

(b) Consultation

Such guidelines shall be developed after consultation with appropriate public and private sector interests (including the Secretary of Commerce, the Advisory Council on Historic Preservation, sport divers, State Historic Preservation Officers, professional dive operators, salvors, archeologists, historic preservationists, and fishermen).

(c) Use of guidelines in developing legislation and regulations

Such guidelines shall be available to assist States and the appropriate Federal agencies in developing legislation and regulations to carry out their responsibilities under this chapter.

(Pub. L. 100-298, § 5, Apr. 28, 1988, 102 Stat. 433.)

§ 2105. Rights of ownership**(a) United States title**

The United States asserts title to any abandoned shipwreck that is—

- (1) embedded in submerged lands of a State;
- (2) embedded in coralline formations protected by a State on submerged lands of a State; or
- (3) on submerged lands of a State and is included in or determined eligible for inclusion in the National Register.

(b) Notice of shipwreck location; eligibility determination for inclusion in National Register of Historic Places

The public shall be given adequate notice of the location of any shipwreck to which title is asserted under this section. The Secretary of the Interior, after consultation with the appropriate State Historic Preservation Officer, shall make a written determination that an abandoned shipwreck meets the criteria for eligibility for inclusion in the National Register of Historic Places under clause (a)(3) of this section.

(c) Transfer of title to States

The title of the United States to any abandoned shipwreck asserted under subsection (a) of this section is transferred to the State in or on whose submerged lands the shipwreck is located.

(d) Exception

Any abandoned shipwreck in or on the public lands of the United States is the property of the United States Government. Any abandoned shipwreck in or on any Indian lands is the property of the Indian tribe owning such lands.

(e) Reservation of rights

This section does not affect any right reserved by the United States or by any State (including any right reserved with respect to Indian lands) under—

- (1) section 1311, 1313, or 1314 of this title; or
- (2) section 414 or 415 of title 33.

(Pub. L. 100-298, § 6, Apr. 28, 1988, 102 Stat. 433.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2103, 2106 of this title.

§ 2106. Relationship to other laws**(a) Law of salvage and law of finds**

The law of salvage and the law of finds shall not apply to abandoned shipwrecks to which section 2105 of this title applies.

(b) Laws of United States

This chapter shall not change the laws of the United States relating to shipwrecks, other than those to which this chapter applies.

(c) Effective date

This chapter shall not affect any legal proceeding brought prior to April 28, 1988.

(Pub. L. 100-298, § 7, Apr. 28, 1988, 102 Stat. 434.)

**CHAPTER 40—RECLAMATION STATES
EMERGENCY DROUGHT RELIEF**

Sec.	
2201.	Definitions.
	SUBCHAPTER I—DROUGHT PROGRAM
2211.	Assistance during drought; water purchases.
	(a) Construction, management, and conservation.
	(b) Assistance to willing buyers and sellers.
	(c) Water purchases by Bureau.
	(d) Water banks.
2212.	Availability of water on temporary basis.
	(a) General authority.
	(b) Special provisions applicable to temporary water supplies provided under this section.
	(c) Contract price.
	(d) Fish and wildlife.
	(e) Nonproject water.
	(f) Reclamation Fund.
2213.	Loans.
2214.	Applicable period of drought program.
	(a) In general.
	(b) Coordination with BPA.
	(c) Termination of authority.
	SUBCHAPTER II—DROUGHT CONTINGENCY PLANNING
2221.	Identification of opportunities for water supply conservation, augmentation and use.
2222.	Drought contingency plans.
2223.	Plan elements.
	(a) Plan provisions.
	(b) Federal Reclamation projects.
	(c) Drought levels.
	(d) Compliance with law.
	(e) Review.
2224.	Recommendations.
	(a) Approval.
	(b) Pacific Northwest region.
2225.	Reclamation Drought Response Fund.
2226.	Technical assistance and transfer of precipitation management technology.
	(a) Technical assistance.
	(b) Technology Transfer Program.
	SUBCHAPTER III—GENERAL AND MISCELLANEOUS PROVISIONS
2241.	Authorization of appropriations.
2242.	Authority of Secretary.
2243.	Temperature control at Shasta Dam, Central Valley Project.
2244.	Effect of chapter on other laws.
	(a) Conformity with State and Federal law.
	(b) Effect on jurisdiction, authority, and water rights.

Sec.	
2245.	Excess storage and carrying capacity.
2246.	Report.
2247.	Federal Reclamation laws.

§ 2201. Definitions

As used in this chapter:

(1) The term “Secretary” means the Secretary of the Interior.

(2) The term “Federal Reclamation laws” means the Act of June 17, 1902 (32 Stat. 388) and Acts supplementary thereto and amendatory thereof.

(3) The term “Federal Reclamation project” means any project constructed or funded under Federal Reclamation law. Such term includes projects having approved loans under the Small Reclamation Projects Act of 1956 (70 Stat. 1044) [43 U.S.C. 422a et seq.].

(Pub. L. 102-250, §2, Mar. 5, 1992, 106 Stat. 53.)

REFERENCES IN TEXT

Act of June 17, 1902 (32 Stat. 388) and Acts supplementary thereto and amendatory thereof, referred to in par. (2), is act June 17, 1902, ch. 1093, 32 Stat. 388, as amended, popularly known as the Reclamation Act, which is classified generally to chapter 12 (§371 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

The Small Reclamation Projects Act of 1956, referred to in par. (3), is act Aug. 6, 1956, ch. 972, 70 Stat. 1044, as amended, which is classified generally to subchapter IV (§422a et seq.) of chapter 12 of this title. For complete classification of this Act to the Code, see section 422k of this title and Tables.

SHORT TITLE

Section 1 of Pub. L. 102-250 provided that: “This Act [enacting this chapter] may be cited as the ‘Reclamation States Emergency Drought Relief Act of 1991.’”

SUBCHAPTER I—DROUGHT PROGRAM

§ 2211. Assistance during drought; water purchases

(a) Construction, management, and conservation

Consistent with existing contractual arrangements and applicable State and applicable Federal law, and without further authorization, the Secretary is authorized to undertake construction, management, and conservation activities that will minimize, or can be expected to have an effect in minimizing, losses and damages resulting from drought conditions. Any construction activities undertaken pursuant to the authority of this subsection shall be limited to temporary facilities designed to minimize losses and damages from drought conditions, except that wells drilled to minimize losses and damages from drought conditions may be permanent facilities.

(b) Assistance to willing buyers and sellers

In order to minimize losses and damages resulting from drought conditions, the Secretary may provide nonfinancial assistance to willing buyers in their purchase of available water supplies from willing sellers.

(c) Water purchases by Bureau

In order to minimize losses and damages resulting from drought conditions, the Secretary

may purchase water from willing sellers, including, but not limited to, water made available by Federal Reclamation project contractors through conservation or other means with respect to which the seller has reduced the consumption of water. Except with respect to water stored, conveyed or delivered to Federal and State wildlife habitat, the Secretary shall deliver such water pursuant to temporary contracts under section 2212 of this title: *Provided*, That any such contract shall require recovery of any costs, including interest if applicable, incurred by the Secretary in acquiring such water.

(d) Water banks

In order to respond to a drought, the Secretary is authorized to participate in water banks established by a State.

(Pub. L. 102-250, title I, §101, Mar. 5, 1992, 106 Stat. 53.)

REFERENCES IN TEXT

The Bureau, referred to in heading for subsec. (c), probably means the Bureau of Reclamation.

TERMINATION OF AUTHORITIES

For provisions directing that authorities established under this subchapter shall terminate ten years after Mar. 5, 1992, see section 2214(c) of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2212 of this title.

§ 2212. Availability of water on temporary basis

(a) General authority

In order to mitigate losses and damages resulting from drought conditions, the Secretary may make available, by temporary contract, project and nonproject water, and may permit the use of facilities at Federal Reclamation projects for the storage or conveyance of project or nonproject water, for use both within and outside an authorized project service area.

(b) Special provisions applicable to temporary water supplies provided under this section

(1) Temporary supplies

Each temporary contract for the supply of water entered into pursuant to this section shall terminate no later than two years from the date of execution or upon a determination by the Secretary that water supply conditions no longer warrant that such contracts remain in effect, whichever occurs first. The costs associated with any such contract shall be repaid within the term of the contract.

(2) Ownership and acreage limitations

Lands not subject to Reclamation law that receive temporary irrigation water supplies under temporary contracts under this section shall not become subject to the ownership and acreage limitations or pricing provisions of Federal Reclamation law because of the delivery of such temporary water supplies. Lands that are subject to the ownership and acreage limitations of Federal Reclamation law shall not be exempted from those limitations because of the delivery of such temporary water supplies.