role in WAP

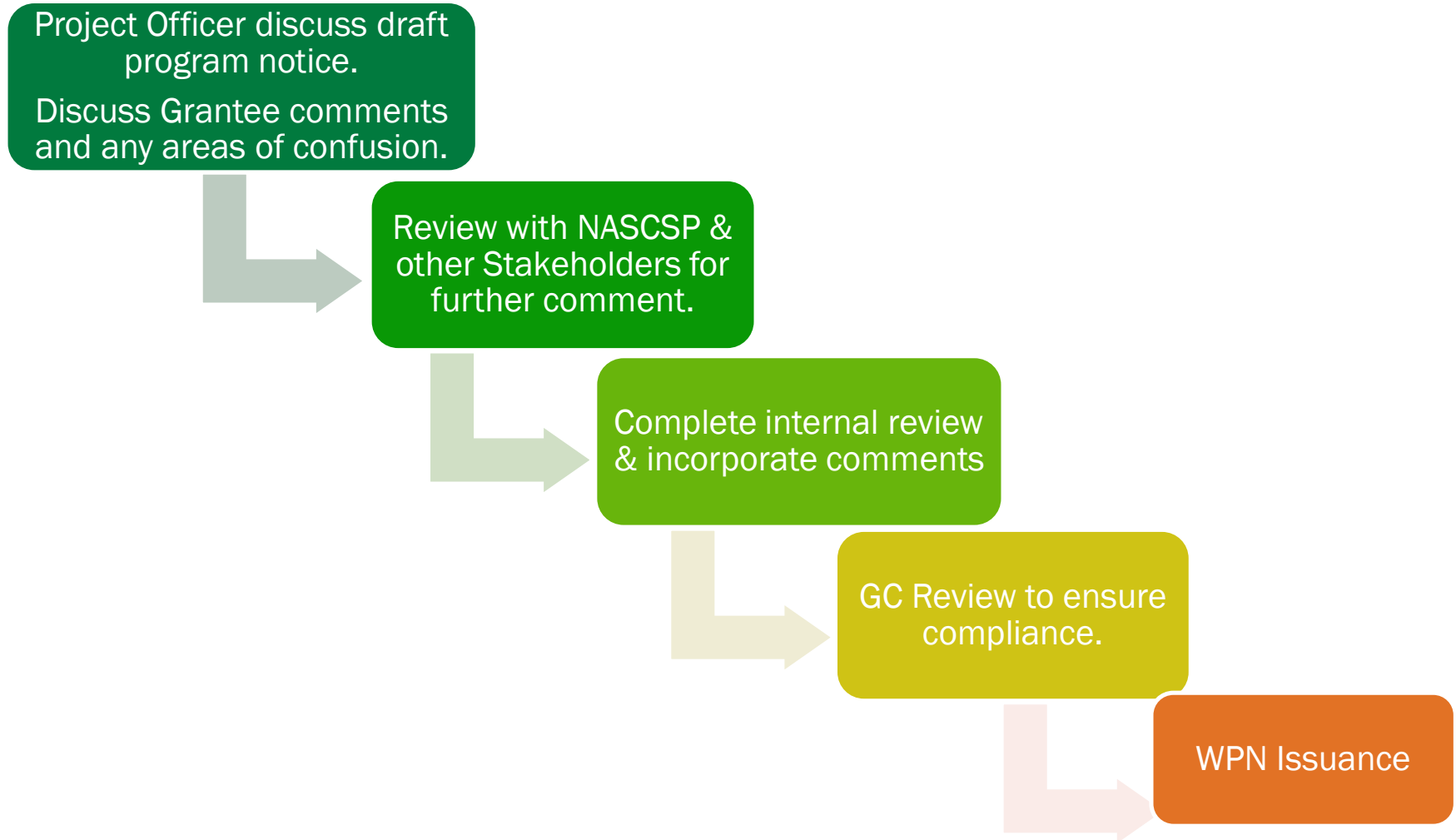
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## General Counsel:

- reviews all DOE WAP Program Guidance.
- handles Inspector General (IG) complaints.
- conducts legal reviews of all congressional correspondence from the Hill.
- reviews DOE WAP responses to TA requests from the Hill.
- reviews appropriation bill language and provides interpretation to Program.
- provides all legal interpretations of regulations and statutes.

# General Counsel (GC) Role in WAP

## General Counsel reviews all DOE WAP Program Notices



# General Counsel (GC) Role in WAP

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## **General Counsel handles Inspector General (IG) concerns:**

- Upon receipt of a specific allegation of fraud, waste, abuse, or mismanagement, the OIG may take any one of the following actions:
  - open an investigation, audit, or inspection;
  - refer the matter to DOE management for appropriate review and action; or refer the allegation to another Federal agency.
- Allegations with limited specificity or merit may be held in abeyance until further, specific details are reported, or closed.

# General Counsel (GC) Role in WAP

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**General Counsel conducts legal reviews of all congressional correspondence from the Hill**

## **Examples:**

- Gives opinion on pending WAP reauthorization statute.
- Answers inquiries into allowable program activities (e.g., using WAP funds to support clean water initiatives).
- Responses to suggestions for other ways WAP could operate (e.g., neighborhood programs, other eligibility thresholds).

# General Counsel (GC) Role in WAP

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General Counsel reviews DOE WAP responses to Technical Assistance requests from the legislative branch:

Example:

- In general, DOE WAP is not allowed to comment on pending legislation
- However, Congress can formally request technical assistance from DOE on our interpretation of pending Bill language



# General Counsel (GC) Role in WAP

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**General Counsel reviews appropriation bill language and provides interpretation to Program.**

Each year, during the appropriation process, language is often added by Committees, often spurring questions that must be answered by the Department.

## **Examples:**

- Congressionally directed activities in Conference Committee reports
- Technical or Language appeals