

(Pub. L. 108-447, div. E, title I, § 118, Dec. 8, 2004, 118 Stat. 3065.)

PRIOR PROVISIONS

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

Pub. L. 108-108, title I, § 119, Nov. 10, 2003, 117 Stat. 1268.

Pub. L. 108-7, div. F, title I, § 121, Feb. 20, 2003, 117 Stat. 241.

Pub. L. 107-63, title I, § 124, Nov. 5, 2001, 115 Stat. 440.

Pub. L. 106-291, title I, § 142, Oct. 11, 2000, 114 Stat. 949.

§ 1475. Bureau of Reclamation acceptance of services of volunteers

The Bureau of Reclamation may on and after September 29, 1989, accept the services of volunteers and, from any funds available to it, provide for their incidental expenses to carry out any activity of the Bureau of Reclamation except policymaking or law or regulatory enforcement. Such volunteers shall not be deemed employees of the United States Government, except for the purposes of chapter 81 of title 5 relating to compensation for work injuries, and shall not be deemed employees of the Bureau of Reclamation except for the purposes of tort claims to the same extent as a regular employee of the Bureau of Reclamation would be under identical circumstances.

(Pub. L. 101-101, title II, Sept. 29, 1989, 103 Stat. 656.)

§ 1475a. Participation of non-Federal entities in contract negotiations and source selection proceedings

On and after October 2, 1992, the Bureau of Reclamation may invite non-Federal entities involved in cost sharing arrangements for the development of water projects to participate in contract negotiation and source selection proceedings without invoking provisions of the Federal Advisory Committee Act (5 U.S.C. Appendix (1988)): *Provided*, That such non-Federal participants shall be subject to the provisions of the Federal Procurement Integrity Act¹ (41 U.S.C. 423 (1988)) and to the conflict of interest provisions appearing at 18 U.S.C. 201 et seq. (1988).

(Pub. L. 102-377, title II, § 205, Oct. 2, 1992, 106 Stat. 1332.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in text, is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

No act with the title Federal Procurement Integrity Act, referred to in text, has been enacted. The Federal Procurement Integrity Act probably means section 27 of Pub. L. 93-400, as added by Pub. L. 100-679, § 6(a), Nov. 17, 1988, 102 Stat. 4063, which is classified to section 423 of Title 41, Public Contracts.

CHAPTER 32—COLORADO RIVER BASIN PROJECT

SUBCHAPTER I—OBJECTIVES

Sec.

1501. Congressional declaration of purpose and policy.

¹ See References in Text note below.

Sec. SUBCHAPTER II—INVESTIGATIONS AND PLANNING

- 1511. Reconnaissance investigations by Secretary of the Interior; reports; 10-year moratorium on water importation studies.
- 1511a. Cooperation and participation by Secretary of the Army with Federal, State, and local agencies.
- 1512. Mexican Water Treaty.
- 1513. Importation of water; protection of exporting areas.
- 1514. Authorization of appropriations.

SUBCHAPTER III—AUTHORIZED UNITS; PROTECTION OF EXISTING USES

- 1521. Central Arizona Project.
 - (a) Construction and operation; Hayden-Rhodes Aqueduct and pumping plants; Orme Dam and Reservoir; Buttes Dam and Reservoir; Hooker Dam and Reservoir; Charleston Dam and Reservoir; Tucson aqueducts and pumping plants; Fannin-McFarland Aqueduct; related and appurtenant works.
 - (b) Limitation on water diversions in years of insufficient main stream Colorado River water.
 - (c) Augmentation of water supply of Colorado River system.
 - 1522. Orme Dam and Reservoir.
 - (a) Acquisition of lands of Salt River Pima-Maricopa Indian Community and Fort McDowell-Apache Indian Community; relocation; eminent domain.
 - (b) Rights of former owners to use or lease land.
 - (c) Addition of land to Fort McDowell Indian Reservation.
 - (d) Recreational facilities developed and operated by Indian communities along Orme Reservoir shoreline.
 - (e) Exemption of funds from State and Federal income taxes.
 - 1523. Power requirements of Central Arizona Project and augmentation of Lower Colorado River Basin Development Fund.
 - (a) Engineering and economic studies.
 - (b) Construction of thermal generating powerplants; agreements for acquisition by United States of portions of plant capacity.
 - (c) Recommended plan; submission to Congress.
 - (d) Apportionment of water for Arizona plants diverted above Lee Ferry.
 - 1524. Water furnished from Central Arizona Project.
 - (a) Restriction on use of water for irrigation.
 - (b) Contracts with municipal and industrial users.
 - (c) Water conservation.
 - (d) Water exchanges.
 - (e) Water shortage priorities.
 - (f) New Mexico users; water exchange contracts.
 - 1525. Cost of main stream water of Colorado River.
 - 1526. Water salvage programs.
 - 1527. Fish and wildlife conservation and development.
 - 1528. Authorization of appropriations.
- #### SUBCHAPTER IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND
- 1541. Allocation of costs; repayment.
 - 1542. Repayment capability of Indian lands.

- Sec.
1543. Lower Colorado River Basin Development Fund.
- (a) Establishment.
 - (b) Appropriations.
 - (c) Revenues credited to fund.
 - (d) Use of revenue funds.
 - (e) Appropriation by Congress required for construction of works.
 - (f) Additional uses of revenue funds.
 - (g) Repayment of costs.
 - (h) Interest rate.
 - (i) Annual budgets; submission to Congress.
1544. Annual report to Congress.

SUBCHAPTER V—GENERAL PROVISIONS

1551. Construction of Colorado River Basin Act.
- (a) Effect on other laws.
 - (b) Reports to Congress.
 - (c) Compliance of Federal officers and agencies.
1552. Criteria for long-range operation of reservoirs.
- (a) Promulgation by Secretary; order of priorities.
 - (b) Submittal of criteria for review and comment; publication; report to Congress.
 - (c) Powerplant operations.
1553. Upper Colorado River Basin; rights to consumptive uses not to be reduced or prejudiced; duties and powers of Commission not impaired.
1554. Federal reclamation laws.
1555. Federal Power Act inapplicable to Colorado River between Hoover Dam and Glen Canyon Dam.
1556. Definitions.

SUBCHAPTER I—OBJECTIVES

§ 1501. Congressional declaration of purpose and policy

(a) It is the object of this chapter to provide a program for the further comprehensive development of the water resources of the Colorado River Basin and for the provision of additional and adequate water supplies for use in the upper as well as in the lower Colorado River Basin. This program is declared to be for the purposes, among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of lands, including supplemental water supplies, and for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife, and the generation and sale of electrical power as an incident of the foregoing purposes.

(b) It is the policy of the Congress that the Secretary of the Interior (hereinafter referred to the "Secretary") shall continue to develop, after consultation with affected States and appropriate Federal agencies, a regional water plan, consistent with the provisions of this chapter and with future authorizations, to serve as the framework under which projects in the Colorado River Basin may be coordinated and constructed with proper timing to the end that an adequate supply of water may be made available for such projects, whether heretofore, herein, or hereafter authorized.

(Pub. L. 90-537, title I, §102, Sept. 30, 1968, 82 Stat. 886.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 90-537, Sept. 30, 1968, 82 Stat. 885, as amended, known as the Colorado River Basin Project Act, which enacted this chapter and sections 616aa-1, 620a-1, 620a-2, 620c-1, and 620d-1 of this title, amended sections 616hh, 620, and 620a of this title, and enacted provisions set out as notes under sections 620, 620k, and 1501 of this title. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

EFFECTIVE DATE OF REPEAL ON FAILURE OF ENFORCEABILITY DATE

Pub. L. 108-451, title I, §111, Dec. 10, 2004, 118 Stat. 3499, provided that:

"(a) IN GENERAL.—Except as provided in subsection (b), if the Secretary [of the Interior] does not publish a statement of findings under section 207(c) [118 Stat. 3519] by December 31, 2007—

"(1) this title [see Short Title of 2004 Amendment note below] is repealed effective January 1, 2008, and any action taken by the Secretary and any contract entered under any provision of this title shall be void; and

"(2) any amounts appropriated under section 110 [118 Stat. 3498] that remain unexpended shall immediately revert to the general fund of the Treasury.

"(b) EXCEPTION.—No subcontract amendment executed by the Secretary under the notice of June 18, 2003 (67 Fed. Reg. 36578), shall be considered to be a contract entered into by the Secretary for purposes of subsection (a)(1)."

Pub. L. 108-451, title II, §215, Dec. 10, 2004, 118 Stat. 3535, provided that: "If the Secretary [of the Interior] does not publish a statement of findings under section 207(c) [118 Stat. 3519] by December 31, 2007—

"(1) except for section 213(i) [118 Stat. 3532], this title [see Short Title of 2004 Amendment note below] is repealed effective January 1, 2008, and any action taken by the Secretary and any contract entered under any provision of this title shall be void;

"(2) any amounts appropriated under paragraphs (1) through (7) of section 214(a) [118 Stat. 3534, 3535], together with any interest on those amounts, shall immediately revert to the general fund of the Treasury;

"(3) any amounts made available under section 214(b) [118 Stat. 3535] that remain unexpended shall immediately revert to the general fund of the Treasury; and

"(4) any amounts paid by the Salt River Project in accordance with the Gila River agreement shall immediately be returned to the Salt River Project."

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-451, §1(a), Dec. 10, 2004, 118 Stat. 3478, provided that: "This Act [amending sections 1524 and 1543 of this title and enacting and repealing provisions set out as notes under this section and section 1543 of this title] may be cited as the 'Arizona Water Settlements Act'."

Pub. L. 108-451, title I, §101, Dec. 10, 2004, 118 Stat. 3486, provided that: "This title [amending section 1543 of this title and enacting and repealing provisions set out as notes under this section and section 1543 of this title] may be cited as the 'Central Arizona Project Settlement Act of 2004'."

[For repeal of section 101 of Pub. L. 108-451, set out above, effective Jan. 1, 2008, if Secretary does not publish statement of findings under section 207(c) of Pub. L. 108-451 by Dec. 31, 2007, see section 111(a)(1) of Pub. L. 108-451, set out as a note above.]

Pub. L. 108-451, title II, §201, Dec. 10, 2004, 118 Stat. 3499, provided that: "This title [amending section 1524 of this title and enacting and repealing provisions set out as notes under this section] may be cited as the