

Reclamation Manual

Directives and Standards

Subject:	Reclamation Standard Water-Related Contract Articles, Standard Article 18: Administration of Federal Project Lands
Purpose:	To provide the text of and requirements for the application of Standard Article 18: Administration of Federal Project Lands (Standard Article 18), for the benefit of supporting general policy and specific requirements set forth in Reclamation Manual Policy, <i>Reclamation Standard Water-Related Contract Articles</i> (PEC P10).
Authority:	The Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), especially section 6 (43 U.S.C. § 498), and acts amendatory and supplementary thereto, especially section 5 of the Reclamation Extension Act of 1914 (Pub. L. 63-170; 43 U.S.C. § 499), and subsection G of the Fact Finders' Act of 1924 (Pub. L. 68-292; 43 U.S.C. § 500).
Approving Official:	Director, Policy and Programs
Contact:	Reclamation Law Administration Division (84-55000)

1. **Introduction.** In general, Standard Article 18 is required where the contractor is or is expected to be responsible for operation and maintenance of project facilities or lands (see Paragraph 4.B. PEC P10). It addresses the authority, duties, and limitations associated with the contractor's use of Federal lands in connection with these responsibilities.
2. **Applicability.** This Directive and Standard applies to Bureau of Reclamation staff and officials involved in the contracting process, as defined at Paragraph 5.A. of PEC P10.
3. **Requirements and Responsibilities.** Reclamation staff and officials involved in the contracting process will include the text below in all contracts requiring Standard Article 18 under Paragraph 4.B. of PEC P10.

ADMINISTRATION OF FEDERAL PROJECT LANDS¹

The lands and interests in lands acquired, withdrawn, or reserved and needed by the United States for the purposes of care, operation, and maintenance of **(identify Federal project or project division, unit, or works, as appropriate)** project works may be used by the Contractor for such purposes. The Contractor is responsible for ensuring that no unauthorized encroachment occurs on Federal project lands and rights-of-way. The Contractor does not have

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the authority to issue any land-use agreement or grant that conveys an interest in Federal real property, nor to lease or dispose of any interest of the United States.

The United States retains responsibility for compliance with the National Historic Preservation Act of 1966 (NHPA), and the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). The contractor will notify the Contracting Officer and, only when on tribal land, also notify the appropriate tribal official, immediately upon the discovery of any potential historic properties or Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony.

4. **Definitions.** See Paragraph 5 of PEC P10.
5. **Review Period.** The originating office will review this release every 4 years.

RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: _____

Release No. _____

Ensure all employees needing this information are provided a copy of this release.

Reclamation Manual Release Number and Subject

Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

Filing instructions

Remove Sheets

Insert Sheets

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>

Filed by: _____

Date: _____