

CODIFICATION

Section is comprised of the second, third, fourth, and sixth undesignated pars. under headings “BUREAU OF RECLAMATION” and “ADMINISTRATIVE PROVISIONS” in title II of Pub. L. 102-377, Oct. 2, 1992, 106 Stat. 1330, 1331.

AMENDMENTS

2014—Pub. L. 113-287, which directed that the second paragraph under the heading “administrative provisions” under the heading “Bureau of Reclamation” (43 U.S.C. 377b), be amended by substituting “chapters 3125 and 3201 of title 54” for “the Acts of August 21, 1935 (16 U.S.C. 461-467) and June 27 1960 (16 U.S.C. 469)” without specifying a public law, was executed by making the substitution for “the Acts of August 21, 1935 (16 U.S.C. 461-467) and June 27, 1960 (16 U.S.C. 469)” in the first paragraph of this section, which is the second undesignated par. under the headings “BUREAU OF RECLAMATION” and “ADMINISTRATIVE PROVISIONS” in title II of Pub. L. 102-377, Oct. 2, 1992, 106 Stat. 1330, to reflect the probable intent of Congress. See Codification note above.

2003—Pub. L. 108-137 inserted in first par. “, not to exceed \$5,000,000 for each causal event giving rise to a claim or claims” after “activities of the Bureau of Reclamation”.

Statutory Notes and Related Subsidiaries

OPERATIONS AND MAINTENANCE COSTS OF CERTAIN BUREAU OF RECLAMATION DAMS AND DIKES

Pub. L. 115-270, title IV, §4309, Oct. 23, 2018, 132 Stat. 3889, as amended by Pub. L. 117-263, div. E, title LIX, §5944, Dec. 23, 2022, 136 Stat. 3472, provided that:

“(a) IN GENERAL.—Notwithstanding any other provision of law (including regulations), effective during the one-year period beginning on the date of the enactment of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 [Dec. 23, 2022], the Federal share of the dam safety modifications costs of a dam or dike described in subsection (b), including repairing or replacing a gate or ancillary gate components, shall be 100 percent.

“(b) DESCRIPTION OF DAMS AND DIKES.—A dam or dike referred to in subsection (a) is a dam or dike—

“(1) that is owned by the Bureau of Reclamation on the date of enactment of this section [Oct. 23, 2018];

“(2) the construction of which was completed not later than December 31, 1948;

“(3) a corrective action study for which was completed not later than December 31, 2015; and

“(4) the construction of which was authorized by the Act of June 28, 1938 (52 Stat. 1215, chapter 795).”

§ 378. Omitted

Editorial Notes

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Section, act June 30, 1906, ch. 3912, 34 Stat. 663, authorized Secretary of the Interior to contract for office accommodations for Bureau of Reclamation in city of Washington. Construction of a building to afford office space for the bureau was authorized by act Mar. 4, 1913, ch. 147, §9, 37 Stat. 880.

§ 379. Purchase of scientific books, law books, etc.

The Secretary of the Interior may authorize the purchase of such law books, books of reference, periodicals, engineering and statistical publications as are needed in carrying out the surveys and examinations authorized by the Act of June seventeenth, nineteen hundred and two, entitled “An Act appropriating the receipts

from the sale and disposal of public lands in certain States and Territories for the construction of irrigation works for the reclamation of arid lands.”

(May 27, 1908, ch. 200, 35 Stat. 350.)

Editorial Notes

REFERENCES IN TEXT

Act of June seventeenth, nineteen hundred and two, referred to in text, is act June 17, 1902, ch. 1093, 32 Stat. 388, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

§ 380. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029

Section, act July 1, 1918, ch. 113, 40 Stat. 675, authorized purchases and procurement of services without advertising and formal contract.

§§ 380a, 380b. Omitted

Editorial Notes

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Section 380a, acts Aug. 4, 1939, ch. 418, §13, 53 Stat. 1197; Oct. 10, 1940, ch. 851, §4, 54 Stat. 1111, authorized purchases by Bureau of Reclamation without compliance with section 16 of former Title 41, Public Contracts.

Section 380b, act July 9, 1952, ch. 597, title I, 66 Stat. 453, which authorized transfer of surplus aircraft parts and equipment to Bureau of Reclamation was from the Interior Department Appropriation Act, 1953, and was not repeated in subsequent appropriation acts.

A prior section 380b, act Aug. 31, 1951, ch. 375, title I, 65 Stat. 257, contained provisions similar to section 380b.

§ 381. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 639

Section, acts June 17, 1902, ch. 1093, §5, 32 Stat. 389; Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145, provided for commissions of registers and receivers of land offices.

§ 382. Repealed. Pub. L. 87-304, §9(a)(3), Sept. 26, 1961, 75 Stat. 664

Section, act May 27, 1908, ch. 200, 35 Stat. 350, related to assignment of pay by employees of Bureau of Reclamation. See section 5525 of Title 5, Government Organization and Employees.

§ 383. Vested rights and State laws unaffected

Nothing in this Act shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this Act, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream or the waters thereof.

(June 17, 1902, ch. 1093, §8, 32 Stat. 390.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is act June 17, 1902, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

CODIFICATION

Section is comprised of section 8 (less proviso) of act June 17, 1902. The remainder of section 8 is classified to section 372 of this title.

Statutory Notes and Related Subsidiaries

SECTION AS UNAFFECTED BY SUBMERGED LANDS ACT

Provisions of this section as not amended, modified or repealed by the Submerged Lands Act, see section 1303 of this title.

§ 384. Extension of time for payment of charges accrued prior to March 2, 1924, and January 1, 1925

(a) The Secretary of the Interior is authorized and empowered, in his discretion, to defer the dates of payments of any charges, rentals, and penalties which have accrued prior to the 2d day of March, 1924, under the Act of June 17, 1902 (32 Stat. 388), and amendatory and supplemental acts or prior to that date, as against water users on any irrigation project being constructed or operated and maintained under the direction of the Commissioner of Indian Affairs, as may, in his judgment, be necessary in or concerning any irrigation project existing on May 9, 1924, under said act: *Provided*, That no payment shall be deferred under this section in any particular case beyond March 1, 1927: *Provided*, That upon such adjustment being made, any penalties or interest which may have accrued in connection with such unpaid construction and operation and maintenance charges shall be canceled, and in lieu thereof the amount so due, and the payment of which is hereby extended, shall draw interest at the rate of 5 per centum per annum, paid annually from the time said amount became due to date of payment: *And provided further*, That in case the principal and interest herein provided for are not paid in the manner and at the time provided by this section, any penalty provided by the law in effect on May 9, 1924, shall thereupon attach from the date of such default.

(b) Where an individual water user, or individual applicant for a water right under a Federal irrigation project constructed or being constructed under the Act of June 17, 1902 (32 Stat. 388), or any act amendatory thereof or supplementary thereto, makes application prior to January 1, 1925, alleging that he will be unable to make the payments as required in subsection (a) hereof, the Secretary of the Interior is authorized in his discretion prior to March 1, 1925, to add such accrued and unpaid charges to the construction charge of the land of such water user or applicant, and to distribute such accumulated charges equally over each of the subsequent years, beginning with the year 1925, or, in the discretion of the Secretary, distribute a total of one-fourth over the first half of the remaining years of the 20-year period beginning with the year 1925, and three-fourths over the

second half of such period, so as to complete the payment during the remaining years of the 20-year period of payment of the original construction charge: *Provided*, That upon such adjustment being made, any penalties or interest which may have accrued in connection with such unpaid construction and operation and maintenance charges shall be canceled, and in lieu thereof the amount so due, and the payment of which is extended, shall draw interest at the rate of 5 per centum per annum, paid annually from the time said amount became due to the date of payment: *Provided further*, That the applicant for the extension shall first show to the satisfaction of the Secretary of the Interior detailed statement of his assets and liabilities and probable inability to make payment at the time required in subsection (a): *And provided further*, That in case the principal and interest herein provided for are not paid in the manner and at the time provided by this section, any penalty provided by law, prior to May 9, 1924, shall thereupon attach from the date of such default: *And provided further*, That similar relief in whole or in part may be extended by the Secretary of the Interior to a legally organized group of water users of a project, upon presentation of a sufficient number of individual showings made in accordance with the foregoing proviso to satisfy the Secretary of the Interior that such extension is necessary.

(May 9, 1924, ch. 150, §§1, 2, 43 Stat. 116.)

Editorial Notes

REFERENCES IN TEXT

Act of June 17, 1902, referred to in text, is popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

Executive Documents

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

§ 385. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 649

Section, act Aug. 9, 1937, ch. 570, §1, 50 Stat. 592, related to contracts for medical attention and service for employees.

Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 647 to 649, also repealed acts Jan. 12, 1927, ch. 27, 44 Stat. 957; Mar. 7, 1928, ch. 137, 45 Stat. 227; Mar. 4, 1929, ch. 705, §1, 45 Stat. 1589; May 14, 1930, ch. 273, §1, 46 Stat. 306; Feb. 14, 1931, ch. 187, §1, 46 Stat. 1142; Apr. 22, 1932, ch. 125, §1, 47 Stat. 114; Feb. 17, 1933, ch. 98, §1, 47 Stat. 842; Mar. 2, 1934, ch. 38, §1, 48 Stat. 380; May 9, 1935, ch. 101, §1, 49 Stat. 197, and June 22, 1936, ch. 691, §1, 49 Stat. 1781, which contained similar provisions.

§ 385a. Payments to school districts for education of dependents of construction personnel; cooperative arrangements; chargeable to project

The Secretary of the Interior, giving due consideration to the temporary nature of the re-