26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted ''Title 10, Armed Forces'' which in sections 3010 to 3013 continued Department of the Army under administrative supervision of a Secretary of the Army.

EFFECTIVE DATE OF 1958 AMENDMENT

Section 1505(2) of Pub. L. 85–726 provided that the amendment made by Pub. L. 85–726 is effective on 60th day following date on which Administrator of Federal Aviation Agency first appointed under Pub. L. 85–726 qualifies and takes office. Administrator appointed, qualified, and took office Oct. 31, 1958.

TRANSFER OF FUNCTIONS

For transfer of certain real property and functions relating to real property, insofar as they pertain to Air Force, from Secretary of the Army and Department of the Army to Secretary of the Air Force and Department of the Air Force, see Secretary of Defense Transfer Order No. 14 [§ 2(17)], eff. July 1, 1948.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1443 of this title.

§ 1443. Cancellation of leases of public lands used as airports made under law in force May 24, 1928

With the consent of the lessee, the Secretary of the Interior is authorized to cancel any lease of public lands for use as public aviation fields or airports, made under law in force May 24, 1928, and to lease such lands to the lessee upon the conditions prescribed by section 1442 of this title.

(May 24, 1928, ch. 728, § 3, 45 Stat. 729.)

CODIFICATION

Section was previously classified to section 213 of former Title 49, Transportation.

CHAPTER 31—DEPARTMENT OF THE INTERIOR

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§ 1451. Establishment

There shall be at the seat of government an executive department to be known as the De-

partment of the Interior, and a Secretary of the Interior, who shall be the head thereof.

(R.S. §437.)

CODIFICATION

R.S. §437 derived from act Mar. 3, 1849, ch. 108, §1, 9 Stat. 395.

Section was formerly classified to section 481 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, §1, Sept. 6, 1966, 80 Stat. 378.

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 below.

COMPENSATION OF SECRETARY

Compensation of Secretary, see section 5312 of Title 5, Government Organization and Employees.

ORDER OF SUCCESSION

For order of succession in event of vacancy in office of Secretary, or during his absence or disability, see Ex. Ord. No. 11487, eff. Oct. 6, 1969, 34 F.R. 15593, set out as a note under section 3347 of Title 5, Government Organization and Employees.

EXECUTIVE ORDER NO. 9432

Ex. Ord. No. 9432, eff. Mar. 28, 1944, 9 F.R. 3411, which related to designation of Under Secretary and Assistant Secretaries of the Interior to act as Secretary of the Interior, was superseded by Ex. Ord. No. 9866, eff. June 14, 1947, 12 F.R. 3909, formerly set out below.

EXECUTIVE ORDER NO. 9866

Ex. Ord. No. 9866, eff. June 14, 1947, 12 F.R. 3909, which related to designation of officers to act as Secretary of the Interior, was superseded by Ex. Ord. No. 10156, eff. Aug. 26, 1950, 15 F.R. 5789, formerly out below.

EXECUTIVE ORDER NO. 10156

Ex. Ord. No. 10156, eff. Aug. 26, 1950, 15 F.R. 5789, which related to designation of certain officers of Department of the Interior to act as Secretary of the Interior, was superseded by Ex. Ord. No. 10753, eff. Feb. 15, 1958, 23 F.R. 1107, formerly set out below.

EXECUTIVE ORDER NO. 10753

Ex. Ord. No. 10753, eff. Feb. 15, 1958, 23 F.R. 1107, which provided for succession to office of Secretary of the Interior, was superseded by Ex. Ord. No. 11487, eff. Oct. 6, 1969, 34 F.R. 15593, set out as a note under section 3347 of Title 5, Government Organization and Employees.

REORGANIZATION PLAN NO. 3 OF 1950

Eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, as amended June 1, 1971, Pub. L. 92–22, §3, 85 Stat. 76.

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 13, 1950, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949 [see 5 U.S.C. 901 et seq.].

DEPARTMENT OF THE INTERIOR

SECTION 1. TRANSFER OF FUNCTIONS TO THE SECRETARY

(a) Except as otherwise provided in subsection (b) of this section, there are hereby transferred to the Secretary of the Interior all functions of all other officers of the Department of the Interior and all functions of all agencies and employees of such Department.

(b) This section shall not apply to the functions vested by the Administrative Procedure Act (60 Stat. 237) [see 5 U.S.C. 551 et seq. and 701 et seq.] in hearing examiners employed by the Department of the Interior, nor to the functions of the Virgin Islands Corporation or of its Board of Directors or officers.

SEC. 2. PERFORMANCE OF FUNCTIONS OF SECRETARY

The Secretary of the Interior may from time to time make such provisions as he shall deem appropriate authorizing the performance by an other officer, or by any agency or employee, of the Department of the Interior of any function of the Secretary, including any function transferred to the Secretary by the provisions of this reorganization plan.

SEC. 3. ASSISTANT SECRETARY OF THE INTERIOR

There shall be in the Department of the Interior one additional Assistant Secretary of the Interior, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall perform such duties as the Secretary of the Interior shall prescribe, and who shall receive compensation at the rate prescribed by law for Assistant Secretaries of executive departments.

SEC. 4. ADMINISTRATIVE ASSISTANT SECRETARY

[Repealed. Pub. L. 92–22, §3, June 1, 1971, 85 Stat. 76. Section authorized appointment of Administrative Assistant Secretary of the Interior. See 43 U.S.C. 1453a and 5 U.S.C. 5315. Section 3 provided that such repeal be effective upon Senate confirmation of Presidential appointment of Assistant Secretary of the Interior under successor provisions.]

SEC. 5. INCIDENTAL TRANSFERS

The Secretary of the Interior may from time to time effect such transfers within the Department of the Interior of any of the records, property, personnel, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of such Department as he may deem necessary in order to carry out the provisions of this reorganization plan.

MESSAGE OF THE PRESIDENT

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 3 of 1950, prepared in accordance with the Reorganization Act of 1949 and providing for reorganizations in the Department of the Interior. My reasons for transmitting this plan are stated in an accompanying general message.

After investigation I have found and hereby declare that each reorganization included in Reorganization Plan No. 3 of 1950 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949.

I have found and hereby declare that it is necessary to include in the accompanying reorganization plan, by reason of reorganizations made thereby, provisions for the appointment and compensation of an Assistant Secretary of the Interior and an Administrative Assistant Secretary of the Interior. The rate of compensation fixed for these officers is that which I have found to prevail in respect of comparable officers in the executive branch of the Government.

The taking effect of the reorganizations included in this plan may not in itself result in substantial immediate savings. However, many benefits in improved operations are probable during the next years which will result in a reduction in expenditures as compared with those that would be otherwise necessary. An itemization of these reductions in advance of actual experience under this plan is not practicable.

HARRY S. TRUMAN.

THE WHITE HOUSE, March 13, 1950.

§ 1452. Deputy Secretary of the Interior; appointment

The position of Deputy Secretary is established in the Department of the Interior with appointment thereto by the President, by and with the advice and consent of the Senate.

(May 9, 1935, ch. 101, § 1, 49 Stat. 177; Nov. 5, 1990, Pub. L. 101–509, title V, § 529 [title I, § 112(a)(2)], 104 Stat. 1427, 1454.)

CODIFICATION

Provisions of this section which prescribed the annual rate of basic compensation of the Deputy Secretary were omitted to conform to the provisions of the Federal Executive Salary Schedule. See section 5313 of Title 5, Government Organization and Employees.

Section was formerly classified to section 481a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1990—Pub. L. 101–509 substituted ''Deputy Secretary'' for ''Under Secretary''.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101–509 effective on first day of first pay period beginning on or after Nov. 5, 1990, with continued service by incumbent Under Secretary of the Interior, see section 529 [title I, § 112(e)(1), (2)(B)] of Pub. L. 101–509, set out as a note under section 3404 of Title 20, Education.

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.

§ 1453. Assistant Secretaries of the Interior

There shall be in the Department of the Interior two Assistant Secretaries of the Interior who shall be without numerical distinction of rank and who shall be appointed by the President, by and with the advice and consent of the Senate.

(R.S. § 438; Mar. 3, 1885, ch. 360, 23 Stat. 497; Mar. 3, 1917, ch. 163, § 1, 39 Stat. 1102; Feb. 29, 1944, ch. 72, 58 Stat. 107.)

CODIFICATION

Act Feb. 29, 1944, provided that the Assistant Secretaries shall be without numerical distinction of rank.

R.S. § 438 derived from acts Mar. 14, 1862, ch. 41, § 6, 12 Stat. 369; Mar. 3, 1873, ch. 226, § 1, 17 Stat. 486.

Section was formerly classified to section 482 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

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.

Functions, powers, and duties of Office of Audit and Investigation in Department of the Interior transferred to Office of Inspector General in Department of the Interior, as established by section 9(a)(1)(F) of Inspector General Act of 1978, Pub. L. 95–452, set out in the Appendix to Title 5, Government Organization and Employees.

ADMINISTRATIVE ASSISTANT SECRETARY

An Administrative Assistant Secretary of the Interior, to be appointed, with the approval of the President, by the Secretary of the Interior under the classified civil service, to perform such duties as the Secretary of the Interior shall prescribe, and to receive compensation at the rate of $14,800 per annum, was provided for by section 4 of Reorg. Plan No. 3 of 1950, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out as a note under section 1451 of this title, prior to repeal of section 4 by Pub. L. 92–22, § 3, June 1, 1971, 85 Stat. 76.

ADDITIONAL ASSISTANT SECRETARY

An additional Assistant Secretary of the Interior, to be appointed by the President, by and with the advice and consent of the Senate, to perform such duties as the Secretary of the Interior shall prescribe, and to receive compensation at the rate prescribed by law for Assistant Secretaries of executive departments, was provided for by Reorg. Plan No. 3 of 1950, § 3, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in note under section 1451 of this title.

TEMPORARY ADDITIONAL ASSISTANT SECRETARY

The office of a temporary additional Assistant Secretary of the Interior, which was provided for by act Feb. 29, 1944, ch. 72, 58 Stat. 107, ceased to exist by the terms of such act at the expiration of six months following the cessation of hostilities in World War II, which was proclaimed by the President at 12 o'clock noon of December 31, 1946, in Proc. No. 2714, 12 F.R. 1, set out as a note under section 601 of the Appendix to Title 50, War and National Defense.

§ 1453a. Additional Assistant Secretary of the Interior; appointment; duties; compensation

There shall be hereafter in the Department of the Interior, in addition to the Assistant Secretaries now provided by law, an additional Assistant Secretary of the Interior who shall be appointed by the President by and with the advice and consent of the Senate, who shall be responsible for such duties as the Secretary of the Interior shall prescribe, and shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of the Interior.

(Pub. L. 92–22, § 1, June 1, 1971, 85 Stat. 75.)

SENATE CONFIRMATION OF PRESIDENTIAL APPOINTMENT OF ADDITIONAL ASSISTANT SECRETARY OF THE INTERIOR AS REPEALING PROVISIONS FOR ASSISTANT SECRETARY OF THE INTERIOR FOR ADMINISTRATION

Section 3 of Pub. L. 92–22 provided that: ''Section 4 of Reorganization Plan Numbered 3 of 1950, as amended (64 Stat. 1262) [set out under section 1451 of this title], and item (25) of section 5316, title 5, United States Code, are repealed, effective upon the confirmation by the United States Senate of a Presidential appointee to fill the position created by this Act [enacting this section and section 5315(18) of Title 5, Government Organization and Employees].''

CROSS REFERENCES

Compensation of Assistant Secretaries of the Interior, see section 5315 of Title 5, Government Organizations and Employees.

§ 1454. Duties of Assistant Secretary and Assistant to Secretary

The Assistant Secretary of the Interior shall perform such duties in the Department of the

Interior as shall be prescribed by the Secretary, or may be required by law. The assistant to the Secretary of the Interior is authorized to sign such official papers and documents as the Secretary may direct.

(R.S. § 439; Mar. 28, 1918, ch. 29, 40 Stat. 499.)

CODIFICATION

R.S. § 439 derived from act Mar. 14, 1862, ch. 41, § 6, 12 Stat. 369.

Section was formerly classified to section 483 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

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.

§ 1455. Solicitor; appointment; duties

On and after June 26, 1946 the legal work of the Department of the Interior shall be performed under the supervision and direction of the Solicitor of the Department of the Interior, who shall be appointed by the President with the advice and consent of the Senate.

(June 26, 1946, ch. 494, 60 Stat. 312.)

CODIFICATION

Provisions of this section which prescribed the compensation of the Solicitor were omitted to conform to the provisions of the Federal Executive Salary Schedule. See section 5311 et seq. of Title 5, Government Organization and Employees.

Section was formerly classified to section 483a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 1456. Chief clerk

The chief clerk of the Department of the Interior on and after July 3, 1926, shall be the chief executive officer of the department and may be designated by the Secretary to sign official papers and documents, including the authorization of expenditures from the contingent and other appropriations for the department, its bureaus and offices, section 3683[1] of the Revised Statutes to the contrary notwithstanding.

(July 3, 1926, ch. 771, § 1, 44 Stat. 854.)

REFERENCES IN TEXT

Section 3683 of the Revised Statutes, referred to in text, was classified to section 675 of former Title 31, Money and Finance, and repealed by act Sept. 12, 1950, ch. 946, title III, § 301(76), 64 Stat. 843.

CODIFICATION

Section was formerly classified to section 484 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriations acts:

May 24, 1922, ch. 199, 42 Stat. 552.
Jan. 24, 1923, ch. 42, 42 Stat. 1174.
June 5, 1924, ch. 264, 43 Stat. 391.
Mar. 3, 1925, ch. 462, 43 Stat. 1142.

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.

DIVISION OF ADMINISTRATIVE SERVICES

Interior Department Order No. 2546, dated Dec. 7, 1949 and amended Jan. 20, 1950, set up the Office of Administrative Management with an executive officer in charge, and the Chief Clerk of the Department was placed in charge of a Division of Administrative Services under that office. A further amendment to Department Order No. 2546, dated Aug. 15, 1950, placed the Division of Administrative Services, with the Chief Clerk in charge, under the Administrative Assistant Secretary of the Interior Department.

§ 1456a. Repealed. Pub. L. 95–164, title III, § 306(b), Nov. 9, 1977, 91 Stat. 1322

Section, Pub. L. 93–153, title IV, § 405, Nov. 16, 1973, 87 Stat. 590, provided for appointment by the President of head of Mining Enforcement and Safety Administration.

EFFECTIVE DATE OF REPEAL

Repeal effective 120 days after Nov. 9, 1977, see section 307 of Pub. L. 95–164, set out as an Effective Date of 1977 Amendment note under section 801 of Title 30, Mineral Lands and Mining.

§ 1457. Duties of Secretary

The Secretary of the Interior is charged with the supervision of public business relating to the following subjects and agencies:

1. Alaska Railroad.
2. Alaska Road Commission.
3. Bounty-lands.
4. Bureau of Land Management.
5. United States Bureau of Mines.
6. Bureau of Reclamation.
7. Division of Territories and Island Possessions.
8. Fish and Wildlife Service.
9. United States Geological Survey.
10. Indians.
11. National Park Service.
12. Petroleum conservation.
13. Public lands, including mines.

(R.S. § 441; Mar. 3, 1879, ch. 182, 20 Stat. 394; Jan. 12, 1895, ch. 23, 28 Stat. 601; June 17, 1902, ch. 1093, § 1, 32 Stat. 388; Feb. 14, 1903, ch. 552, § 4, 32 Stat. 826; Mar. 4, 1911, ch. 285, § 1, 36 Stat. 1422; July 1, 1916, ch. 209, § 1, 39 Stat. 309; Aug. 25, 1916, ch. 408, 39 Stat. 535; Ex. Ord. No. 3861, eff. June 8, 1923; Ex. Ord. No. 4175, eff. Mar. 17, 1925; Ex. Ord. No. 5398, eff. July 21, 1930; June 30, 1932, ch. 320, § 1, 47 Stat. 446; Ex. Ord. No. 6611, eff. Feb. 22, 1934; Ex. Ord. No. 6726, eff. May 29, 1934; June 28, 1934, ch. 865, § 1, 48 Stat. 1269; 1939 Reorg. Plan No. I, § 201, eff. July 1, 1939, 4 F.R. 2728, 53 Stat. 1424; 1939 Reorg. Plan No. II, § 4(e), (f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433; 1940 Reorg. Plan No. III, § 3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232; 1940 Reorg. Plan No. IV, § 11, eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1946 Reorg. Plan No. 3,

[1] See References in Text note below.

§ 403(a), eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100; June 17, 1957, Pub. L. 85–56, title XXII, § 2201(1), 71 Stat. 157; Nov. 13, 1991, Pub. L. 102–154, title I, 105 Stat. 1000; May 18, 1992, Pub. L. 102–285, § 10(b), 106 Stat. 172.)

CODIFICATION

R.S. § 441 derived from acts Mar. 3, 1849, ch. 108, §§ 3, 5 to 9, 9 Stat. 395; Feb. 5, 1859, ch. 22, § 1, 11 Stat. 379; July 20, 1868, ch. 176, § 1, 15 Stat. 92, 106; July 8, 1870, ch. 230, § 1, 16 Stat. 198.

Section was formerly classified to section 485 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1957—Pub. L. 85–56 substituted ''Bounty-lands'' for ''Pensions and bounty-lands'' in par. 3.

CHANGE OF NAME

''United States Bureau of Mines'' substituted for ''Bureau of Mines'' in par. (5) pursuant to section 10(b) of Pub. L. 102–285, set out as a note under section 1 of Title 30, Mineral Lands and Mining.

''United States Geological Survey'' substituted for ''Geological Survey'' in par. 9 pursuant to provision of title I of Pub. L. 102–154, set out as a note under section 31 of this title.

EFFECTIVE DATE OF 1957 AMENDMENT

Amendment by Pub. L. 85–56 effective Jan. 1, 1958, see section 2301 of Pub. L. 85–56.

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.

Functions of General Land Office and of Grazing Service consolidated into a new agency known as Bureau of Land Management by Reorg. Plan No. 3 of 1946, § 403(a), eff. July 16, 1946. See note set out under section 1 of this title.

The following subjects of which Secretary of the Interior was charged with supervision by R.S. § 441, were transferred in the manner indicated:

Census—Transferred to Department of Commerce and Labor by act Feb. 14, 1903, ch. 552, § 4, 32 Stat. 826. (See Title 13, Census.)

Pensions—Transferred to Veterans' Administration by Ex. Ord. No. 5398 of July 21, 1930, pursuant to act July 3, 1930, ch. 863, § 1, 46 Stat. 1016. (See Title 38, Veterans' Benefits.)

Patents—Transferred to Department of Commerce by Ex. Ord. No. 4175 of Mar. 17, 1925, pursuant to act Feb. 14, 1903, ch. 552 § 12, 32 Stat. 830. (See Title 35, Patents.)

Publications, custody and distribution—Transferred to Public Printer and superintendent of documents by act Jan. 12, 1895, ch. 23, 28 Stat. 601. (See Title 44, Public Printing and Documents.)

Education—Transferred to Federal Security Agency by Reorg. Plan No. I of 1939, § 201, 4 F.R. 2728 53 Stat. 1424, set out in the Appendix to Title 5, Government Organization and Employees. Federal Security Agency abolished by section 8 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, and its functions transferred to Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5. Functions of Department of Health, Education, and Welfare (relating to education) transferred to Secretary of Education by section 3441 of Title 20, Education.

Government Hospital for the Insane—Designated St. Elizabeths Hospital by act July 1, 1916, ch. 209, § 1, 39 Stat. 309—Transferred to Federal Security Agency by Reorg. Plan No. IV of 1940, § 11, 5 F.R. 2422, 54 Stat. 1236, set out in the Appendix to Title 5, Government Organization and Employees. Federal Security Agency abolished by section 8 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, and its functions transferred to Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5. Department of Health, Education, and Welfare redesignated Department of Health and Human Services by section 3508(b) of Title 20, Education.

Columbia Asylum for the Deaf and Dumb—Designated ''Columbia Institution for the Deaf'' by act Mar. 4, 1911, ch. 285, § 1, 36 Stat. 1422, thereafter ''Gallaudet College'' by act June 18, 1954, ch. 324, § 1, 68 Stat. 265, and subsequently ''Gallaudet University'' by Pub. L. 99–371, title I, § 101(a), Aug. 4, 1986, 100 Stat. 781.—Transferred to Federal Security Agency by Reorg. Plan No. IV of 1940, § 11, 5 F.R. 2422, 54 Stat. 1236. Federal Security Agency abolished by section 8 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, Government Organization and Employees, and functions transferred to Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5. Functions of Department of Health, Education, and Welfare (relating to education) transferred to Secretary of Education by section 3441 of Title 20, Education. See, also, section 4301 et seq. of Title 20.

The following subjects and agencies were placed under supervision of Secretary of the Interior by acts and executive orders cited thereto:

Alaska Railroad—Ex. Ord. No. 3861 of June 8, 1923, pursuant to act Mar. 12, 1914, ch. 37, 38 Stat. 305, and Ex. Ord. 11107 of Apr. 25, 1963. For transfer to Secretary of Transportation of administration of Alaska Railroad and functions authorized to be carried out by Secretary of the Interior pursuant to Ex. Ord. No. 11107, Apr. 25, 1963, 28 F.R. 4225, relative to operation of railroad, see section 6(i) of Pub. L. 89–670, Oct. 15, 1966, 80 Stat. 941, which was classified to section 1655(i) of former Title 49, Transportation, prior to repeal by Pub. L. 97–468, title VI, § 615(a)(4), Jan. 14, 1983, 96 Stat. 2579. Alaska Railroad transferred to State of Alaska on Jan. 5, 1985, pursuant to section 1203 of Title 45, Railroads, see section 615(a) of Pub. L. 97–468.

Alaska Road Commission—Act June 30, 1932, ch. 320, § 1, 47 Stat. 446—Transferred to Department of Commerce by act June 29, 1956, ch. 462, title I, § 107, 70 Stat. 377, and terminated by act June 25, 1959, Pub. L. 86–70, § 21(d)(7), 73 Stat. 146.

Bureau of Mines—Transferred to Department of Commerce by Ex. Ord. No. 4239 of June 4, 1925; retransferred to Department of the Interior by Ex. Ord. No. 6611 of Feb. 22, 1934.

Functions of Secretary of the Interior, Department of the Interior, and officers and components of Department of the Interior exercised by Bureau of Mines relating to fuel supply and demand analysis and data gathering, research and development relating to increased efficiency of production technology of solid fuel minerals other than research relating to mine health and safety and research relating to environmental and leasing consequences of solid fuel mining, and coal preparation and analysis transferred to Secretary of Energy by section 7152(d) of Title 42, The Public Health and Welfare. Subsequently, those functions transferred to, and vested in, Secretary of the Interior, by section 100 of Pub. L. 97–257, 96 Stat. 841, set out as a note under section 7152 of Title 42.

Bureau of Reclamation—Act June 17, 1902, ch. 1093, 32 Stat. 388.

Power marketing functions of Bureau of Reclamation, including construction, operation, and maintenance of transmission lines and attendant facilities, transferred to Secretary of Energy by section 7152(a)(1)(D), (3) of Title 42, The Public Health and Welfare, and to be exercised by Secretary through a separate Administration within Department of Energy.

Division of Territories and Island Possessions—Ex. Ord. No. 6726 of May 29, 1934. Functions of Division

transferred to Office of Territories established July 28, 1950, pursuant to Secretarial Order No. 2577. Office of Territories ceased to exist on June 30, 1971, and its functions assigned to Deputy Assistant Secretary for Territorial Affairs in Office of the Assistant Secretary for Public Land Management by Secretarial Order No. 2942, eff. July 1, 1971. Subsequently, functions and responsibilities of Deputy Assistant Secretary were assumed by Office of Territorial Affairs, headed by a Director, established by Secretarial Order No. 2951 of Feb. 6, 1973. Functions and responsibilities of Office of Territorial Affairs transferred to Office of Assistant Secretary for Territorial and International Affairs established by Secretarial Order No. 3046 of Feb. 14, 1980, as amended May 14, 1980.

Fish and Wildlife Service—1939 Reorg. Plan No. II, § 4(e), (f), 4 F.R. 2731, 53 Stat. 1433; 1940 Reorg. Plan No. III, § 3, 5 F.R. 2108, 54 Stat. 1232, set out in the Appendix to Title 5, Government Organization and Employees. Fish and Wildlife Service, created by Reorg. Plan No. III of 1940, was succeeded by United States Fish and Wildlife Service established by act Aug. 8, 1956, ch. 1036, § 3, 70 Stat. 1119. See section 742b of Title 16, Conservation.

Geological Survey—Act Mar. 3, 1879, ch. 182, 20 Stat. 394.

Grazing—Act June 28, 1934, ch. 865, 48 Stat. 1269.

National Park Service—Act Aug. 25, 1916, ch. 408, 39 Stat. 535.

Office of Consumers' Counsel of National Bituminous Coal Commission—Abolished and functions transferred to office of Solicitor of Department of the Interior, by Reorg. Plan No. II of 1939, § 4(c), eff. July 1, 1939, set out in the Appendix to Title 5, Government Organization and Employees. Its functions, records, property, and personnel were subsequently transferred from Solicitor to Bituminous Coal Consumers' Counsel.

Petroleum conservation—Section 3 of Ex. Ord. No. 10752, eff. Feb. 12, 1958, 23 F.R. 973, superseded Ex. Ord. No. 6979, eff. Feb. 28, 1935, Ex. Ord. No. 7756, eff. Dec. 1, 1937, 2 F.R. 2664, and Ex. Ord. No. 9732, eff. June 3, 1946, 11 F.R. 5985, formerly classified as notes to this section.

EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to Secretary of the Interior, see Parts 1, 2, and 10 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

REPORT TO CONGRESS ON AVAILABILITY OF FEDERAL PROGRAMS TO TERRITORIES OF UNITED STATES; AUTHORIZATION OF APPROPRIATIONS

Pub. L. 95–134, title IV, § 401, Oct. 15, 1977, 91 Stat. 1163, directed the Secretary of the Interior to submit to the Congress no later than Jan. 1, 1978, a report on Federal programs available to United States territories and authorized an appropriation of $50,000 for fiscal year 1978.

STUDY OF HEALTH AND SAFETY CONDITIONS IN METAL AND NONMETALLIC MINES

Pub. L. 87–300, Sept. 26, 1961, 75 Stat. 649, directed Secretary of the Interior to make a study on health and safety conditions in metal and nonmetallic mines, excluding coal and lignite mines, which study was to cover causes of injuries and health hazards, the relative effectiveness of voluntary versus mandatory reporting of accident statistics, the relative contribution to safety of inspection programs embodying right-of-entry and right-of-entry with enforcement authority, the effectiveness of health and safety training programs, the cost of an effective safety program, and the scope and adequacy of State mine safety laws, and to submit his findings, accompanied with recommendations for an effective safety program for metal and nonmetallic mines, excluding coal or lignite mines, to Congress not later then two years after Sept. 26, 1961.

SURVEYS, INVESTIGATIONS AND RESEARCH; APPROPRIATIONS

Pub. L. 85–743, Aug. 23, 1958, 72 Stat. 837, provided: ''That the authority vested in the Secretary of the Interior, to perform surveys, investigations, and research in geology, biology, minerals and water resources, and mapping is hereby extended to include Antarctica and the Trust Territory of the Pacific Islands.

''SEC. 2. The Secretary of the Interior is authorized to compile maps of Antarctica from materials already available and from such additional material as may result from the several expeditions in support of the International Geophysical Year.

''SEC. 3. Nothing in this Act shall be construed to authorize the absorption or modification of, or change in any way, the responsibility of any other department or agency of the United States, including the performance of surveys, mapping, and compilation of maps.

''SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.''

[For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.]

EXECUTIVE ORDER NO. 9633

Ex. Ord. No. 9633, eff. Sept. 28, 1945, 10 F.R. 12305, which reserved and placed certain resources of the Continental Shelf under the control and jurisdiction of the Secretary of the Interior, was revoked by Ex. Ord. No. 10426, eff. Jan. 16, 1953, 18 F.R. 405.

EX. ORD. NO. 12906. COORDINATING GEOGRAPHIC DATA ACQUISITION AND ACCESS: THE NATIONAL SPATIAL DATA INFRASTRUCTURE

Ex. Ord. No. 12906, Apr. 11, 1994, 59 F.R. 17671, provided:

Geographic information is critical to promote economic development, improve our stewardship of natural resources, and protect the environment. Modern technology now permits improved acquisition, distribution, and utilization of geographic (or geospatial) data and mapping. The National Performance Review has recommended that the executive branch develop, in cooperation with State, local, and tribal governments, and the private sector, a coordinated National Spatial Data Infrastructure to support public and private sector applications of geospatial data in such areas as transportation, community development, agriculture, emergency response, environmental management, and information technology.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America; and to implement the recommendations of the National Performance Review; to advance the goals of the National Information Infrastructure; and to avoid wasteful duplication of effort and promote effective and economical management of resources by Federal, State, local, and tribal governments, it is ordered as follows:

SECTION 1. DEFINITIONS. (a) ''National Spatial Data Infrastructure'' (''NSDI'') means the technology, policies, standards, and human resources necessary to acquire, process, store, distribute, and improve utilization of geospatial data.

(b) ''Geospatial data'' means information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth. This information may be derived from, among other things, remote sensing, mapping, and surveying technologies. Statistical data may be included in this definition at the discretion of the collecting agency.

(c) The ''National Geospatial Data Clearinghouse'' means a distributed network of geospatial data producers, managers, and users linked electronically.

SEC. 2. EXECUTIVE BRANCH LEADERSHIP FOR DEVELOPMENT OF THE COORDINATED NATIONAL SPATIAL DATA INFRASTRUCTURE. (a) The Federal Geographic Data Committee (''FGDC''), established by

the Office of Management and Budget (''OMB'') Circular No. A–16 (''Coordination of Surveying, Mapping, and Related Spatial Data Activities'') and chaired by the Secretary of the Department of the Interior (''Secretary'') or the Secretary's designee, shall coordinate the Federal Government's development of the NSDI.

(b) Each member agency shall ensure that its representative on the FGDC holds a policy-level position.

(c) Executive branch departments and agencies (''agencies'') that have an interest in the development of the NSDI are encouraged to join the FGDC.

(d) This Executive order is intended to strengthen and enhance the general policies described in OMB Circular No. A–16. Each agency shall meet its respective responsibilities under OMB Circular No. A–16.

(e) The FGDC shall seek to involve State, local, and tribal governments in the development and implementation of the initiatives contained in this order. The FGDC shall utilize the expertise of academia, the private sector, professional societies, and others as necessary to aid in the development and implementation of the objectives of this order.

SEC. 3. DEVELOPMENT OF A NATIONAL GEOSPATIAL DATA CLEARINGHOUSE. (a) *Establishing a National Geospatial Data Clearinghouse*. The Secretary, through the FGDC, and in consultation with, as appropriate, State, local, and tribal governments and other affected parties, shall take steps within 6 months of the date of this order, to establish an electronic National Geospatial Data Clearinghouse (''Clearinghouse'') for the NSDI. The Clearinghouse shall be compatible with the National Information Infrastructure to enable integration with that effort.

(b) *Standardized Documentation of Data*. Beginning 9 months from the date of this order, each agency shall document all new geospatial data it collects or produces, either directly or indirectly, using the standard under development by the FGDC, and make that standardized documentation electronically accessible to the Clearinghouse network. Within 1 year of the date of this order, agencies shall adopt a schedule, developed in consultation with the FGDC, for documenting, to the extent practicable, geospatial data previously collected or produced, either directly or indirectly, and making that data documentation electronically accessible to the Clearinghouse network.

(c) *Public Access to Geospatial Data*. Within 1 year of the date of this order, each agency shall adopt a plan, in consultation with the FGDC, establishing procedures to make geospatial data available to the public, to the extent permitted by law, current policies, and relevant OMB circulars, including OMB Circular No. A–130 (''Management of Federal Information Resources'') and any implementing bulletins.

(d) *Agency Utilization of the Clearinghouse*. Within 1 year of the date of this order, each agency shall adopt internal procedures to ensure that the agency accesses the Clearinghouse before it expends Federal funds to collect or produce new geospatial data, to determine whether the information has already been collected by others, or whether cooperative efforts to obtain the data are possible.

(e) *Funding*. The Department of the Interior shall provide funding for the Clearinghouse to cover the initial prototype testing, standards development, and monitoring of the performance of the Clearinghouse. Agencies shall continue to fund their respective programs that collect and produce geospatial data; such data is then to be made part of the Clearinghouse for wider accessibility.

SEC. 4. DATA STANDARDS ACTIVITIES. (a) *General FGDC Responsibility*. The FGDC shall develop standards for implementing the NSDI, in consultation and cooperation with State, local, and tribal governments, the private and academic sectors, and, to the extent feasible, the international community, consistent with OMB Circular No. A–119 (''Federal Participation in the Development and Use of Voluntary Standards''), and other applicable law and policies.

(b) *Standards for Which Agencies Have Specific Responsibilities*. Agencies assigned responsibilities for data categories by OMB Circular No. A–16 shall develop, through the FGDC, standards for those data categories, so as to ensure that the data produced by all agencies are compatible.

(c) *Other Standards*. The FGDC may from time to time identify and develop, through its member agencies, and to the extent permitted by law, other standards necessary to achieve the objectives of this order. The FGDC will promote the use of such standards and, as appropriate, such standards shall be submitted to the Department of Commerce for consideration as Federal Information Processing Standards. Those standards shall apply to geospatial data as defined in section 1 of this order.

(d) *Agency Adherence to Standards*. Federal agencies collecting or producing geospatial data, either directly or indirectly (e.g. through grants, partnerships, or contracts with other entities), shall ensure, prior to obligating funds for such activities, that data will be collected in a manner that meets all relevant standards adopted through the FGDC process.

SEC. 5. NATIONAL DIGITAL GEOSPATIAL DATA FRAMEWORK. In consultation with State, local, and tribal governments and within 9 months of the date of this order, the FGDC shall submit a plan and schedule to OMB for completing the initial implementation of a national digital geospatial data framework (''framework'') by January 2000 and for establishing a process of ongoing data maintenance. The framework shall include geospatial data that are significant, in the determination of the FGDC, to a broad variety of users within any geographic area or nationwide. At a minimum, the plan shall address how the initial transportation, hydrology, and boundary elements of the framework might be completed by January 1998 in order to support the decennial census of 2000.

SEC. 6. PARTNERSHIPS FOR DATA ACQUISITION. The Secretary, under the auspices of the FGDC, and within 9 months of the date of this order, shall develop, to the extent permitted by law, strategies for maximizing cooperative participatory efforts with State, local, and tribal governments, the private sector, and other nonfederal organizations to share costs and improve efficiencies of acquiring geospatial data consistent with this order.

SEC. 7. SCOPE. (a) For the purposes of this order, the term ''agency'' shall have the same meaning as the term ''Executive agency'' in 5 U.S.C. 105, and shall include the military departments and components of the Department of Defense.

(b) The following activities are exempt from compliance with this order:

(i) national security-related activities of the Department of Defense as determined by the Secretary of Defense;

(ii) national defense-related activities of the Department of Energy as determined by the Secretary of Energy; and

(iii) intelligence activities as determined by the Director of Central Intelligence.

(c) The NSDI may involve the mapping, charting, and geodesy activities of the Department of Defense relating to foreign areas, as determined by the Secretary of Defense.

(d) This order does not impose any requirements on tribal governments.

(e) Nothing in the order shall be construed to contravene the development of Federal Information Processing Standards and Guidelines adopted and promulgated under the provisions of section 111(d) of the Federal Property and Administrative Services Act of 1949 [former 40 U.S.C. 759(d)], as amended by the Computer Security Act of 1987 (Public Law 100–235), or any other United States law, regulation, or international agreement.

SEC. 8. JUDICIAL REVIEW. This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right to administrative or judicial review, or any other right or benefit or trust responsibility, sub-

stantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

WILLIAM J. CLINTON.

SECTION AS UNAFFECTED BY SUBMERGED LANDS ACT

Provisions of this section as not amended, modified, or repealed by Submerged Lands Act, see section 1303 of this title.

CROSS REFERENCES

Authority of Secretary of the Interior to delegate powers and duties concerning Indian affairs, see section 1a of Title 25, Indians.

§ 1457a. Authorization of appropriations for particular programs

(a) Maximum amounts for specified years

Notwithstanding any other provision of law, there shall not be appropriated to the Secretary of the Interior for Department of the Interior programs as defined in subsection (e) of this section in excess of $4,095,404,000 for the fiscal year ending on September 30, 1981; in excess of $3,970,267,000 for the fiscal year ending on September 30, 1982; $4,680,223,000 for the fiscal year ending on September 30, 1983; and $4,797,281,000 for the fiscal year ending on September 30, 1984.

(b) Ceilings on certain appropriations

It is the sense of the Congress that the appropriation targets for such fiscal years should be: not less than $275,000,000 to be appropriated annually pursuant to the provisions of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 460z); not less than $30,000,000 to be appropriated annually pursuant to the provisions of the National Historic Preservation Act of 1966 (80 Stat. 915; 16 U.S.C. 470); not less than $10,000,000 to be appropriated annually pursuant to the provisions of the Urban Park and Recreation Recovery Act of 1978 (92 Stat. 3538; 16 U.S.C. 2501, et seq.); not less than $105,000,000 to be appropriated annually to be used for the restoration and rehabilitation of units of the National Park System, as authorized by law; not less than $239,000,000 to be appropriated annually for the Office of Territorial and International Affairs (including amounts for the Trust Territory of the Pacific Islands); not less than $6,200,000 to be appropriated annually to carry out the provisions of title III of the Surface Mining Control and Reclamation Act of 1977 (91 Stat. 445);[1] and not less than $100,000,000 to be appropriated annually pursuant to chapter 69 of title 31 including not less than $5,000,000 annually to carry out the purposes of section 6904 of title 31.

(c) Additional limitations

Notwithstanding the limitation otherwise imposed by subsection (a) of this section—

(1) the authorization for obligation and appropriations for the Department of the Interior may exceed the amount specified in subsection (a) of this section by such amount as permanent and annual indefinite appropriations exceed the estimates for such appropriations as contained in ''The Budget of the United States Government, Fiscal Year 1982,'' as revised by the March 1981, publication of the Office of Management and Budget entitled ''Fiscal Year 1982 Budget Revisions'', when receipts available to be appropriated equal or exceed such appropriations, and

(2) the authorization for obligation and appropriations for the Department of the Interior may exceed the amount specified in subsection (a) of this section by such amounts as may be required for emergency firefighting and for increased pay costs authorized by law.

(d) Omitted

(e) Applicable programs

For the purposes of this section, the term ''Department of the Interior programs'' means—

(1) Alaska Native Fund amounts included in Bureau of Indian Affairs programs funded from Miscellaneous Trust Funds and Miscellaneous Permanent Appropriations accounts;

(2) Bureau of Land Management programs;

(3) United States Bureau of Mines programs;

(4) National Park Service programs other than the John F. Kennedy Center for the Performing Arts (including those programs formerly administered by the Heritage Conservation and Recreation Service as of October 1, 1980);

(5) Offices of the Solicitor and the Secretary;

(6) Office of Surface Mining Reclamation and Enforcement programs;

(7) Office of Territorial Affairs programs;

(8) United States Geological Survey programs; and

(9) Bureau of Reclamation (including those programs formerly administered by the Water and Power Resources Service).

(Pub. L. 97–35, title XIV, § 1401, Aug. 13, 1981, 95 Stat. 748, 749; Pub. L. 102–285, § 10(b), May 18, 1992, 106 Stat. 172.)

REFERENCES IN TEXT

The Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 460z), referred to in subsec. (b), is Pub. L. 88–578, Sept. 3, 1964, 78 Stat. 897, as amended, which is classified generally to part B (§ 460*l*–4 et seq.) of subchapter LXIX of chapter 1 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 460*l*–4 of Title 16 and Tables.

The National Historic Preservation Act of 1966 (80 Stat. 915; 16 U.S.C. 470), referred to in subsec. (b), probably means Pub. L. 89–665, Oct. 15, 1966, 80 Stat. 915, as amended, known as the National Historic Preservation Act, which is classified generally to subchapter II (§ 470 et seq.) of chapter 1A of Title 16. For complete classification of this Act to the Code, see section 470(a) of Title 16 and Tables.

The Urban Park and Recreation Recovery Act of 1978 (92 Stat. 3538; 16 U.S.C. 2501 et seq.), referred to in subsec. (b), is title X of Pub. L. 95–625, Nov. 10, 1978, 92 Stat. 3538, which is classified generally to chapter 45 (§ 2501 et seq.) of Title 16. For complete classification of this Act to the Code, see Short Title note set out under section 2501 of Title 16 and Tables.

The Surface Mining Control and Reclamation Act of 1977 (91 Stat. 445), referred to in subsec. (b), is Pub. L. 95–87, Aug. 3, 1977, 91 Stat. 445, as amended. Title III of the Surface Mining Control and Reclamation Act of 1977 was formerly classified generally to subchapter III (§ 1221 et seq.) of chapter 25 of Title 30, Mineral Lands and Mining, prior to the replacement of subchapter III by Pub. L. 98–409. For complete classification of this Act to the Code, see Short Title note set out under section 1201 of Title 30 and Tables.

[1] See References in Text note below.

CODIFICATION

In subsec. (b), ''chapter 69 of title 31'' and ''section 6904 of title 31'' substituted for ''the Act of October 20, 1976 (90 Stat. 2662; 31 U.S.C. 1601, et. seq.)'' and ''section 3 of said Act [31 U.S.C. 1603]'', respectively, on authority of Pub. L. 97–258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Subsec. (d) of this section is set out as a note under section 1734 of this title.

CHANGE OF NAME

''United States Bureau of Mines'' substituted for ''Bureau of Mines'' in subsec. (e)(3) pursuant to section 10(b) of Pub. L. 102–285, set out as a note under section 1 of Title 30, Mineral Lands and Mining.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

CIRCULAR OF OFFICE OF MANAGEMENT AND BUDGET AND SIMILAR ORDERS OR DIRECTIVES INAPPLICABLE TO CERTAIN PUBLIC LAND ACTIVITIES WITHOUT AFFECTING OTHER AUTHORIZATIONS; CONGRESSIONAL FINDINGS

Pub. L. 98–540, § 3, Oct. 24, 1984, 98 Stat. 2718, provided that:

''(a) The Congress finds that—

''(1) the public lands administered by the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service contain valuable wildlife, scenery, natural and historic features, and other resources;

''(2) the Congress has specified the duties and responsibilities of the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service to balance the conservation and protection of these public lands and resources with permitted uses in ways Congress has found to be appropriate for each of the various land areas;

''(3) the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service are currently under congressional mandates to maintain sufficient visitor and recreational services in our national parks, campgrounds, and wildlife refuges;

''(4) the Congress has authorized the National Park Service, the Bureau of Land Management, and the United States Fish and Wildlife Service to contract for the provision of certain facilities, accommodations, and services by non-Federal entities, but with certain limitations that reflect the values and appropriate management policies of the various conservation areas, parks, wildlife refuges, and other public lands;

''(5) expansion of the contracting authority of the managers of these conservation areas, parks, wildlife refuges, and lands should be considered only after careful study of the existing management mandates and contracting authorities; and

''(6) management and regulation of natural resources on Federal lands are inherently Government functions and should be performed by Federal employees.

''(b)(1)(A) The provisions of Office of Management and Budget Circular A–76 and any similar provisions in any other order or directive shall not apply to activities conducted by the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management which involve ten full time equivalents (FTE) or less.

''(B) For fiscal years 1985 through and including 1988, no contracts, for activities conducted by the National Park Service, United States Fish and Wildlife Service, or the Bureau of Land Management which have been subject to the provisions of Office of Management and Budget Circular A–76 or any similar provision in any other order or directive, shall be entered into by the United States until funds have been specifically provided therefore by an Act of Congress.

''(2) Nothing in this section shall prevent the National Park Service, United States Fish and Wildlife Service, and the Bureau of Land Management from entering into contracts for services and materials under provisions of law and rules, regulations, orders, and policies other than the circular referred to in paragraph (1) or any similar order or directive.''

§ 1458. Secretary to exercise certain powers over Territories

The Secretary of the Interior shall exercise all the powers and perform all the duties in relation to the Territories of the United States that were, prior to March 1, 1873, by law or by custom exercised and performed by the Secretary of State.

(R.S. § 442.)

CODIFICATION

R.S. § 442 derived from act Mar. 1, 1873, ch. 217, 17 Stat. 484.

Section was formerly classified to section 486 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

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.

EX. ORD. NO. 10967. ADMINISTRATION OF PALMYRA ISLAND

Ex. Ord. No. 10967, eff. Oct. 10, 1961, 26 F.R. 9667, provided:

By virtue of the authority vested in me by section 48 of the Hawaii Omnibus Act (approved July 12, 1960; 74 Stat. 424; P.L. 86–624) [set out as a note preceding section 491 of Title 48, Territories and Insular Possessions] and section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Secretary of the Interior shall be responsible for the civil administration of Palmyra Island and all executive and legislative authority necessary for that administration, and all judicial authority respecting Palmyra Island other than the authority contained in the Act of June 15, 1950 (64 Stat. 217), as amended (48 U.S.C. 644a), shall be vested in the Secretary of the Interior.

SEC. 2. The executive, legislative, and judicial authority provided for in section 1 of this order (1) may be exercised through such agency or agencies of the Department of the Interior, or through such officers or employees under the jurisdiction of the Secretary of the Interior, as the Secretary may direct or authorize, (2) may be exercised through such agency or agencies, other than or not in the Department of the Interior, or through such officers or employees of the United States not under the administrative supervision of the Secretary, for such time and under such conditions as may be agreed upon between the Secretary and such agency, agencies, officers or employees of the United States, and (3) shall be exercised in such manner as the Secretary, or any person or persons acting under the authority of the Secretary, may direct or authorize.

SEC. 3. The Secretary of the Interior may confer upon the United States District Court for the District of Hawaii such jurisdiction, in addition to that contained in the Act of June 15, 1950 [48 U.S.C. 644a], and such judicial functions and duties, as he may deem appropriate for the civil administration of Palmyra Island.

SEC. 4. The foregoing provisions of this order shall continue in force until the Congress shall provide for the civil administration of Palmyra Island or until such earlier time as the President may specify.

SEC. 5. As used herein, the term ''Palmyra Island'' means the place of that name, consisting of a group of islets located in the Pacific Ocean approximately at Latitude 5°52″ North and Longitude 162°06″ West, and includes the territorial waters of that place and includes also the reefs surrounding that place or any part thereof.

SEC. 6. To the extent that any prior Executive order or proclamation is inconsistent with the provisions of this order, this order shall control.

SEC. 7. Nothing in this order shall be deemed to reduce, limit, or otherwise modify the authority or responsibility of the Attorney General to represent the legal interests of the United States in civil or criminal cases arising under the provisions of the Act of June 15, 1950 [48 U.S.C. 644a], or under the provisions of section 3 of this order.

JOHN F. KENNEDY.

§ 1459. Expenditures of department

The Secretary of the Interior shall sign all requisitions for the advance or payment of money, out of the Treasury, upon estimates or accounts for expenditures upon business assigned by law to his department; subject, however, to adjustment and control by the General Accounting Office.

(R.S. § 444; June 10, 1921, ch. 18, title III, § 304, 42 Stat. 24.)

CODIFICATION

R.S. § 444 derived from act Mar. 3, 1849, ch. 108, § 2, 9 Stat. 395.

Section was formerly classified to section 487 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

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.

''General Accounting Office'' substituted in text for ''proper accounting officers of Department of the Treasury'' pursuant to act June 10, 1921, which transferred all powers and duties of Comptroller, six auditors, and certain other employees of the Treasury to General Accounting Office. See section 701 et seq. of Title 31, Money and Finance.

§ 1460. Copies of records, documents, etc.; charges; disposition of receipts

The Secretary of the Interior, or any of the officers of that Department may, when not prejudicial to the interests of the Government, furnish authenticated or unauthenticated copies of any official books, records, papers, documents, maps, plats, or diagrams within his custody and may charge therefore a sum equal to the cost of production thereof, plus the cost of administrative services involved in handling the records for such purpose, as these costs may be determined by the Secretary of the Interior or such subordinate officials or employees as he may designate, and in addition the sum of 25 cents for each certificate of verification and the seal attached to authenticated copies. There shall be no charge for the making or verification of copies required for official use by the officers of any branch of the Government. Only a charge of 25 cents shall be made for furnishing authenticated copies of any rules, regulations, or instructions printed by the government for gratuitous distribution. The money received for copies under this section shall be deposited in the Treasury to the credit of the appropriations then current and chargeable for the cost of furnishing copies as herein authorized.

(Aug. 24, 1912, ch. 370, § 1, 37 Stat. 497; July 30, 1947, ch. 354, § 1, 61 Stat. 521; Aug. 3, 1950, ch. 526, 64 Stat. 402.)

CODIFICATION

Section was formerly classified to section 488 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1950—Act Aug. 3, 1950, included within the price of copies of records furnished by the Department the cost of the administrative expenses involved as well as the cost of production.

1947—Act July 30, 1947, omitted specific charges for copies of books, records, etc., inserted provision that charge for copies would amount to cost of production as determined by the Secretary of the Interior or his designee, and inserted provision relating to deposit of receipts.

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.

FEDERAL RULES OF CIVIL PROCEDURE

Proof of official records, see rule 44, Title 28, Appendix, Judiciary and Judicial Procedure.

CROSS REFERENCES

Admissibility in evidence of copies of records, etc., see section 1733 of Title 28, Judiciary and Judicial Procedure.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1461, 1462, 1463 of this title.

§ 1461. Rules and regulations governing inspection and copying

Nothing in sections 1460 to 1463 of this title shall be construed to limit or restrict in any manner the authority of the Secretary of the Interior to prescribe such rules and regulations as he may deem proper governing the inspection of the records of said department and its various bureaus by the general public, and any person having any particular interest in any of such records may be permitted to take copies of such records under such rules and regulations as may be prescribed by the Secretary of the Interior.

(Aug. 24, 1912, ch. 370, § 2, 37 Stat. 498.)

CODIFICATION

Section was formerly classified to section 489 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

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.

§ 1462. Attestation of copies by official seal

All officers who furnish authenticated copies under section 1460 of this title shall attest their authentication by the use of an official seal, which is authorized for that purpose.

(Aug. 24, 1912, ch. 370, § 4, 37 Stat. 498.)

CODIFICATION

Section was formerly classified to section 491 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1461 of this title.

§ 1463. Disposition of receipts

All sums received under the provisions of section 1460 of this title shall be deposited in the Treasury to the credit of miscellaneous receipts.

(Aug. 24, 1912, ch. 370, § 6, 37 Stat. 498.)

CODIFICATION

Section was formerly classified to section 492 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1461 of this title.

§ 1464. Agents or attorneys representing claimants before department

The Secretary of the Interior may prescribe rules and regulations governing the recognition of agents, attorneys, or other persons representing claimants before his department, and may require of such persons, agents, and attorneys, before being recognized as representatives of claimants, that they shall show that they are of good moral character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of their claims and such Secretary may, after notice and opportunity for a hearing, suspend or exclude from further practice before his department any such person, agent, or attorney shown to be incompetent, disreputable, or who refuses to comply with the said rules and regulations, or who shall with intent to defraud in any manner, deceive, mislead, or threaten any claimant, or prospective claimant, by word, circular, letter, or by advertisement.

(July 4, 1884, ch. 181, § 5, 23 Stat. 101.)

CODIFICATION

Section was formerly classified to section 493 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

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.

§ 1465. Annual reports of department and its bureaus

The annual reports of the department and of all its bureaus and establishments, including the Bureau of Reclamation, shall not exceed a total of one thousand two hundred and fifty pages.

(May 24, 1922, ch. 199, 42 Stat. 554; Jan. 24, 1923, ch. 42, 42 Stat. 1176; June 5, 1924, ch. 264, 43 Stat. 392; Mar. 3, 1925, ch. 462, 43 Stat. 1143.)

CODIFICATION

Section was formerly classified to section 495 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 1466. Administration of oaths, affirmations, etc., by employees of Division of Investigations; force and effect

Special agents and such other employees of the Division of Investigations, Department of the Interior of the United States, as are designated by the Secretary of the Interior for that purpose, are authorized and empowered to administer to or take from any person an oath, affirmation, affidavit, or deposition whenever necessary in the performance of their official duties. Any such oath, affirmation, affidavit, or deposition administered or taken by or before a special agent or such other employee of the Division of Investigations, Department of the Interior, designated by the Secretary of the Interior, when certified under his hand, shall have like force and effect as if administered or taken before an officer having a seal.

(Oct. 14, 1940, ch. 878, 54 Stat. 1175.)

CODIFICATION

Section was formerly classified to section 498 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

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.

§ 1467. Working capital fund; establishment; uses; reimbursement

There is established a working capital fund of $300,000, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of (1) a central reproduction service; (2) communication services; (3) a central supply service for stationery, supplies, equipment, blank forms, and miscellaneous materials, for which adequate stocks may be maintained to meet in whole or in part requirements of the bureaus and offices of the Department in the city of Washington and elsewhere; (4) a central library service; (5) health services; and (6) such other similar service functions as the Sec-

retary determines may be performed more advantageously on a reimbursable basis. Said fund shall be reimbursed from available funds of bureaus, offices, and agencies for which services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and depreciation of equipment.

(Sept. 6, 1950, Ch. 896, ch. VII, title I, § 101, 64 Stat. 680.)

CODIFICATION

Section was formerly classified to section 502 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1468 of this title.

§ 1468. Working capital fund; availability for uniforms or allowances therefor

The working capital fund, established by section 1467 of this title, shall on and after June 13, 1956 be available for uniforms or allowances therefor, as authorized by section 5901 of title 5.

(June 13, 1956, ch. 380, title I, § 101, 70 Stat. 266.)

CODIFICATION

Section was formerly classified to section 503 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, § 1, Sept. 6, 1966, 80 Stat. 378.

§ 1469. Employment and compensation of personnel to perform work occasioned by emergencies

Notwithstanding any other provision of law, persons may be employed or otherwise contracted with by the Secretary of the Interior to perform work occasioned by emergencies such as fire, flood, storm, or any other unavoidable cause and may be compensated at regular rates of pay without regard to Sundays, Federal holidays, and the regular workweek.

(Pub. L. 94–165, title I, § 108, Dec. 23, 1975, 89 Stat. 990.)

§ 1470. Appropriations; availability for certain administrative expenses

Appropriations for field work of the Department of the Interior shall be available for the hire, with or without personal services, of boats, work animals, and animal-drawn and motor-propelled vehicles and equipment.

(June 25, 1946, ch. 472, § 1, 60 Stat. 306.)

CODIFICATION

Section was formerly classified to section 692 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97–258, § 1, Sept. 13, 1982, 96 Stat. 877.

§ 1471. Appropriations; availability for payment of property damages

Appropriations for contingent expenses of the Department of the Interior shall be available, to the extent specified therein, for the payment of damages to private property (not to exceed $500 in any one case) caused by the negligent operation of motor vehicles under such appropriations.

(June 25, 1946, ch. 472, § 2, 60 Stat. 306.)

CODIFICATION

Section was formerly classified to section 693 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97–258, § 1, Sept. 13, 1982, 96 Stat. 877.

§ 1471a. Availability of appropriations for emergency repair or replacement of damaged or destroyed facilities and equipment

Appropriations in this title[1] or appropriations made under this title[1] in subsequent Energy and Water Development Appropriations Acts shall on and after October 2, 1992, be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities or other facilities or equipment damaged, rendered inoperable, or destroyed by fire, flood, storm, drought, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

(Pub. L. 102–377, title II, § 201, Oct. 2, 1992, 106 Stat. 1331.)

REFERENCES IN TEXT

This title, referred to in text, is title II of Pub. L. 102–377, Oct. 2, 1992, 106 Stat. 1327. For complete classification of title II to Code, see Tables.

§ 1471b. Availability of appropriations for suppression and emergency prevention of forest and range fires

On and after October 2, 1992, the Secretary may authorize the expenditure or transfer (within each bureau or office) of any appropriation in this title[1] or appropriations made under this title[1] in subsequent Energy and Water Development Appropriations Acts, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior.

(Pub. L. 102–377, title II, § 202, Oct. 2, 1992, 106 Stat. 1331.)

REFERENCES IN TEXT

This title, referred to in text, is title II of Pub. L. 102–377, Oct. 2, 1992, 106 Stat. 1327. For complete classification of title II to Code, see Tables.

§ 1471c. Availability of appropriations for operation of warehouses, garages, shops, and similar facilities

Appropriations in this title[1] or appropriations made under this title[1] in subsequent Energy and Water Development Appropriations Acts shall on and after October 2, 1992, be available for op-

[1] See References in Text note below.
[1] See References in Text note below.
[1] See References in Text note below.

eration of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency, or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31: *Provided*, That reimbursements for costs of supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

(Pub. L. 102–377, title II, § 203, Oct. 2, 1992, 106 Stat. 1331.)

REFERENCES IN TEXT

This title, referred to in text, is title II of Pub. L. 102–377, Oct. 2, 1992, 106 Stat. 1327. For complete classification of title II to Code, see Tables.

§ 1471d. Availability of appropriations for transportation, reprint, telephone, and library membership expenses

Appropriations in this title[1] or appropriations made under this title[1] in subsequent Energy and Water Development Appropriations Acts shall on and after October 2, 1992, be available for hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchases of reprints; payment for telephone services in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

(Pub. L. 102–377, title II, § 204, Oct. 2, 1992, 106 Stat. 1332.)

REFERENCES IN TEXT

This title, referred to in text, is title II of Pub. L. 102–377, Oct. 2, 1992, 106 Stat. 1327. For complete classification of title II to Code, see Tables.

§ 1471e. Reimbursement of employee license costs and certification fees

Notwithstanding any other provision of law, in fiscal year 1993 and thereafter, appropriations or funds available to the Department of the Interior or the Forest Service, Department of Agriculture, may be used to reimburse employees for the cost of State licenses and certification fees pursuant to their employment and that are necessary to comply with State or Federal laws, regulations, or requirements.

(Pub. L. 102–381, title III, § 317, Oct. 5, 1992, 106 Stat. 1417.)

§ 1471f. Availability of appropriations for incremental funding of research work orders for cooperative agreements

Notwithstanding any other provision of law, in fiscal year 1995 and thereafter, appropriations made to the Department of the Interior in this title[1] may be used to fund incrementally research work orders for cooperative agreements with colleges and universities, State agencies, and nonprofit organizations that overlap fiscal years: *Provided*, That such cooperative agreements shall contain a statement that ''the obligation of funds for future incremental payments shall be subject to the availability of funds.''

(Pub. L. 103–332, title I, § 115, Sept. 30, 1994, 108 Stat. 2519.)

REFERENCES IN TEXT

This title, referred to in text, is title I of Pub. L. 103–332, Sept. 30, 1994, 108 Stat. 2499, known as the Department of the Interior and Related Agencies Appropriations Act, 1995. For complete classification of this Act to the Code, see Tables.

§ 1471g. Availability of appropriations to support Memorial Day and Fourth of July ceremonies and activities in National Capital Region

During the current fiscal year and on and after September 30, 1996, funds appropriated under this paragraph may be made available to the Department of the Interior to support the Memorial Day and Fourth of July ceremonies and activities in the National Capital Region.

(Pub. L. 104–208, div. A, title I, § 101(b) [title II], Sept. 30, 1996, 110 Stat. 3009–71, 3009–74.)

REFERENCES IN TEXT

This paragraph, referred to in text, contained additional provisions providing appropriations for expenses, not otherwise provided for, necessary for the operation and maintenance of the Army which are not classified to the Code.

§ 1472. Bureau of Reclamation working capital fund

(a) Establishment; management of support activities of Bureau

Within 30 days after November 1, 1985, there shall be established in the Treasury of the United States a working capital fund to assist in the management of certain support activities of the Bureau of Reclamation (hereafter referred to as the ''Bureau''), Department of the Interior. The fund shall be available without fiscal year limitation for expenses necessary for furnishing materials, supplies, equipment, work, and services in support of Bureau programs, and, as authorized by law, to agencies of the Federal Government and others. Such expenses may include the acquisition, replacement, and operation of a central computer and related automatic data processing equipment; engineering services; payroll and other management services; acquisition and replacement of equipment and facilities, including the purchase, lease, or rent of motor vehicles and aircraft within any limitations set forth in appropriations made to carry out the functions of the Bureau and such other activities as may be approved by the Director, Office of Management and Budget.

(b) Fund credits; transfers to fund

The fund shall be credited with appropriations made for the purpose of providing or increasing capital. There are authorized to be transferred to the fund (at fair and reasonable values at the time of transfer) the inventories, equipment, receivables, and other assets, less the liabilities, related to the functions to be financed by the

[1] See References in Text note below.

[1] See References in Text note below.

fund as determined by the Secretary of the Interior.

(c) Use of funds to provide materials, supplies, equipment, work, and services

The fund shall be credited with appropriations and other funds of the Bureau, and other agencies of the Department of the Interior, other Federal agencies, and other sources, for providing materials, supplies, equipment, work, and services as authorized by law. Such payments may be made in advance or upon performance.

(d) Charges to users

Charges to users will be at rates approximately equal to the costs of furnishing the materials, supplies, equipment, facilities, and services (including such items as depreciation of equipment and accrued annual leave).

(e) Authorization of appropriations

There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

(f) Unnecessary funds covered into miscellaneous receipts of Treasury

Funds that are not necessary to carry out the activities to be financed by the fund, as determined by the Secretary, shall be covered into miscellaneous receipts of the Treasury.

(Pub. L. 99–141, title II, § 205, Nov. 1, 1985, 99 Stat. 571.)

§ 1473. Acceptance of contributions from private and public sources by Mineral Management Service

In fiscal year 1987 and thereafter, the Minerals Management Service is authorized to accept land, buildings, equipment and other contributions, from public and private sources, which shall be available for the purposes provided for in this account.

(Pub. L. 99–500, § 101(h) [title I, § 100], Oct. 18, 1986, 100 Stat. 1783–242, 1783–253, and Pub. L. 99–591, § 101(h) [title I, § 100], Oct. 30, 1986, 100 Stat. 3341–242, 3341–253.)

CODIFICATION

Pub. L. 99–591 is a corrected version of Pub. L. 99–500.

§ 1473a. Acceptance of contributions by Secretary; cooperation with prosecution of projects

The Secretary is authorized to accept lands, buildings, equipment, other contributions and, before, on, and after November 13, 1991, fees to be deposited in the contributed funds account from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies.

(Pub. L. 102–154, title I, Nov. 13, 1991, 105 Stat. 1002.)

CODIFICATION

In text, ''before, on, and after November 13, 1991,'' substituted for ''heretofore and hereafter''.

SIMILAR PROVISIONS

Provisions similar to those in this section were contained in the following appropriation acts:

Pub. L. 104–134, title I, § 101(c) [title I], Apr. 26, 1996, 110 Stat. 1321–156, 1321–168; renumbered title I, Pub. L. 104–140, § 1(a), May 2, 1996, 110 Stat. 1327.
Pub. L. 103–332, title I, Sept. 30, 1994, 108 Stat. 2509.
Pub. L. 103–138, title I, Nov. 11, 1993, 107 Stat. 1389.
Pub. L. 102–381, title I, Oct. 5, 1992, 106 Stat. 1386.
Pub. L. 101–512, title I, Nov. 5, 1990, 104 Stat. 1927.

§ 1473b. Awards for contributions to Department of the Interior programs

Notwithstanding any other provision of law, in fiscal year 1992 and thereafter, any appropriations or funds available to the Department of the Interior in this Act may be used to provide nonmonetary awards of nominal value to private individuals and organizations that make contributions to Department of the Interior programs.

(Pub. L. 102–154, title I, § 115, Nov. 13, 1991, 105 Stat. 1012.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 102–154, Nov. 13, 1991, 105 Stat. 990, known as the Department of the Interior and Related Agencies Appropriations Act, 1992. For complete classification of this Act to the Code, see Tables.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:
Pub. L. 101–512, title I, § 117, Nov. 5, 1990, 104 Stat. 1937.

§ 1473c. Payment of costs incidental to services contributed by volunteers

Appropriations under this title[1] in fiscal year 1992 and thereafter, may be made available for paying costs incidental to the utilization of services contributed by individuals who serve without compensation as volunteers in aid of work for units of the Department of the Interior.

(Pub. L. 102–154, title I, § 116, Nov. 13, 1991, 105 Stat. 1012.)

REFERENCES IN TEXT

This title, referred to in text, is title I of Pub. L. 102–154, Nov. 13, 1991, 105 Stat. 990, known as the Department of the Interior and Related Agencies Appropriations Act, 1992. For complete classification of this Act to the Code, see Tables.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:
Pub. L. 101–512, title I, § 118, Nov. 5, 1990, 104 Stat. 1937.

§ 1473d. Insurance costs covering vehicles, aircraft, and boats operated by Department of the Interior in Canada and Mexico

Notwithstanding any other provisions of law, in fiscal year 1992 and thereafter, appropriations in this title[1] shall be available to provide insurance on official motor vehicles, aircraft, and boats operated by the Department of the Interior in Canada and Mexico.

(Pub. L. 102–154, title I, § 107, Nov. 13, 1991, 105 Stat. 1012.)

[1] See References in Text note below.

[1] See References in Text note below.

REFERENCES IN TEXT

This title, referred to in text, is title I of Pub. L. 102–154, Nov. 13, 1991, 105 Stat. 990, known as the Department of the Interior and Related Agencies Appropriations Act, 1992. For complete classification of this Act to the Code, see Tables.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 101–512, title I, § 108, Nov. 5, 1990, 104 Stat. 1936.

Pub. L. 101–121, title I, § 108, Oct. 23, 1989, 103 Stat. 720.

Pub. L. 100–446, title I, § 108, Sept. 27, 1988, 102 Stat. 1801.

Pub. L. 100–202, § 101(g) [title I, § 109], Dec. 22, 1987, 101 Stat. 1329–213, 1329–234.

Pub. L. 99–500, § 101(h) [title I, § 109], Oct. 18, 1986, 100 Stat. 1783–242, 1783–261, and Pub. L. 99–591, § 101(h) [title I, § 109], Oct. 30, 1986, 100 Stat. 3341–242, 3341–261.

Pub. L. 99–190, § 101(d) [title I, § 109], Dec. 19, 1985, 99 Stat. 1224, 1243.

Pub. L. 98–473, title I, § 101(c) [title I, § 110], Oct. 12, 1984, 98 Stat. 1837, 1855.

Pub. L. 98–146, title I, § 111, Nov. 4, 1983, 97 Stat. 937.

§ 1474. Availability of receipts from administrative fees for program operations in Mining Law Administration

In fiscal year 1989 all but $742,000 of receipts, and thereafter all receipts from fees established by the Secretary of the Interior for processing of actions relating to the administration of the General Mining Laws shall be available for program operations in Mining Law Administration by the Bureau of Land Management to supplement funds otherwise available, to remain available until expended.

(Pub. L. 100–446, title I, Sept. 27, 1988, 102 Stat. 1774.)

REFERENCES IN TEXT

The General Mining Laws, referred to in text, are classified generally to Title 30, Mineral Lands and Mining.

§ 1474a. Emergency Department of the Interior Firefighting Fund; amounts considered "emergency requirements"

On and after November 13, 1991, beginning in fiscal year 1993, and in each year thereafter, only amounts for emergency rehabilitation and wildfire suppression activities that are in excess of the average of such costs for the previous ten years shall be considered ''emergency requirements'' pursuant to section 901(b)(2)(D) of title 2, and such amounts shall on and after November 13, 1991, be so designated.

(Pub. L. 102–154, title I, Nov. 13, 1991, 105 Stat. 991.)

§ 1474b. Natural Resource Damage Assessment and Restoration Fund; availability of assessments

Notwithstanding any other provision of law, in fiscal year 1991 and thereafter, sums provided by any party, including sums provided in advance or as a reimbursement for natural resource damage assessments, may be credited to this appropriation and shall remain available until expended.

(Pub. L. 102–154, title I, Nov. 13, 1991, 105 Stat. 994.)

REFERENCES IN TEXT

This appropriation, referred to in text, probably means appropriations under the heading ''NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND'' of the annual Department of the Interior and Related Agencies Appropriations Act.

DEPOSIT OF FUNDS FROM SETTLEMENT OF LITIGATION

Pub. L. 102–229, title II, § 207, Dec. 12, 1991, 105 Stat. 1715, provided that: ''Notwithstanding any other provision of law, amounts received by the United States for restitution and future restoration (including replacement or acquisition of equivalent natural resources) in settlement of United States v. Exxon Corporation and Exxon Shipping Company (Case No. A90–015–1CR and 2CR), hereinafter the Plea Agreement, United States v. Exxon Corporation et al. (Civil No. A91–082 CIV) and State of Alaska v. Exxon Corporation et al. (Civil No. A91–083 CIV), hereinafter referred to together as the Agreement and Consent Decree, as approved by the United States District Court for the District of Alaska on October 8, 1991, in fiscal year 1992 and thereafter shall be deposited into the Natural Resource Damage Assessment and Restoration Fund established by Public Law 102–154 [105 Stat. 994]. Such amounts, and the interest accruing thereon, shall be available to the Federal Trustees identified in the Agreement and Consent Decree for necessary expenses for assessment and restoration of areas affected by the discharge of oil from the T/V EXXON VALDEZ on March 23–24, 1989, for fiscal year 1992 and thereafter in accordance with the Plea Agreement and the Agreement and Consent Decree: *Provided*, That such amounts (and accrued interest) shall remain available until expended: *Provided further*, That such amounts may be transferred to any account, as authorized by section 311(f)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(f)(5)), to carry out the provisions of the Plea Agreement and the Agreement and Consent Decree: *Provided further*, That herein and hereafter any amounts deposited into the Natural Resource Damage Assessment and Restoration Fund shall be invested by the Secretary of the Treasury in interest bearing obligations of the United States to the extent such amounts are not, in his judgment, required to meet current withdrawals: *Provided further*, That interest earned by such investments shall be available for obligation without further appropriation: *Provided further*, That, for fiscal year 1992, the Federal Trustees shall provide written notification of the proposed transfer of such amounts to the Appropriations Committees of the House of Representatives and the Senate thirty days prior to the actual transfer of such amounts: *Provided further*, That, for fiscal year 1993 and thereafter, the Federal Trustees shall submit in the President's Budget for each fiscal year the proposed use of such amounts.''

§ 1474b–1. Transfer of funds from Natural Resource Damage Assessment and Restoration Fund

Notwithstanding any other provision of law, any amounts appropriated or credited in fiscal year 1992 and thereafter, may be transferred to any account to carry out the provisions of negotiated legal settlements or other legal actions for restoration activities and to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101–380) [33 U.S.C. 2701 et seq.], and the Act of July 27, 1990 (Public Law 101–337) [16 U.S.C. 19jj et seq.] for damage assessment activities: *Provided further*, That sums provided by any party in fiscal year 1996 and thereafter are not

limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated or otherwise disposed of by the Secretary and such sums or properties shall be utilized for the restoration of injured resources, and to conduct new damage assessment activities.

(Pub. L. 103–332, title I, Sept. 30, 1994, 108 Stat. 2503; Pub. L. 104–134, title I, § 101(c) [title I], Apr. 26, 1996, 110 Stat. 1321–156, 1321–160; renumbered title I, Pub. L. 104–140, § 1(a), May 2, 1996, 110 Stat. 1327.)

REFERENCES IN TEXT

The Comprehensive Environmental Response, Compensation, and Liability Act, referred to in text, probably means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub. L. 96–510, Dec. 11, 1980, 94 Stat. 2767, as amended, which is classified principally to chapter 103 (§ 9601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

The Federal Water Pollution Control Act, referred to in text, is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92–500, § 2, Oct. 18, 1972, 86 Stat. 816, which is classified generally to chapter 26 (§ 1251 et seq.) of Title 33, Navigation and Navigable Waters. For complete classification of this Act to the Code, see Short Title note set out under section 1251 of Title 33 and Tables.

The Oil Pollution Act of 1990, referred to in text, is Pub. L. 101–380, Aug. 18, 1990, 104 Stat. 484, as amended, which is classified principally to chapter 40 (§ 2701 et seq.) of Title 33. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of Title 33 and Tables.

Act of July 27, 1990, referred to in text, is Pub. L. 101–337, July 27, 1990, 104 Stat. 379, which is classified generally to subchapter III–B (§ 19jj et seq.) of chapter 1 of Title 16, Conservation. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Provisions of this section preceding the proviso are from title I of Pub. L. 103–332, and the proviso is from section 101(c) [title I] of Pub. L. 104–134. Provisions similar to those in the proviso were contained in title I of Pub. L. 103–332.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:

Pub. L. 103–138, title I, Nov. 11, 1993, 107 Stat. 1383.

§ 1474c. North American Wetlands Conservation Fund; availability of fines or forfeitures

In fiscal year 1992 and thereafter, amounts received during the immediately preceding fiscal year under section 707 of title 16 as penalties or fines or from forfeitures of property or collateral, to remain available until expended.

(Pub. L. 103–138, title I, Nov. 11, 1993, 107 Stat. 1384.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 102–381, title I, Oct. 5, 1992, 106 Stat. 1381.

Pub. L. 102–154, title I, Nov. 13, 1991, 105 Stat. 995.

§ 1475. Bureau of Reclamation acceptance of services of volunteers

The Bureau of Reclamation may on and after September 29, 1989, accept the services of volunteers and, from any funds available to it, provide for their incidental expenses to carry out any activity of the Bureau of Reclamation except policymaking or law or regulatory enforcement. Such volunteers shall not be deemed employees of the United States Government, except for the purposes of chapter 81 of title 5 relating to compensation for work injuries, and shall not be deemed employees of the Bureau of Reclamation except for the purposes of tort claims to the same extent as a regular employee of the Bureau of Reclamation would be under identical circumstances.

(Pub. L. 101–101, title II, Sept. 29, 1989, 103 Stat. 656.)

§ 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 the Federal Procurement Integrity Act[1] (41 U.S.C. 423 (1988)) 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.

No act with the title Federal Procurement Integrity Act, referred to in text, has been enacted. The Federal Procurement Integrity Act probably means section 27 of Pub. L. 93–400, as added by Pub. L. 100–679, § 6(a), Nov. 17, 1988, 102 Stat. 4063, which is classified to section 423 of Title 41, Public Contracts.

CHAPTER 32—COLORADO RIVER BASIN PROJECT

SUBCHAPTER I—OBJECTIVES

Sec.
1501. Congressional declaration of purpose and policy.

SUBCHAPTER II—INVESTIGATIONS AND PLANNING

1511. Reconnaissance investigations by Secretary of the Interior; reports; 10-year moratorium on water importation studies.
1511a. Cooperation and participation by Secretary of the Army with Federal, State, and local agencies.
1512. Mexican Water Treaty.
1513. Importation of water; protection of exporting areas.
1514. Authorization of appropriations.

SUBCHAPTER III—AUTHORIZED UNITS; PROTECTION OF EXISTING USES

1521. Central Arizona Project.

[1] See References in Text note below.