

§ 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 chapter 21 of title 41 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.

CODIFICATION

In text, “chapter 21 of title 41” substituted for “the Federal Procurement Integrity Act (41 U.S.C. 423 (1988))” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

§ 1475b. Volunteer authority

(a) In general

The Secretary of the Interior may recruit, train, and accept, without regard to the civil service classification laws, rules, or regulations, the services of individuals, contributed without compensation as volunteers, for aiding in or facilitating the activities administered by the Secretary through the Bureau of Indian Affairs, the United States Geological Survey, the Bureau of Reclamation, and the Office of the Secretary.

(b) Restrictions on activities of volunteers

(1) In general

In accepting such services of individuals as volunteers, the Secretary shall not permit the use of volunteers in law enforcement work, in regulatory and enforcement work, in policy-making processes, or to displace any employee.

(2) Private property

No volunteer services authorized by this Act may be conducted on private property unless the officer or employee charged with supervising the volunteer obtains appropriate consent to enter the property from the property owner.

(3) Hazardous duty

The Secretary may accept the services of individuals in hazardous duty only upon a determination by the Secretary that such individuals are skilled in performing hazardous duty activities.

(4) Supervision

The Secretary shall ensure that an appropriate officer or employee of the United States

provides adequate and appropriate supervision of each volunteer whose services the Secretary accepts.

(c) Provision of services and costs

The Secretary may provide for services and costs incidental to the utilization of volunteers, including transportation, supplies, uniforms, lodging, subsistence (without regard to place of residence), recruiting, training, supervision, and awards and recognition (including nominal cash awards).

(d) Federal employment status of volunteers

(1) Except as otherwise provided in this subsection, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those provisions relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(2) Volunteers shall be deemed employees of the United States for the purposes of—

- (A) the tort claims provisions of title 28;
- (B) subchapter I of chapter 81 of title 5; and
- (C) claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, in which case the provisions of section 3721 of title 31 shall apply.

(3) Volunteers under this Act shall be subject to chapter 11 of title 18, unless the Secretary, with the concurrence of the Director of the Office of Government Ethics, determines in writing published in the Federal Register that the provisions of that chapter, except section 201, shall not apply to the actions of a class or classes of volunteers who carry out only those duties or functions specified in the determination.

(Pub. L. 109-125, §3, Dec. 7, 2005, 119 Stat. 2544.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (b)(2) and (d)(3), is Pub. L. 109-125, Dec. 7, 2005, 119 Stat. 2544, known as the Department of the Interior Volunteer Recruitment Act of 2005, which enacted this section and provisions set out as notes under this section and section 1451 of this title. For complete classification of this Act to the Code, see Short Title of 2005 Amendment note set out under section 1451 of this title and Tables.

PURPOSE

Pub. L. 109-125, §2, Dec. 7, 2005, 119 Stat. 2544, provided that: “The purpose of this Act [enacting this section and provisions set out as a note under section 1451 of this title] is to authorize the Secretary of the Interior to recruit and use volunteers to assist with, or facilitate, the programs of the Bureau of Indian Affairs, the United States Geological Survey, the Bureau of Reclamation, and the Office of the Secretary.”

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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 [published Dec. 14, 2007, see 72 F.R. 71143]—

"(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 [published Dec. 14, 2007, see 72 F.R. 71143]—

"(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'."

Pub. L. 108-451, title II, §201, Dec. 10, 2004, 118 Stat. 3499, provided that: "This title [amending section 1524