

it is the declared policy of the Congress that States carry out their responsibilities under this chapter to develop appropriate and consistent policies so as to—

(A) protect natural resources and habitat areas;

(B) guarantee recreational exploration of shipwreck sites; and

(C) allow for appropriate public and private sector recovery of shipwrecks consistent with the protection of historical values and environmental integrity of the shipwrecks and the sites.

**(b) Parks and protected areas**

In managing the resources subject to the provisions of this chapter, States are encouraged to create underwater parks or areas to provide additional protection for such resources. Funds available to States from grants from the Historic Preservation Fund shall be available, in accordance with the provisions of chapter 3029 of title 54, for the study, interpretation, protection, and preservation of historic shipwrecks and properties.

(Pub. L. 100-298, § 4, Apr. 28, 1988, 102 Stat. 433.)

**Editorial Notes**

**CODIFICATION**

In subsec. (b), “chapter 3029 of title 54” substituted for “title I of the National Historic Preservation Act” on authority of Pub. L. 113-287, § 6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

**§ 2104. Preparation of guidelines**

**(a) Purposes of guidelines; publication in Federal Register**

In order to encourage the development of underwater parks and the administrative cooperation necessary for the comprehensive management of underwater resources related to historic shipwrecks, the Secretary of the Interior, acting through the Director of the National Park Service, shall within nine months after April 28, 1988, prepare and publish guidelines in the Federal Register which shall seek to:

(1) maximize the enhancement of cultural resources;

(2) foster a partnership among sport divers, fishermen, archeologists, salvors, and other interests to manage shipwreck resources of the States and the United States;

(3) facilitate access and utilization by recreational interests;

(4) recognize the interests of individuals and groups engaged in shipwreck discovery and salvage.

**(b) Consultation**

Such guidelines shall be developed after consultation with appropriate public and private sector interests (including the Secretary of Commerce, the Advisory Council on Historic Preservation, sport divers, State Historic Preservation Officers, professional dive operators, salvors, archeologists, historic preservationists, and fishermen).

**(c) Use of guidelines in developing legislation and regulations**

Such guidelines shall be available to assist States and the appropriate Federal agencies in

developing legislation and regulations to carry out their responsibilities under this chapter.

(Pub. L. 100-298, § 5, Apr. 28, 1988, 102 Stat. 433.)

**§ 2105. Rights of ownership**

**(a) United States title**

The United States asserts title to any abandoned shipwreck that is—

(1) embedded in submerged lands of a State;

(2) embedded in coralline formations protected by a State on submerged lands of a State; or

(3) on submerged lands of a State and is included in or determined eligible for inclusion in the National Register.

**(b) Notice of shipwreck location; eligibility determination for inclusion in National Register of Historic Places**

The public shall be given adequate notice of the location of any shipwreck to which title is asserted under this section. The Secretary of the Interior, after consultation with the appropriate State Historic Preservation Officer, shall make a written determination that an abandoned shipwreck meets the criteria for eligibility for inclusion in the National Register of Historic Places under clause (a)(3).

**(c) Transfer of title to States**

The title of the United States to any abandoned shipwreck asserted under subsection (a) of this section is transferred to the State in or on whose submerged lands the shipwreck is located.

**(d) Exception**

Any abandoned shipwreck in or on the public lands of the United States is the property of the United States Government. Any abandoned shipwreck in or on any Indian lands is the property of the Indian tribe owning such lands.

**(e) Reservation of rights**

This section does not affect any right reserved by the United States or by any State (including any right reserved with respect to Indian lands) under—

(1) section 1311, 1313, or 1314 of this title; or

(2) section 414 or 415 of title 33.

(Pub. L. 100-298, § 6, Apr. 28, 1988, 102 Stat. 433.)

**§ 2106. Relationship to other laws**

**(a) Law of salvage and law of finds**

The law of salvage and the law of finds shall not apply to abandoned shipwrecks to which section 2105 of this title applies.

**(b) Laws of United States**

This chapter shall not change the laws of the United States relating to shipwrecks, other than those to which this chapter applies.

**(c) Effective date**

This chapter shall not affect any legal proceeding brought prior to April 28, 1988.

(Pub. L. 100-298, § 7, Apr. 28, 1988, 102 Stat. 434.)

**CHAPTER 40—RECLAMATION STATES  
EMERGENCY DROUGHT RELIEF**

Sec.  
2201. Definitions.

Sec.

SUBCHAPTER I—DROUGHT PROGRAM

- 2211. Assistance during drought; water purchases.
- 2212. Availability of water on temporary basis.
- 2213. Loans.
- 2214. Applicable period of drought program.
- 2215. Assistance for drought-related planning in reclamation States.

SUBCHAPTER II—DROUGHT CONTINGENCY PLANNING

- 2221. Identification of opportunities for water supply conservation, augmentation and use.
- 2222. Drought contingency plans.
- 2223. Plan elements.
- 2224. Recommendations.
- 2225. Reclamation Drought Response Fund.
- 2226. Technical assistance and transfer of precipitation management technology.

SUBCHAPTER III—GENERAL AND MISCELLANEOUS PROVISIONS

- 2241. Authorization of appropriations.
- 2242. Authority of Secretary.
- 2243. Temperature control at Shasta Dam, Central Valley Project.
- 2244. Effect of chapter on other laws.
- 2245. Excess storage and carrying capacity.
- 2246. Report.
- 2247. Federal Reclamation laws.

§ 2201. Definitions

As used in this chapter:

- (1) The term “Secretary” means the Secretary of the Interior.
- (2) The term “Federal Reclamation laws” means the Act of June 17, 1902 (32 Stat. 388) and Acts supplementary thereto and amendatory thereof.
- (3) The term “Federal Reclamation project” means any project constructed or funded under Federal Reclamation law. Such term includes projects having approved loans under the Small Reclamation Projects Act of 1956 (70 Stat. 1044) [43 U.S.C. 422a et seq.].

(Pub. L. 102–250, § 2, Mar. 5, 1992, 106 Stat. 53.)

Editorial Notes

REFERENCES IN TEXT

Act of June 17, 1902, referred to in par. (2), is act June 17, 1902, ch. 1093, 32 Stat. 388, popularly known as the Reclamation Act, which is classified generally to chapter 12 (§371 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

The Small Reclamation Projects Act of 1956, referred to in par. (3), is act Aug. 6, 1956, ch. 972, 70 Stat. 1044, as amended, which is classified generally to subchapter IV (§422a et seq.) of chapter 12 of this title. For complete classification of this Act to the Code, see section 422k of this title and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 102–250, §1, Mar. 5, 1992, 106 Stat. 53, provided that: “This Act [enacting this chapter] may be cited as the ‘Reclamation States Emergency Drought Relief Act of 1991’.”

Executive Documents

BUILDING NATIONAL CAPABILITIES FOR LONG-TERM DROUGHT RESILIENCE

Memorandum of President of the United States, Mar. 21, 2016, 81 F.R. 16053, provided:

Memorandum for the Heads of Executive Departments and Agencies

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the following:

SECTION 1. *Purpose.* Our Nation must sustain and expand efforts to reduce the vulnerability of communities to the impacts of drought. Every year, drought affects millions of Americans and poses a serious and growing threat to the security and economies of communities nationwide. Drought presents challenges to the viability of agricultural production and to the quantity and quality of drinking water supplies that communities and industries depend upon. Drought jeopardizes the integrity of critical infrastructure, causes extensive economic and health impacts, harms ecosystems, and increases energy costs. In responding to and recovering from past droughts, we have learned that focused collaboration across all levels of government and the private sector is critical to enable productive and workable solutions to build regional resilience to drought.

Among other actions, this memorandum institutionalizes the National Drought Resilience Partnership (NDRP), which builds upon the National Integrated Drought Information System, an interagency program led by the Department of Commerce. The NDRP was outlined in the President’s Climate Action Plan to better coordinate Federal support for drought-related efforts, help communities reduce the impact of current drought events, and prepare for future droughts. In sustaining this focused collaboration, the NDRP will provide the Federal Government with a lasting platform that enables locally and regionally driven priorities and needs to guide coordinated Federal activities.

SEC. 2. *Policy.* It is the policy of the Federal Government to coordinate and use applicable Federal investments, assets, and expertise to promote drought resilience and complement drought preparedness, planning, and implementation efforts of State, regional, tribal, and local institutions. In addition, where appropriate, the Federal Government shall seek partnerships with such institutions and the private sector in order to increase and diversify our Nation’s water resources through the development and deployment of new technologies and improved access to alternative water supplies. Agencies shall also work with State, regional, tribal, and local institutions to support their efforts to maintain and enhance the long-term health and resilience of working lands and ecosystems. In carrying out this memorandum, executive departments and agencies (agencies) shall continue to recognize the primacy of States, regions, tribes, and local water users in building their resilience to drought.

SEC. 3. *Drought Resilience Goals.* (a) The heads of agencies shall, to the extent permitted by law and to the maximum extent possible, carry out the policy described in section 2 of this memorandum by implementing policies and taking actions to achieve the following drought resilience goals:

(i) *Data Collection and Integration.* Agencies shall share data and information related to drought, water use, and water availability, including data on snowpack, groundwater, stream flow, and soil moisture with State, regional, tribal, and local officials to strengthen decisionmaking to support more adaptive responses to drought and drought risk.

(ii) *Communicating Drought Risk to Critical Infrastructure.* Agencies shall communicate with State, regional, tribal, local, and critical infrastructure officials, targeted information about drought risks, including specific risks to critical infrastructure.

(iii) *Drought Planning and Capacity Building.* Agencies shall assist State, regional, tribal, and local officials in building local planning capacity for drought preparedness and resilience.

(iv) *Coordination of Federal Drought Activity.* Agencies shall improve the coordination and integration of drought-related activities to enhance the collective benefits of Federal programs and investments.

(v) *Market-Based Approaches for Infrastructure and Efficiency.* Agencies shall support the advancement of in-