



THE SECRETARY OF THE INTERIOR  
WASHINGTON

ORDER NO. 3391

Subject: Delegation of Authority to Implement the Blackfeet Water Rights Settlement Act

**Sec. 1 Purpose.** This Order authorizes delegation of certain authorities vested in the Secretary of the Interior (Secretary) under title III, subtitle G (sections 3701 - 3724) of Public Law No. 114-322, the Water Infrastructure Improvements for the Nation Act of 2016 (Act).

**Sec. 2 Background.** The Act authorized, ratified, and confirmed a water rights compact entered into by the Blackfeet Tribe, the State of Montana, and the United States. The Act authorizes and directs the Secretary to carry out certain activities including the design, planning, and construction of water-related infrastructure, the acquisition of water rights, the allocation of certain water supplies to the Tribe, and other activities. Some of these activities will be carried out by organizations under the jurisdiction of the Assistant Secretary – Indian Affairs, others will be carried out by the Assistant Secretary – Water and Science and may be delegated to the Commissioner, Bureau of Reclamation (Commissioner). Secretary's Order 3364 delegated most of the appropriate activities under the Act to the Commissioner, but there is a need to delegate an additional activity to the Commissioner. This Order authorizes the necessary delegation of this additional activity.

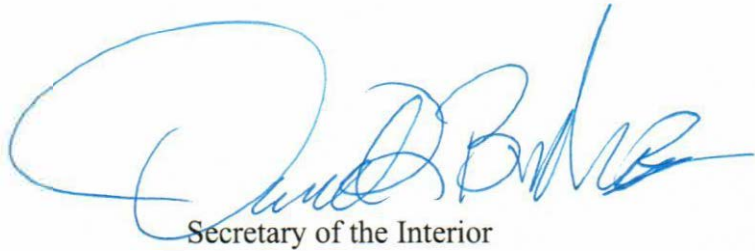
**Sec. 3 Authority.** This Order is issued under the authority of the Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended; and title III, subtitle G of Public Law 114-322, the Act.

**Sec. 4 Delegation.** Authority is delegated to the Assistant Secretary – Water and Science to carry out the Secretary's obligations in title III, subtitle G - Blackfeet Water Rights Settlement Act: section 3707(f). This authority is further delegated to the Commissioner. The Commissioner may, in writing, further delegate the authority provided herein, as necessary.

**Sec. 5 Limitation.**

- a. This delegation does not supersede existing delegations of authority to the Commissioner, or from the Commissioner, to subordinate officials or affect the validity of the authority of other Bureaus/Offices to carry out activities under the Act.
- b. If Bureaus/Offices subsequently determine that they possess overlapping delegated authority to carry out certain activities under the Act, the involved Bureaus/Offices shall consult with each other and reach any necessary agreements to decide which party will exercise such authority. If Bureaus/Offices are unable to agree, each respective Assistant Secretary shall be jointly responsible for resolving the issue, in coordination with the Office of Indian Water Rights.

**Sec. 6 Expiration Date.** This Order is effective immediately and will remain in effect until its provisions are converted to the Departmental Manual or until it is amended, superseded, or revoked, whichever occurs first. The expiration of this order shall not affect the validity of the delegations made herein.

A handwritten signature in blue ink, appearing to read "David H. Bernhardt", is written over the printed name. The signature is fluid and cursive, with a large initial "D" and "B".

Secretary of the Interior

Date: January 15, 2021