

**(g) Regulations**

Except for the authority provided in section 2(c)(1),<sup>1</sup> the law enforcement authorities provided for in this section may be exercised only pursuant to regulations issued by the Secretary of the Interior and approved by the Attorney General.

(Pub. L. 107–69, §1, Nov. 12, 2001, 115 Stat. 593.)

**§ 373c. Definitions**

In this section and section 373b of this title:

**(1) Law enforcement personnel**

The term “law enforcement personnel” means an employee of a Federal, State, or local government agency, including an Indian tribal agency, who has successfully completed law enforcement training approved by the Secretary and is authorized to carry firearms, make arrests, and execute service of process to enforce criminal laws of his or her employing jurisdiction.

**(2) Reclamation project; reclamation lands**

The terms “Reclamation project” and “Reclamation lands” have the meaning given such terms in section 4607–32 of title 16.

(Pub. L. 107–69, §2, Nov. 12, 2001, 115 Stat. 595.)

**§ 373d. Grants and cooperative agreements with Indian tribes and organizations**

In order to increase opportunities for Indian tribes to develop, manage, and protect their water resources, in fiscal year 2003 and thereafter, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, is authorized to enter into grants and cooperative agreements with any Indian tribe, institution of higher education, national Indian organization, or tribal organization pursuant to sections 6301 to 6308 of title 31. Nothing in this Act is intended to modify or limit the provisions of the Indian Self Determination Act [25 U.S.C. 5321 et seq.].

(Pub. L. 108–7, div. D, title II, §201, Feb. 20, 2003, 117 Stat. 144.)

## REFERENCES IN TEXT

This Act, referred to in text, means div. D of Pub. L. 108–7, Feb. 20, 2003, 117 Stat. 133, known as the Energy and Water Development Appropriations Act, 2003. For complete classification of this Act to the Code, see Tables.

The Indian Self-Determination Act, referred to in text, is title I of Pub. L. 93–638, Jan. 4, 1975, 88 Stat. 2206, which is classified principally to subchapter I (§5321 et seq.) of chapter 46 of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of Title 25 and Tables.

## SIMILAR PROVISIONS

Provisions similar to those in this section were contained in the following appropriation act:

Pub. L. 107–66, title II, §201, Nov. 12, 2001, 115 Stat. 499.

**§ 373e. Bureau of Reclamation site security****(a) Treatment of capital costs**

Costs incurred by the Secretary of the Interior for the physical fortification of Bureau of Rec-

lamation facilities to satisfy increased post-September 11, 2001, security needs, including the construction, modification, upgrade, or replacement of such facility fortifications, shall be non-reimbursable.

**(b) Treatment of security-related operation and maintenance costs****(1) Reimbursable costs**

The Secretary of the Interior shall include no more than \$18,900,000 per fiscal year, indexed each fiscal year after fiscal year 2008 according to the preceding year’s Consumer Price Index, of those costs incurred for increased levels of guards and patrols, training, patrols by local and tribal law enforcement entities, operation, maintenance, and replacement of guard and response force equipment, and operation and maintenance of facility fortifications at Bureau of Reclamation facilities after the events of September 11, 2001, as reimbursable operation and maintenance costs under Reclamation law.

**(2) Costs collected through water rates**

In the case of the Central Valley Project of California, site security costs allocated to irrigation and municipal and industrial water service in accordance with this section shall be collected by the Secretary exclusively through inclusion of these costs in the operation and maintenance water rates.

**(c) Transparency and report to Congress****(1) Policies and procedures**

The Secretary is authorized to develop policies and procedures with project beneficiaries, consistent with the requirements of paragraphs (2) and (3), to provide for the payment of the reimbursable costs described in subsection (b).

**(2) Notice**

On identifying a Bureau of Reclamation facility for a site security measure, the Secretary shall provide to the project beneficiaries written notice—

(A) describing the need for the site security measure and the process for identifying and implementing the site security measure; and

(B) summarizing the administrative and legal requirements relating to the site security measure.

**(3) Consultation**

The Secretary shall—

(A) provide project beneficiaries an opportunity to consult with the Bureau of Reclamation on the planning, design, and construction of the site security measure; and

(B) in consultation with project beneficiaries, develop and provide timeframes for the consultation described in subparagraph (A).

**(4) Response; notice**

Before incurring costs pursuant to activities described in subsection (b), the Secretary shall consider cost containment measures recommended by a project beneficiary that has elected to consult with the Bureau of Rec-

<sup>1</sup> So in original. Probably should be “subsection (c)(1)”.