

as determined by the President, should be waived in whole or in part to facilitate construction or operation of any such system approved under section 2007 of this title or of the Long Beach-Midland project, and he shall submit any such proposed waiver to both Houses of the Congress. The provisions so identified shall be waived with respect to actions to be taken to construct or operate such system or project only upon enactment of a joint resolution within the first period of 60 calendar days of continuous session of Congress beginning on the date of receipt by the House of Representatives and the Senate of such proposal.

**(b) Joint resolution**

The resolving clause of the joint resolution referred to in subsection (a) is as follows: "That the House of Representatives and Senate approve the waiver of the provisions of law ( ) as proposed by the President, submitted to the Congress on , 19 .". The first blank space therein being filled with the citation to the provisions of law proposed to be waived by the President and the second blank space therein being filled with the date on which the President submits his decision to waive<sup>1</sup> such provisions of law to the House of Representatives and the Senate. Rules and procedures for consideration of any such joint resolution shall be governed by section 719f(c) and (d) of title 15, other than paragraph (2) of section 719f(d) of title 15, except that for the purposes of this subsection, the phrase "a waiver of provisions of law" shall be substituted in section 719f(d) of title 15 each place where the phrase "an Alaska natural gas transportation system" appears.

(Pub. L. 95-617, title V, §508, Nov. 9, 1978, 92 Stat. 3162.)

**Statutory Notes and Related Subsidiaries**

DEFINITIONS

The definition of "antitrust laws" in section 2602 of Title 16, Conservation, applies to this section.

**§ 2009. Expedited procedures for issuance of permits: enforcement of rights-of-way**

**(a) Expedited procedures for approved systems**

After issuance of a decision by the President approving any crude oil transportation system, all Federal officers and agencies shall expedite, to the maximum extent practicable, consistent with applicable provisions of law, all actions necessary to determine whether to issue, administer, or enforce rights-of-way across Federal lands and to issue Federal permits in connection with, or otherwise to authorize, construction and operation of such system. Any such action shall be consistent with applicable provisions of law. After taking any such action, such officer or agency shall publish notification of the taking of such action in the Federal Register.

**(b) Expedited procedures for Long Beach-Midland project**

All decisions regarding issuance of Federal permits, rights-of-way, and leases and other Federal authorizations necessary for construc-

tion and operation of the Long Beach-Midland project shall be consistent with applicable provisions of Federal law, except that such decisions shall be made within 30 days after the date this chapter becomes effective. The President may extend the date by which such decisions, under the preceding sentence, are to be made to a date not later than 90 days after the effective date of this chapter. Notification of the making of such decisions shall be published in the Federal Register. Nothing in this section affects any decision made before November 9, 1978.

**(c) Law governing rights-of-way**

Rights-of-way over any Federal land with respect to an approved crude oil transportation system or the Long Beach-Midland project shall be governed by the provisions of section 185 of title 30, other than subsection (w)(2) of such section.

(Pub. L. 95-617, title V, §509, Nov. 9, 1978, 92 Stat. 3162.)

**Editorial Notes**

REFERENCES IN TEXT

The date this chapter becomes effective and the effective date of this chapter, referred to in subsec. (b), mean the date of enactment of title V of Pub. L. 95-617, which was approved Nov. 9, 1978.

**§ 2010. Negotiations with Government of Canada**

With respect to any crude oil transportation system approved under section 2007(a) of this title all or any part of which is to be located in Canada, the President of the United States is authorized and requested to enter into negotiations with the Government of Canada to determine what measures can be taken to expedite the granting of approvals by the Government of Canada for construction or operation of such system, and he is authorized and requested to explore the possibility of further exchanges of crude oil supplies between the United States and Canada.

(Pub. L. 95-617, title V, §510, Nov. 9, 1978, 92 Stat. 3163.)

**§ 2011. Judicial review**

**(a) Notice**

The President or any other Federal officer shall cause notice to be published in the Federal Register and in newspapers of general circulation in the areas affected whenever he makes any decision described in subsection (b).

**(b) Review of certain Federal actions**

Any action seeking judicial review of an action or decision of the President or any other Federal officer taken or made after November 9, 1978, concerning the approval or disapproval of a crude oil transportation system or the issuance of necessary rights-of-way, permits, leases, and other authorizations for the construction, operation, and maintenance of the Long Beach-Midland project or a crude oil transportation system approved under section 2007(a) of this title may only be brought within 60 days after the date on which notification of the action or decision of such officer is published in the Federal

<sup>1</sup> So in original. Probably should be "waive".

Register, or in newspapers of general circulation in the areas affected, whichever is later.

**(c) Jurisdiction of courts**

An action under subsection (b) shall be barred unless a petition is filed within the time specified. Any such petition shall be filed in the appropriate United States district court. A copy of such petition shall be transmitted by the clerk of such court to the Secretary. Notwithstanding the amount in controversy, such court shall have jurisdiction to determine such proceeding in accordance with the procedures hereinafter provided and to provide appropriate relief. No State or local court shall have jurisdiction of any such claim whether in a proceeding instituted before, on, or after the date this chapter becomes effective. No court shall have jurisdiction to grant any injunctive relief against the issuance of any right-of-way, permit, lease, or other authorization in connection with a crude oil transportation system approved under section 2007(a) of this title or the Long Beach-Midland project, except as part of a final judgment entered in a case involving a claim filed pursuant to this section.

(Pub. L. 95-617, title V, §511, Nov. 9, 1978, 92 Stat. 3163; Pub. L. 98-620, title IV, §402(45), Nov. 8, 1984, 98 Stat. 3360.)

**Editorial Notes**

REFERENCES IN TEXT

The date this chapter becomes effective, referred to in subsec. (c), means the date of enactment of title V of Pub. L. 95-617, which was approved Nov. 9, 1978.

AMENDMENTS

1984—Subsec. (c). Pub. L. 98-620 struck out provision that any such proceeding had to be assigned for hearing at the earliest possible date and had to be expedited by the court.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-620 not applicable to cases pending on Nov. 8, 1984, see section 403 of Pub. L. 98-620, set out as a note under section 1657 of Title 28, Judiciary and Judicial Procedure.

DEFINITIONS

The definition of “State” in section 2602 of Title 16, Conservation, applies to this section.

**§ 2012. Authorization for appropriation**

There are authorized to be appropriated to the Secretary of the Interior to carry out his responsibilities under this chapter not to exceed \$500,000 for the fiscal year ending on September 30, 1978, and not to exceed \$1,000,000 for the fiscal year ending on September 30, 1979.

(Pub. L. 95-617, title V, §512, Nov. 9, 1978, 92 Stat. 3164.)

**CHAPTER 39—ABANDONED SHIPWRECKS**

Sec.	
2101.	Findings.
2102.	Definitions.
2103.	Rights of access.
2104.	Preparation of guidelines.
2105.	Rights of ownership.
2106.	Relationship to other laws.

**§ 2101. Findings**

The Congress finds that—

(a) States have the responsibility for management of a broad range of living and non-living resources in State waters and submerged lands; and

(b) included in the range of resources are certain abandoned shipwrecks, which have been deserted and to which the owner has relinquished ownership rights with no retention.

(Pub. L. 100-298, §2, Apr. 28, 1988, 102 Stat. 432.)

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Pub. L. 100-298, §1, Apr. 28, 1988, 102 Stat. 432, provided that: “This Act [enacting this chapter] may be cited as the ‘Abandoned Shipwreck Act of 1987.’”

**§ 2102. Definitions**

For purposes of this chapter—

(a) the term “embedded” means firmly affixed in the submerged lands or in coralline formations such that the use of tools of excavation is required in order to move the bottom sediments to gain access to the shipwreck, its cargo, and any part thereof;

(b) the term “National Register” means the National Register of Historic Places maintained by the Secretary of the Interior under section 101 of the National Historic Preservation Act (16 U.S.C. 470a);<sup>1</sup>

(c) the terms “public lands”, “Indian lands”, and “Indian tribe” have the same meaning given the terms in the Archaeological Resource<sup>2</sup> Protection Act of 1979 (16 U.S.C. 470aa-470ll);

(d) the term “shipwreck” means a vessel or wreck, its cargo, and other contents;

(e) the term “State” means a State of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands; and

(f) the term “submerged lands” means the lands—

(1) that are “lands beneath navigable waters,” as defined in section 1301 of this title;

(2) of Puerto Rico, as described in section 749 of title 48;

(3) of Guam, the Virgin Islands and American Samoa, as described in section 1705 of title 48; and

(4) of the Commonwealth of the Northern Mariana Islands, as described in section 801 of Public Law 94-241.<sup>1</sup>

(Pub. L. 100-298, §3, Apr. 28, 1988, 102 Stat. 432.)

**Editorial Notes**

REFERENCES IN TEXT

Section 101 of the National Historic Preservation Act (16 U.S.C. 470a), referred to in subsec. (b), is section 101 of Pub. L. 89-665, which was repealed and restated as chapters 3021 to 3027 and sections 302902(a), 302903(a), 302904 to 302909, 303902, 303903, and 306101(b) and (c) of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272.

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. Probably should be “Resources”.