

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. ~~00-033.00C~~ S1-DEL-BPA1-2016
TO THE ADMINISTRATOR AND CHIEF EXECUTIVE OFFICER
OF BONNEVILLE POWER ADMINISTRATION

1. DELEGATION.

- 1.1 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), and pursuant to the authority delegated to me as the Secretary of Energy by the Assistant Attorney General, Land and Natural Resources Division, on December 1, 1980, I delegate to the Administrator and Chief Executive Officer of the Bonneville Power Administration (BPA) the authority and responsibility to approve the sufficiency of the title to land being acquired by purchase or condemnation by the United States for the use of the Department of Energy in connection with acquisition of lands by the Bonneville Power Administration.

This delegation of authority is limited to: (a) the acquisition of land for which the title evidence consists of a certificate of title, title insurance policy, or an owner's duplicate Torrens certificate of title; and (b) the acquisition of lands valued at \$100,000 or less, for which the title evidence consists of abstracts of title or other types of title evidence prepared in compliance with the Assistant Attorney General's October 2, 1970 regulations, promulgated in accordance with the provisions of Public Law 91-393, as amended.

- 1.2 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), I delegate to the Administrator and Chief Executive Officer of BPA the authority granted to me under sections 1605(b)(2) and 1605(b)(3) of the American Recovery and Reinvestment Act of 2009 ("Recovery Act")(Public Law 111-5) to waive, after making the specified findings, the application of section 1605(a) of the Recovery Act to BPA expenditures. Section 1605(a) requires that none of the funds appropriated or otherwise made available under the Recovery Act may be used for construction, alteration, maintenance or repair of a public building or public work unless all of the iron, steel and manufactured goods are produced in the United States. The Administrator and Chief Executive Officer of BPA shall consult with the Deputy Secretary prior to issuance of a waiver pursuant to 1605(b)(2) or 1605(b)(3). I further delegate the responsibility contained in section 1605(c) to publish in the Federal Register a detailed written justification for each waiver as to why the provision is being waived.

2. RESCISSION. Delegation Order No. 00-033.00B is hereby rescinded.

3. LIMITATION.

- 3.1 In exercising the authority delegated in this Order, a delegate shall be governed by

the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary or delegates(s). The Department recognizes that some aspects of BPA operations are governed by statutes specific to BPA that impose requirements on and grant authorities governing BPA that are unique among elements of the Department.

3.2 Nothing in this Order precludes the Secretary from exercising any of the authority delegated by this Order.

4. AUTHORITY TO REDELEGATE.

4.1 The authority delegated in paragraph 1.1 may be redelegated, as the Administrator of the BPA deems appropriate. The delegate(s) shall be governed by the applicable regulations and requirements of the Department of Justice.

4.2 The authority delegated in paragraph 1.2 may be further delegated in whole or in part, as the Administrator of the BPA determines, provided that advanced notification of any use of the redelegated authority shall be provided to the Administrator, and shall comply with the terms of paragraph 1.2.

4.3 Any amendments to this Order shall be in consultation with the Department of Energy General Counsel.

4.4 Copies of delegations and any subsequent redelegations shall be provided to the Office of Management, which manages the Secretarial Delegations of Authority system.

5. 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 AUG 12 2016.


Ernest J. Moniz
Secretary of Energy