



U.S. DEPARTMENT  
of **ENERGY**

Office of Indian Energy  
Policy and Programs

# Applying the Indian Energy Purchase Preference (IEPP)

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# Preference became law in Energy Policy Act of 2005

25 U.S.C § 3502(d)

1. In purchasing **electricity or any other energy product or byproduct**, a Federal agency or department may give preference to an energy and resource production enterprise, partnership, consortium, corporation, or other type of business organization **the majority of the interest** in which is owned and controlled by 1 or more Indian tribes.
2. In carrying out this subsection, a **Federal agency** or department **shall not**
  - A. **pay more than** the prevailing **market price** for an energy product or byproduct; or
  - B. obtain less than prevailing market terms and conditions.

# Preference applies to Tribes and Tribal Majority Owned Businesses



	Indian Energy Purchase Preference	Buy Indian Act
Entities that can take advantage	<u>Only</u> applies to Tribes or Tribal Majority Owned Businesses (51%+ owned by 1 or more Tribes).	Applies to companies owned by Tribal citizens as well as companies owned by a Tribe.
Federal application	Applicable to <u>all</u> federal agencies.	<u>Only</u> applicable to the Dept. of Interior and Indian Health Service.

# Questions about the Indian Energy Purchase Preference

Indian Energy Purchase  
Preference website:

Office of Indian Energy  
**IndianEnergy@hq.doe.gov**

