

Development Appropriations Acts shall on and after October 2, 1992, be available for payment of claims for damages to or loss of property, personal injury, or death arising out of activities of the Bureau of Reclamation, not to exceed \$5,000,000 for each causal event giving rise to a claim or claims; payment, except as otherwise provided for, of compensation and expenses of persons on the rolls of the Bureau of Reclamation appointed as authorized by law to represent the United States in the negotiations and administration of interstate compacts without reimbursement or return under the reclamation laws; services as authorized by section 3109 of title 5, in total not to exceed \$500,000 per year; rewards for information or evidence concerning violations of law involving property under the jurisdiction of the Bureau of Reclamation; performance of the functions specified under the head "Operation and Maintenance Administration", Bureau of Reclamation, in the Interior Department Appropriations Act<sup>1</sup> 1945; preparation and dissemination of useful information including recordings, photographs, and photographic prints; and studies of recreational uses of reservoir areas, and investigation and recovery of archeological and paleontological remains in such areas in the same manner as provided for in the Acts of August 21, 1935 (16 U.S.C. 461-467) and June 27, 1960 (16 U.S.C. 469): *Provided*, That on and after October 2, 1992, no part of any appropriation made in this Act or in subsequent Energy and Water Development Appropriations Acts shall be available pursuant to the Act of April 19, 1945 (43 U.S.C. 377), for expenses other than those incurred on behalf of specific reclamation projects except "General Administrative Expenses", amounts provided for plan formulation investigations under the head "General Investigations", and amounts provided for science and technology under the head "Construction Program".

Sums appropriated in this Act or in subsequent Energy and Water Development Appropriations Acts which are expended in the performance of reimbursable functions of the Bureau of Reclamation shall be returnable to the extent and in the manner provided by law.

No part of any appropriation for the Bureau of Reclamation, contained in this Act, in any prior Act, or in subsequent Energy and Water Development Appropriations Acts which represents amounts earned under the terms of a contract but remaining unpaid, shall be obligated for any other purpose, regardless of when such amounts are to be paid: *Provided*, That the incurring of any obligation prohibited by this paragraph shall be deemed a violation of section 1341 of title 31.

None of the funds made available by this or any other Act or by any subsequent Act shall on and after October 2, 1992, be used by the Bureau of Reclamation for contracts for surveying and mapping services unless such contracts for which a solicitation is issued after the date of this Act<sup>2</sup> are awarded in accordance with title IX of the Federal Property and Administrative Service<sup>3</sup> Act of 1949.<sup>2</sup>

<sup>1</sup> So in original. Probably should be followed by a comma.

<sup>2</sup> See References in Text note below.

<sup>3</sup> So in original. Probably should be "Services".

(Pub. L. 102-377, title II, Oct. 2, 1992, 106 Stat. 1330, 1331; Pub. L. 108-137, title II, §206, Dec. 1, 2003, 117 Stat. 1849.)

#### REFERENCES IN TEXT

The Interior Department Appropriations Act 1945, referred to in text, is act June 28, 1944, ch. 298, 58 Stat. 463, which is not classified to the Code. The heading "Operation and maintenance administration" appears at 58 Stat. 487 following the heading "Bureau of Reclamation" which appears at 58 Stat. 486.

Act of August 21, 1935, referred to in text, is act Aug. 21, 1935, ch. 593, 49 Stat. 666, popularly known as the Historic Sites, Buildings and Antiquities Act, which is classified generally to sections 461 to 467 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 461 of Title 16 and Tables.

Act of June 27, 1960, referred to in text, is Pub. L. 86-523, June 27, 1960, 74 Stat. 220, which enacted sections 469 to 469c-1 of Title 16, Conservation. For complete classification of this Act to the Code, see Tables.

Act of April 19, 1945 (43 U.S.C. 377), referred to in text, is act April 19, 1945, ch. 80, 59 Stat. 54, which amended section 377 of this title. For complete classification of this Act to the Code, see Tables.

The date of this Act, referred to in text, probably means the date of enactment of Pub. L. 102-377, which enacted this section, and which was approved Oct. 2, 1992.

The Federal Property and Administrative Services Act of 1949, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377. Title IX of the Act, which was classified generally to subchapter VI (§541 et seq.) of chapter 10 of former Title 40, Public Buildings, Property, and Works, was repealed and reenacted by Pub. L. 107-217, §1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304, as chapter 11 (§1101 et seq.) of Title 40, Public Buildings, Property, and Works. For disposition of sections of former Title 40 to revised Title 40, see Table preceding section 101 of Title 40. For complete classification of this Act to the Code, see Tables.

#### 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

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".

#### § 378. Omitted

#### CODIFICATION

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.)

#### 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

#### CODIFICATION

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.)

#### 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.

#### 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) of this section, 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 de-