

(B) any other security pledged to secure the obligation.

(Pub. L. 109-451, title II, §205, Dec. 22, 2006, 120 Stat. 3358.)

**§ 2425. Operations, maintenance, and replacement costs**

**(a) In general**

The non-Federal share of operations, maintenance, and replacement costs for a project receiving Federal assistance under this subchapter shall be 100 percent.

**(b) Plan**

On request of the non-Federal borrower, the Secretary may assist in the development of an operation, maintenance, and replacement plan to provide the necessary framework to assist the non-Federal borrower in establishing rates and fees for project beneficiaries.

(Pub. L. 109-451, title II, §206, Dec. 22, 2006, 120 Stat. 3360.)

**§ 2426. Title to newly constructed facilities**

**(a) New projects and facilities**

All new projects or facilities constructed in accordance with this subchapter shall remain under the jurisdiction and control of the non-Federal borrower subject to the terms of the repayment agreement.

**(b) Existing projects and facilities**

Nothing in this subchapter affects the title of—

- (1) reclamation projects authorized prior to December 22, 2006;
- (2) works supplemental to existing reclamation projects; or
- (3) works constructed to rehabilitate existing reclamation projects.

(Pub. L. 109-451, title II, §207, Dec. 22, 2006, 120 Stat. 3360.)

**§ 2427. Water rights**

**(a) In general**

Nothing in this subchapter preempts or affects State water law or an interstate compact governing water.

**(b) Compliance required**

The Secretary shall comply with State water laws in carrying out this subchapter. Nothing in this subchapter affects or preempts State water law or an interstate compact governing water.

(Pub. L. 109-451, title II, §208, Dec. 22, 2006, 120 Stat. 3360.)

**§ 2428. Interagency coordination and cooperation**

**(a) Consultation**

The Secretary shall consult with the Secretary of Agriculture before promulgating criteria with respect to financial appraisal functions and loan guarantee administration for activities carried out under this subchapter.

**(b) Memorandum of agreement**

The Secretary and the Secretary of Agriculture shall enter into a memorandum of agree-

ment providing for Department of Agriculture financial appraisal functions and loan guarantee administration for activities carried out under this subchapter.

(Pub. L. 109-451, title II, §209, Dec. 22, 2006, 120 Stat. 3360.)

**§ 2429. Records; audits**

**(a) In general**

A recipient of a loan guarantee shall keep such records and other pertinent documents as the Secretary shall prescribe by regulation, including such records as the Secretary may require to facilitate an effective audit.

**(b) Access**

The Secretary and the Comptroller General of the United States, or their duly authorized representatives, shall have access, for the purpose of audit, to the records and other pertinent documents.

(Pub. L. 109-451, title II, §210, Dec. 22, 2006, 120 Stat. 3360.)

**§ 2430. Full faith and credit**

The full faith and credit of the United States is pledged to the payment of all guarantees issued under this section with respect to principal and interest.

(Pub. L. 109-451, title II, §211, Dec. 22, 2006, 120 Stat. 3360.)

**§ 2431. Report**

Not later than 1 year after the date on which the eligibility criteria are published in the Federal Register under section 2422(a) of this title, and every 2 years thereafter, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report that describes the implementation of the loan guarantee program under section 2423 of this title.

(Pub. L. 109-451, title II, §212, Dec. 22, 2006, 120 Stat. 3361.)

**§ 2432. Effect on the reclamation laws**

**(a) Reclamation projects**

Nothing in this subchapter supersedes or amends any Federal law associated with a project, or a portion of a project, constructed under the reclamation laws.

**(b) No new or supplemental benefits**

Any assistance provided under this subchapter shall not—

- (1) be considered to be a new or supplemental benefit for purposes of the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.); or
- (2) affect any contract in existence on December 22, 2006, that is executed under the reclamation laws.

(Pub. L. 109-451, title II, §213, Dec. 22, 2006, 120 Stat. 3361.)

**Editorial Notes**

REFERENCES IN TEXT

The Reclamation Reform Act of 1982, referred to in subsec. (b)(1), is title II of Pub. L. 97-293, Oct. 12, 1982,

96 Stat. 1263, which enacted subchapter I-A (§390aa et seq.) of chapter 12 of this title, amended sections 373a, 422e, 425b, and 485h of this title, and repealed section 383 of Title 25, Indians. For complete classification of this Act to the Code, see Tables.

**§ 2433. Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this subchapter, to remain available until expended.

(Pub. L. 109-451, title II, §214, Dec. 22, 2006, 120 Stat. 3361.)

**§ 2434. Termination of authority**

**(a) In general**

Subject to subsection (b), the authority of the Secretary to carry out this subchapter terminates on the date that is 10 years after December 22, 2006.

**(b) Exception**

The termination of authority under subsection (a) shall have no effect on—

- (1) any loans guaranteed by the United States under this subchapter; or
- (2) the administration of any loan guaranteed under this subchapter before the effective date of the termination of authority.

(Pub. L. 109-451, title II, §215, Dec. 22, 2006, 120 Stat. 3361.)

**CHAPTER 43—SUSPENDED ENTRIES AND CLAIMS; PATENTS**

|       |   |
|-------|---|
| Sec.  |   |
| 2501. | “Suspended entries of public lands” and “suspended preemption land claims”. |
| 2502. | Adjudications as to suspended entries; approval.                            |
| 2503. | Patents surrendered and new ones issued.                                    |
| 2504. | Extent of foregoing provisions.   |
| 2505. | Suspension of entries for correction of clerical errors; patents.           |
| 2506. | Limitations of suits to annul patents.                                      |
| 2507. | Entries and final proofs, made out of proper district, confirmed.           |

**§ 2501. “Suspended entries of public lands” and “suspended preemption land claims”**

The Secretary of the Interior, or such officer as he may designate, is authorized to decide upon principles of equity and justice, as recognized in courts of equity, and in accordance with regulations to be approved by the Secretary of the Interior, consistently with such principles, all cases of suspended entries of public lands and of suspended preemption land claims, and to adjudicate in what cases patents shall issue upon the same.

(R.S. §2450; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244; Sept. 20, 1922, ch. 350, 42 Stat. 857; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 1161 of this title prior to editorial reclassification and renumbering as this section.

R.S. §2450 derived from acts Aug. 3, 1846, ch. 78, §1, 9 Stat. 51; Mar. 3, 1853, ch. 152, §1, 10 Stat. 258; June 26,

1856, ch. 47, 11 Stat. 22; June 1, 1874, ch. 200, 18 Stat. 50; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244.

**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.

“Secretary of the Interior, or such officer as he may designate,” substituted for “Commissioner of the General Land Office” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

**§ 2502. Adjudications as to suspended entries; approval**

Every such adjudication shall be approved by the Secretary of the Interior and shall operate only to divest the United States of the title to the land embraced thereby, without prejudice to the rights of conflicting claimants.

(R.S. §2451; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244; Sept. 20, 1922, ch. 350, 42 Stat. 858.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 1162 of this title prior to editorial reclassification and renumbering as this section.

R.S. §2451 derived from acts Aug. 3, 1846, ch. 78, §1, 9 Stat. 51; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244.

**§ 2503. Patents surrendered and new ones issued**

Where patents have been already issued on entries which are approved by the Secretary of the Interior, the Secretary of the Interior, or such officer as he may designate, upon the canceling of the outstanding patent, is authorized to issue a new patent, on such approval, to the person who made the entry, his heirs or assigns.

(R.S. §2456; Sept. 20, 1922, ch. 350, 42 Stat. 858; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 1163 of this title prior to editorial reclassification and renumbering as this section.

R.S. §2456 derived from act Mar. 3, 1853, ch. 152, §2, 10 Stat. 258.

**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.

“Secretary of the Interior, or such officer as he may designate,” substituted for “Commissioner of the General Land Office” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

**§ 2504. Extent of foregoing provisions**

Sections 2501 to 2503 of this title shall be applicable to all cases of suspended entries and loca-