

Editorial Notes

AMENDMENTS

2023—Pub. L. 118–31 renumbered section 8696 of this title relating to battle force ship employment, maintenance, and manning baseline plans as this section.

CHAPTER 865—SALVAGE FACILITIES

Sec.	
8701.	Authority to provide for necessary salvage facilities.
8702.	Acquisition and transfer of vessels and equipment.
8703.	Settlement of claims.
8704.	Disposition of receipts.

Editorial Notes

PRIOR PROVISIONS

A prior chapter 865, formerly consisting of sections 8881 to 8889, related to retirement from the Air Force for age, prior to repeal by Pub. L. 85–155, title IV, §401(1), Aug. 21, 1957, 71 Stat. 390, and Pub. L. 96–513, title II, §216, Dec. 12, 1980, 94 Stat. 2886.

AMENDMENTS

2018—Pub. L. 115–232, div. A, title VIII, §807(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1838, redesignated chapter 637 of this title as this chapter and items 7361 to 7364 as 8701 to 8704, respectively.

1996—Pub. L. 104–106, div. A, title X, §1015, Feb. 10, 1996, 110 Stat. 424, amended analysis generally, adding items 7361 to 7364 and striking out former items 7361 “Naval salvage facilities: contracts for commercial facilities”, 7362 “Commercial use of naval facilities”, 7363 “Transfer of equipment: contract provisions”, 7365 “Settlement of claims”, and 7367 “Disposition of receipts”.

1994—Pub. L. 103–355, title II, §2001(j)(3)(B), Oct. 13, 1994, 108 Stat. 3303, struck out item 7364 “Advancement of funds for salvage operations”.

1993—Pub. L. 103–160, div. A, title VIII, §828(a)(8), Nov. 30, 1993, 107 Stat. 1713, struck out item 7366 “Limitation on appropriations”.

§ 8701. Authority to provide for necessary salvage facilities

(a) **AUTHORITY.**—The Secretary of the Navy may provide, by contract or otherwise, necessary salvage facilities for public and private vessels.

(b) **COORDINATION WITH SECRETARY OF HOMELAND SECURITY.**—The Secretary shall submit to the Secretary of Homeland Security for comment each proposed contract for salvage facilities that affects the interests of the Department of Homeland Security.

(c) **LIMITATION.**—The Secretary of the Navy may enter into a term contract under subsection (a) only if the Secretary determines that available commercial salvage facilities are inadequate to meet the requirements of national defense.

(d) **PUBLIC NOTICE.**—The Secretary may not enter into a contract under subsection (a) until the Secretary has provided public notice of the intent to enter into such a contract.

(e) **SALVAGE FACILITIES DEFINED.**—In this section, the term “salvage facilities” includes equipment and gear utilized to prevent, abate, or minimize damage to the environment.

(Added Pub. L. 104–106, div. A, title X, §1015, Feb. 10, 1996, 110 Stat. 424, §7361; amended Pub. L. 107–296, title XVII, §1704(b)(1), (6), Nov. 25, 2002,

116 Stat. 2314; Pub. L. 108–136, div. A, title III, §315(a), Nov. 24, 2003, 117 Stat. 1431; renumbered §8701, Pub. L. 115–232, div. A, title VIII, §807(d)(3), Aug. 13, 2018, 132 Stat. 1836.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7361 of this title as this section.

2003—Subsec. (e). Pub. L. 108–136 added subsec. (e).

2002—Subsec. (b). Pub. L. 107–296 substituted “of Homeland Security” for “of Transportation” in heading and in two places in text.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of this title.

§ 8702. Acquisition and transfer of vessels and equipment

(a) **AUTHORITY.**—The Secretary of the Navy may acquire or transfer for operation by private salvage companies such vessels and equipment as the Secretary considers necessary.

(b) **AGREEMENT ON USE.**—Before any salvage vessel or salvage gear is transferred by the Secretary to a private party, the private party must agree in writing with the Secretary that the vessel or gear will be used to support organized offshore salvage facilities for a period of as many years as the Secretary considers appropriate.

(c) **REFERENCE TO AUTHORITY TO ADVANCE FUNDS FOR IMMEDIATE SALVAGE OPERATIONS.**—For authority for the Secretary of the Navy to advance to private salvage companies such funds as the Secretary considers necessary to provide for the immediate financing of salvage operations, see section 3808(b) of this title.

(Added Pub. L. 104–106, div. A, title X, §1015, Feb. 10, 1996, 110 Stat. 424, §7362; renumbered §8702, Pub. L. 115–232, div. A, title VIII, §807(d)(3), Aug. 13, 2018, 132 Stat. 1836; amended Pub. L. 116–283, div. A, title XVIII, §1834(i)(5), as added Pub. L. 117–81, div. A, title XVII, §1701(n)(2), Dec. 27, 2021, 135 Stat. 2145; Pub. L. 116–283, div. A, title XVIII, §1876(c), Jan. 1, 2021, 134 Stat. 4291; Pub. L. 117–81, div. A, title XVII, §1701(n)(3), Dec. 27, 2021, 135 Stat. 2146.)

Editorial Notes

AMENDMENTS

2021—Subsec. (c). Pub. L. 116–283, §1876(c), which directed striking the first two words of the subsec. heading, striking the text of subsec. (c) and inserting the text of par. (2) of section 2307(g) of this title, and substituting “this subsection” for “this paragraph” in the second sentence thereof, was repealed by Pub. L. 117–81, §1701(n)(3), effective as if included in title XVIII of Pub. L. 116–283.

Pub. L. 116–283, §1834(i)(5), as added by Pub. L. 117–81, §1701(n)(2), which directed substitution of “section