

THE SECRETARY OF THE INTERIOR  
Washington

ORDER NO. 3266

SIGNATURE DATE: August 31, 2006

Subject: Delegation of Authority to Enter into Grants and Cooperative Agreements

**Sec. 1 Purpose.** This Order provides for delegation of authority to the Commissioner, Bureau of Reclamation to enter into grants, cooperative agreements, and other agreements with irrigation or water districts and states to fund up to 50 percent of the cost of improvements to conserve water, increase water use efficiency or enhance water management. This Order further delegates authority to the Commissioner of Reclamation to enter into grants or cooperative agreements with universities or non-profit research institutions to fund water use efficiency research.

**Sec. 2 Background.** Section 205 of Public Law 109-103, Energy and Water Development Appropriations Act, 2006 is a one-year authority that expires at the end of fiscal year 2006. Section 205 is currently relied on by Reclamation to provide financial assistance to irrigation and water districts, states, and other local entities through the *Water 2025* program and through the Water Conservation Field Services Program; and to universities and non-profit research institutions through the Science and Technology program. In April 2006, identical bills (S. 2561 and H.R. 5192) providing permanent authority to the Secretary of the Interior to enter into grants and cooperative agreements as described in Section 205, were introduced in the United States Senate and the House of Representatives.

**Sec. 3 Authority.** This Order is issued under the authority of Section 2 of Reorganization Plan No. 3 of 1950, as amended (64 Stat. 1262), 5 U.S.C. App.

**Sec. 4 Delegation of Authority.** The authority under Section 205 of Public Law 109-103 to enter into grants, cooperative agreements, and other agreements is delegated through the Assistant Secretary - Water and Science to the Commissioner of Reclamation. The authority delegated to the Commissioner of Reclamation may be further redelegated. The authority delegated includes:

a. Authority to enter into grants, cooperative agreements, and other agreements with irrigation or water districts and states to fund up to 50 percent of the cost of planning, designing, and constructing improvements that will conserve water, increase water use efficiency, or enhance water management through measurement or automation, at existing water supply projects within the states identified in the Act of June 17, 1902, as amended, and supplemented: Provided, that when such improvements are to Federally owned facilities, such funds may be provided in advance on a non-reimbursable basis to an entity operating affected transferred works or may be deemed non-reimbursable for non-transferred works: Provided further, that the calculation of the non-Federal contribution shall provide for consideration of the value of any in-

kind contributions, but shall not include funds received from other Federal agencies: Provided further, that the cost of operating and maintaining such improvements shall be the responsibility of the non-Federal entity: Provided further, that this section shall not supersede any existing project-specific funding authority; and

b. Authority to enter into grants or cooperative agreements with universities or non-profit research institutions to fund water use efficiency research.

**Sec. 5 Expiration Date.** This Order is effective immediately. It shall remain in effect until its provisions are converted to the Departmental Manual, or until it is amended, superseded, or revoked, whichever occurs first. In the absence of any of the foregoing actions, this Order shall terminate on October 1, 2006, or such later date that the Congressional authority applicable to fiscal year 2006 expires.

/s/ DIRK KEMPTHORNE  
Secretary of the Interior

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