



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

EXECUTIVE OFFICE

June 4, 2015

In reply refer to: A-7

MEMORANDUM FOR ELLIOT E. MAINZER, ADMINISTRATOR and CHIEF EXECUTIVE OFFICER,  
BONNEVILLE POWER ADMINISTRATION

THROUGH:

CLAUDIA R. ANDREWS

CHIEF OPERATING OFFICER, BONNEVILLE POWER ADMINISTRATION

THOMAS A. MCDONALD

CHIEF COMPLIANCE OFFICER, COMPLIANCE AND GOVERNANCE (ACTING),  
BONNEVILLE POWER ADMINISTRATION

FROM:

KENNETH JOHNSTON

MANAGER, TRIBAL AFFAIRS, BONNEVILLE POWER ADMINISTRATION

SUBJECT:

DIRECTIVES EQUIVALENCY APPROVAL MEMORANDUM

**PURPOSE:** To document BPA's equivalencies and request continued exclusion to some sections of *American Indian Tribal Government Interactions and Policy*, DOE Order 144.1.

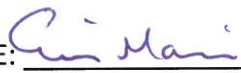
**BACKGROUND:** BPA has traditionally followed the intent of DOE Order 144.1, and has established equivalent policies and procedures to those outlined in sections 4(b) and 4(c) of the order, and BPA participates in DOE reporting addressed by section 4(e). This memo describes the equivalencies that exist to assure BPA is following applicable laws, regulations, and the intent of DOE Order 144.1. BPA has traditionally used its own procurement authority for contracting with tribes pursuant to the exclusion in section 3(c).

**JUSTIFICATION:** BPA has an established internal Tribal Affairs department with designated points of contact for each tribe within the BPA service area as well as specific points of contact for particular issues. These staff engage tribal representatives, other BPA staff, and other Federal and state agencies with similar American Indian responsibilities to coordinate on individual issues, consistent with section 4(b). BPA consults with over 50 tribes at both the government-to-government and staff-to-staff levels based on formal procedures consistent with DOE Order 1230.2 delegated directly to the BPA Administrator. BPA's Tribal Affairs

provides BPA Tribal Policy and "how to work effectively with tribes" training to BPA leadership and staff on an ongoing basis. BPA also contributes to DOE's annual report on interactions with American Indian Governments. Consistent with the exclusion recognized in section 3(c), BPA follows the Bonneville Purchasing Instructions in all its contracting activities so should have continued exclusion from the requirements of section 4(d).

**RECOMMENDATION:** Recommend approval of this equivalency document and support continued exclusion of BPA from section 4(d).

Elliot E. Mainzer, Administrator and Chief Executive Officer, Bonneville Power Administration

APPROVE:  DISAPPROVE: \_\_\_\_\_ DATE: 6/26/15

**CONCURRENCES/ CONSULTATIONS:** Chris Clark Deschene  
Director of the Office of Indian Energy Policy and Programs

cc:

Skila Harris

Senior Advisor, Power Marketing Administration, Department of Energy