

ducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation, or shall prevent the Commission from discharging any other duties prescribed by the convention.

(d) Nothing in this chapter shall be construed to limit or to add to the authority of the individual States to exercise their existing sovereignty within the presently defined limits of the territorial waters of the respective States. (Sept 27, 1950, ch. 1054, § 8, 64 Stat. 1069.)

§ 988. Unlawful activities.

(a) It shall be unlawful for any person subject to the jurisdiction of the United States to engage in fishing in violation of any regulation adopted pursuant to this chapter or of any order of a court issued pursuant to section 989 of this title, to ship, transport, purchase, sell, offer for sale, import, export, or have in custody, possession, or control any fish taken or retained in violation of any such regulations, or order, to fail to make, keep, submit, or furnish any record or report required of him by such regulation, or to refuse to permit any officer authorized to enforce such regulations to inspect such record or report at any reasonable time.

(b) It shall be unlawful for any person or vessel subject to the jurisdiction of the United States to do any act prohibited or fail to do any act required by any regulation adopted pursuant to this chapter. (Sept. 27, 1950, ch. 1054, § 9, 64 Stat. 1069.)

§ 989. Penalties.

Any person violating any provision of this chapter or any regulation adopted pursuant to this chapter, upon conviction, shall be fined for a first offense not more than \$500 and for a subsequent offense committed within five years not more than \$1,000 and for such subsequent offense the court may order forfeited, in whole or in part, the fish taken by such person, or the fishing gear involved in such fishing, or both, or the monetary value thereof. Such forfeited fish or fishing gear shall be disposed of in accordance with the direction of the court. (Sept. 27, 1950, ch. 1054, § 10, 64 Stat. 1070.)

§ 990. Arrests; enforcement officers; warrants and processes; searches and seizures; stay of execution; bond or stipulation.

(a) Any duly authorized enforcement officer or employee of the Fish and Wildlife Service of the Department of the Interior; any Coast Guard officer; any United States marshal or deputy United States marshal; any customs officer; and any other person authorized to enforce the provisions of the convention, this chapter, and the regulations issued pursuant thereto, shall have power without warrant or other process to arrest any person subject to the jurisdiction of the United States committing in his presence or view a violation of the convention or of this chapter, or of the regulations issued pursuant thereto and to take such person immediately for examination before a justice or judge or any other official designated in section 3041 of Title 18; and shall have power, without warrant or other process, to search any vessel subject to the jurisdiction of the United States when he has reasonable cause to believe that such vessel is engaging in fishing in

violation of the provisions of the convention or this chapter, or the regulations issued pursuant thereto. Any person authorized to enforce the provisions of the convention, this chapter, or the regulations issued pursuant thereto shall have power to execute any warrant or process issued by an officer or court of competent jurisdiction for the enforcement of this chapter, and shall have power with a search warrant to search any vessel, vehicle, person, or place at any time. The judges of the United States district courts and the United States Commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases. Any person authorized to enforce the provisions of the convention, this chapter, or the regulations issued pursuant thereto may, except in the case of a first offense, seize, whenever and wherever lawfully found, all fish taken or retained, and all fishing gear involved in fishing, contrary to the provisions of the convention or this chapter or to regulations issued pursuant thereto. Any property so seized shall not be disposed of except pursuant to the order of a court of competent jurisdiction or the provisions of subsection (b) of this section, or, if perishable, in the manner prescribed by regulations of the Secretary of the Interior.

(b) Notwithstanding the provisions of section 2464 of Title 28, when a warrant of arrest or other process in rem is issued in any cause under this section, the marshal or other officer shall stay the execution of such process, or discharge any property seized if the process has been levied, on receiving from the claimant of the property a bond or stipulation for double the value of the property with sufficient surety to be approved by a judge of the district court having jurisdiction of the offense, conditioned to deliver the property seized, if condemned, without impairment in value or, in the discretion of the court, to pay its equivalent value in money or otherwise to answer the decree of the court in such cause. Such bond or stipulation shall be returned to the court and judgment thereon against both the principal and sureties may be recovered in event of any breach of the conditions thereof as determined by the court. (Sept. 27, 1950, ch. 1054, § 11, 64 Stat. 1070.)

§ 991. Appropriations.

There is authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary for carrying out the purposes and provisions of this chapter, including the United States share of the joint expenses of the Commission as provided in article XI of the convention; for the expenses of the United States Commissioners and authorized advisers. (Sept. 27, 1950, ch. 1054, § 12, 64 Stat. 1071.)

Chapter 18.—WATERSHED PROTECTION AND FLOOD PREVENTION

Sec.

1001. Declaration of policy.
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1003. Assistance to local organizations.
1004. Conditions for Federal assistance.
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1006a. Loans to local organizations; repayment; interest; maximum amount.

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1008. Notification of Secretary of Interior of approval of assistance; surveys and investigations; report and recommendations; consideration; cost of surveys, investigations and reports.

§ 1001. Declaration of policy.

Erosion, floodwater, and sediment damages in the watersheds of the rivers and streams of the United States, causing loss of life and damage to property, constitute a menace to the national welfare; and it is the sense of Congress that the Federal Government should cooperate with States and their political subdivisions, soil or water conservation districts, flood prevention or control districts, and other local public agencies for the purpose of preventing such damages and of furthering the conservation, development, utilization, and disposal of water and thereby of preserving and protecting the Nation's land and water resources. (Aug. 4, 1954, ch. 656, § 1, 68 Stat. 666.)

SHORT TITLE

Congress, in enacting this chapter, provided by section 11 of act Aug. 4, 1954, as renumbered by act Aug. 7, 1956, ch. 1027, § 1 (g), 70 Stat. 1088, that it should be popularly known as the "Watershed Protection and Flood Prevention Act".

EXTENSION OF BENEFITS TO PROJECTS AUTHORIZED BEFORE
AUG. 7, 1956

Section 2 of act Aug. 7, 1956, ch. 1027, 70 Stat. 1088, provided that: "The amendments made by this Act [amending sections 1002—1005 and adding sections 1006a, 1006b, of this title] shall be applicable to all works of improvement and plans for such works under the provisions of the Watershed Protection and Flood Prevention Act [this chapter]. Any plans for works of improvement with respect to which the Secretary of Agriculture was authorized prior to the date of this Act [Aug. 7, 1956] to participate in the installation of works of improvement in accordance with such plan, or any plan for works of improvement which has received prior to the date of this Act [Aug. 7, 1956] the approval of congressional committees, as required by such Act, need not be submitted to the congressional committees as required by the Watershed Protection and Flood Prevention Act [this chapter] as amended by this Act".

§ 1002. Definitions.

For the purposes of this chapter, the following terms shall mean:

The "Secretary"—the Secretary of Agriculture of the United States.

"Works of improvement"—any undertaking for—

(1) flood prevention (including structural and land treatment measures) or

(2) the conservation, development, utilization, and disposal of water

in watershed or subwatershed areas not exceeding two hundred and fifty thousand acres and not including any single structure which provides more than five thousand acre-feet of floodwater detention capacity, and more than twenty-five thousand acre-feet of total capacity. No appropriation shall be made for any plan involving an estimated Federal contribution to construction costs in excess of \$250,000, or which includes any structure which provides more than twenty-five hundred acre-feet of total capacity unless such plan has been approved by resolutions adopted by the appropriate committees of

the Senate and House of Representatives: *Provided*, That in the case of any plan involving no single structure providing more than 4,000 acre-feet of total capacity the appropriate committees shall be the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives and in the case of any plan involving any single structure of more than 4,000 acre-feet of total capacity the appropriate committees shall be the Committee on Public Works of the Senate and the Committee on Public Works of the House of Representatives, respectively. A number of such subwatersheds when they are component parts of a larger watershed may be planned together when the local sponsoring organizations so desire.

"Local organization"—any State, political subdivision thereof, soil or water conservation district, flood prevention or control district, or combinations thereof, or any other agency having authority under State law to carry out, maintain and operate the works of improvement. (Aug. 4, 1954, ch. 656, § 2, 68 Stat. 666; Aug. 7, 1956, ch. 1027, § 1 (a), 70 Stat. 1088.)

AMENDMENTS

1956—Act Aug. 7, 1956, amended section to eliminate provisions which limited works of improvement to agriculture phases of conservation, development, utilization, and disposal of water, to increase the limits of total capacity of any single structure from 5,000 acre-feet to 25,000 acre-feet, to exclude single structures which provide more than 5,000 acre-feet of floodwater detention capacity, to require approval of plans involving an estimated Federal contribution to construction costs of more than \$250,000, and to specify the Congressional committees that must approve the plans where structures are under and over 4,000 acre-feet of total capacity.

EXTENSION OF BENEFITS TO PROJECTS AUTHORIZED BEFORE
AUG. 7, 1956

Amendment of this section by act Aug. 7, 1956, as applicable to all works of improvements and plans for such works under the provisions of this chapter, see section 2 of such act Aug. 7, 1956, set out as a note under section 1001 of this title.

§ 1003. Assistance to local organizations.

In order to assist local organizations in preparing and carrying out plans for works of improvement, the Secretary is authorized, upon application of local organizations if such application has been submitted to, and not disapproved within 45 days by, the State agency having supervisory responsibility over programs provided for in this chapter, or by the Governor if there is no State agency having such responsibility—

(1) to conduct such investigations and surveys as may be necessary to prepare plans for works of improvement;

(2) to prepare plans and estimates required for adequate engineering evaluation;

(3) to make allocations of costs to the various purposes to show the basis of such allocations and to determine whether benefits exceed costs;

(4) to cooperate and enter into agreements with and to furnish financial and other assistance to local organizations: *Provided*, That, for the land-treatment measures, the Federal assistance shall not exceed the rate of assistance for similar practices under existing national programs;

(5) to obtain the cooperation and assistance of other Federal agencies in carrying out the purposes of this section.

(Aug. 4, 1954, ch. 656, § 3, 68 Stat. 666; Aug. 7, 1956, ch. 1027, § 1 (b), 70 Stat. 1088.)

AMENDMENTS

1956—Act Aug. 7, 1956, amended section by substituting in clause (2) provisions authorizing the Secretary to prepare plans and estimates required for adequate engineering evaluation for provisions which authorized the Secretary to make studies for physical and economic soundness of plans for works of improvement, by adding clause (3), and redesignating former clauses (3) and (4) as (4) and (5).

EXTENSION OF BENEFITS TO PROJECTS AUTHORIZED BEFORE AUG. 7, 1956

Amendment of this section by act Aug. 7, 1956, as applicable to all works of improvement and plans for such works under the provisions of this chapter, see section 2 of such act Aug. 7, 1956, set out as a note under section 1001 of this title.

§ 1004. Conditions for Federal assistance.

The Secretary shall require as a condition to providing Federal assistance for the installation of works of improvement that local organization shall—

- (1) acquire without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance;
- (2) assume (A) such proportionate share, as is determined by the Secretary to be equitable in consideration of the direct identifiable benefits, of the costs of installing any works of improvement, involving Federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water or for fish and wildlife development, and (B) all of the cost of installing any portion of such works applicable to other purposes except that any part of the construction cost (including engineering costs) applicable to flood prevention and features relating thereto shall be borne by the Federal Government and paid for by the Secretary out of funds appropriated for the purposes of this chapter;
- (3) make arrangements satisfactory to the Secretary for defraying costs of operating and maintaining such works of improvement, in accordance with regulations presented by the Secretary of Agriculture;
- (4) acquire, or provide assurance that land-owners or water users have acquired, such water rights, pursuant to State law, as may be needed in the installation and operation of the work of improvement;
- (5) obtain agreements to carry out recommended soil conservation measures and proper farm plans from owners of not less than 50 per centum of the lands situated in the drainage area above each retention reservoir to be installed with Federal assistance; and
- (6) submit a plan of repayment satisfactory to the Secretary for any loan or advancement made under the provisions of section 1007 of this title. (Aug. 4, 1954, ch. 656, § 4, 68 Stat. 667; Aug. 7, 1956, ch. 1027, § 1 (c—e), 70 Stat. 1088; Sept. 2, 1958, Pub. L. 85-865, § 1, 72 Stat. 1605.)

AMENDMENTS

1958—Clause (2) (A) amended by Pub. L. 85-865, which inserted after "and disposal of water" the words "or for fish and wildlife development".

1956—Clause (2) amended by act Aug. 7, 1956, § 1 (c), to require local organizations to assume a proportionate share of costs applicable to agricultural water management in consideration of the direct identifiable benefits, and all the costs of works applicable to other purposes, and to provide that the Federal Government shall bear the entire construction costs for flood prevention.

Clause (4) amended by act Aug. 7, 1956, § 1 (d), which inserted the words "or water users", following "land-owners".

Clause (6) added by act Aug. 7, 1956, § 1 (e).

EFFECTIVE DATE OF 1958 AMENDMENT

Section 2 of Pub. L. 85-865 provided that: "The Secretary of Agriculture shall not furnish or agree to furnish financial assistance to local organizations for the institution of works of improvement for fish and wildlife development pursuant to the authority of this Act [amending clause (2) (A) of this section] prior to July 1, 1958."

EXTENSION OF BENEFITS TO PROJECTS AUTHORIZED BEFORE AUG. 7, 1956

Amendment of this section by act Aug. 7, 1956, as applicable to all works of improvement and plans for such works under the provisions of this chapter, see section 2 of such act Aug. 7, 1956, set out as a note under section 1001 of this title.

§ 1005. Works of improvement; engineering and other services; Federal construction; submission of plans; regulations.

At such time as the Secretary and the interested local organization have agreed on a plan for works of improvement, and the Secretary has determined that the benefits exceed the costs, and the local organization has met the requirements for participation in carrying out the works of improvement as set forth in section 1004 of this title, the local organization with such assistance as it may request from the Secretary, which assistance the Secretary is authorized to give, shall secure engineering and other services, including the design, preparation of contracts and specifications, awarding of contracts, and supervision of construction, in connection with such works of improvement, and in order to properly carry out such services in such projects as to such structures therein providing for municipal or industrial water supplies, the local organization shall, and in such projects not providing for municipal or industrial water supplies, the local organization may, retain or employ a professional engineer or engineers satisfactory to the Secretary, and the Secretary shall reimburse the local organization for the cost it may incur for the services of such engineer or engineers as is properly chargeable to such works of improvement except that if the local organization decides not to retain or employ a professional engineer or if the Secretary determines that competent engineering services are not available he may contract for a competent engineer to provide such services or arrange for employees of the Federal Government to provide such services: *Provided*, That at the request of the local organization which retains or employs a professional engineer or engineers as aforesaid, the Secretary may advance such amounts as may be necessary to pay for such services, but such advances with respect to any works of improvement shall not exceed 5 per centum of the estimated total cost of such works: *Provided further*, That, except as to the installation of works of improvement on Federal lands, the Secretary shall not construct or enter into any contract for

the construction of any structure unless there is no local organization authorized by State law to undertake such construction or to enter into such contract, and in no event after July 1, 1956: *Provided*, That in participating in the installation of such works of improvement the Secretary, as far as practicable and consistent with his responsibilities for administering the overall national agricultural program, shall utilize the authority conferred upon him by the provisions of this chapter: *Provided further*, That whenever the estimated Federal contribution to the construction cost of works of improvement in any watershed or subwatershed area shall exceed \$250,000 or the works of improvement include any structure having a total capacity in excess of twenty-five hundred acre-feet, the Secretary shall transmit a copy of the plan and the justification therefor to the Congress through the President: *Provided further*, That any such plan involving an estimated Federal contribution to construction costs in excess of \$250,000 or containing any structure having a total capacity in excess of twenty-five hundred acre-feet (a) which includes reclamation or irrigation works or which affects public or other lands or wildlife under the jurisdiction of the Secretary of the Interior, or (b) which includes Federal assistance for floodwater detention structures, shall be submitted to the Secretary of the Interior or the Secretary of the Army, respectively, for his views and recommendations at least thirty days prior to transmission of the plan to the Congress through the President. The views and recommendations of the Secretary of the Interior, and the Secretary of the Army, if received by the Secretary of Agriculture prior to the expiration of the above thirty-day period, shall accompany the plan transmitted by the Secretary of Agriculture to the Congress through the President: *Provided further*, That, prior to any Federal participation in the works improvement under this chapter, the President shall issue such rules and regulations as he deems necessary or desirable to carry out the purposes of this chapter, and to assure the coordination of the work authorized under this chapter and related work of other agencies including the Department of the Interior and the Department of the Army. (Aug. 4, 1954, ch. 656, § 5, 68 Stat. 667; July 19, 1956, ch. 639, 70 Stat. 580; Aug. 7, 1956, ch. 1027, § 1 (f), 70 Stat. 1089.)

AMENDMENTS

1956—Act Aug. 7, 1956, amended section to require local organization to secure engineering and other services and to employ engineers, except in projects not providing for municipal or industrial water supplies, when the local organization may or may not employ engineers, to provide for reimbursement of costs of engineers, to authorize the Secretary to contract for engineers or to utilize engineers employed by the Federal Government when local organizations do not employ any, to permit advances, to require transmittal of plans when Federal contributions to construction costs are more than \$250,000 or the works include any structures with more than 2,500 acre-feet of total capacity, to eliminate provisions which required transmittal 45 days prior to commencement of installation, and to reduce the period for submission of plans to the Secretaries of the Interior and the Army from 60 days to 30 days prior to transmittal to Congress.

Act July 19, 1956, amended section by substituting in the third proviso the word "fifteen" for the words "forty-five."

EXTENSION OF BENEFITS TO PROJECTS AUTHORIZED BEFORE AUG. 7, 1956

Amendment of this section by act Aug. 7, 1956, as applicable to all works of improvement and plans for such works under the provisions of this chapter, see section 2 of such act Aug. 7, 1956, set out as a note under section 1001 of this title.

EX. ORD. NO. 10584. RULES AND REGULATIONS RELATING TO ADMINISTRATION

Ex. Ord. No. 10584, Dec. 20, 1954, 19 F. R. 8725, provided:

SECTION 1. *Scope of order.* This order shall apply (a) to the planning, construction, operation, and maintenance of all works of improvement under the authority of the Watershed Protection and Flood Prevention Act (Public Law 566, approved August 4, 1954; 68 Stat. 666) [this chapter], hereinafter referred to as the Act, and (b) to other programs and projects of the Department of Agriculture, and to programs and projects of the Department of the Interior and of the Department of the Army, to the extent that such programs or projects affect, or are affected significantly by, works of improvement provided for in the Act [this chapter].

SEC. 2. *Department of Agriculture.* The Secretary of Agriculture shall have the following-described responsibilities with respect to works of improvement under the Act [this chapter]:

(a) Approval or disapproval of applications for Federal assistance in preparing plans for works of improvement, and the assignment of priorities for the provision of such assistance.

(b) Notifying the following, severally, in writing of all approvals or disapprovals of applications for planning assistance; the sponsoring organization, the State Governor or Governors concerned, the Secretary of the Interior, the Secretary of the Army, and other Federal agencies concerned.

(c) Notifying in writing the Secretary of the Interior and the Secretary of the Army and other Federal agencies concerned of his decision to initiate any survey or field investigation involving water-resource development work, and furnishing the Federal agencies concerned with appropriate information regarding the scope, nature, status, and results of such survey or investigation.

(d) Submitting plans for works of improvement to the State Governor or Governors concerned and to the Federal agencies concerned for review and comment, when the Secretary and the interested local organization have agreed on such plans; and, when and as required by the Act [this chapter], submitting such plans to the Secretary of the Interior and the Secretary of the Army for their review and comment prior to transmission of the plans to the Congress through the President.

(e) Establishing criteria for the formulation and justification of plans for works of improvement and criteria for the sharing of the cost of both structural and land treatment measures which conform with policies established by or at the direction of the President for watershed protection, flood control, irrigation, drainage, water supply, and related water-resource development purposes.

(f) Establishing engineering and economic standards and objectives, including standards as to degrees of flood protection, for works of improvement planned and carried out under the authority of the Act [this chapter].

(g) Determination and definition of (1) those land-treatment measures and structural improvements for flood prevention and measures for the agricultural phases of conservation, development, use, and disposal of water which are eligible for Federal assistance, and (2) the nature and extent of such assistance and the conditions under which such assistance shall be rendered.

(h) Planning and installing works of improvement on public lands under his jurisdiction, and arranging for the participation of other Federal agencies in the planning and installation of works of improvement on public lands under their jurisdiction.

(i) Consulting with the Tennessee Valley Authority with respect to any survey or field investigation involving water-resource development work in the Tennessee Valley, and continuing such consultation throughout all phases of project development.

(j) Holding public hearings at suitable times and places when he determines that such action will further the purposes of the Act [this chapter].

SEC. 3. Department of the Interior. (a) The Secretary of the Interior shall notify the Secretary of Agriculture and the Secretary of the Army and other Federal agencies concerned in writing of his decision to initiate any survey or field investigation involving water-resource development work, and shall furnish the Federal agencies concerned with appropriate information regarding the scope, nature, status, and results of such survey or investigation.

(b) The Secretary of the Interior shall cooperate with the Secretary of Agriculture in assessing the need for works of improvement under the Act [this chapter] on Federal lands under the jurisdiction of the Department of the Interior. Recommendations of the Secretary of the Interior for necessary work on such lands shall be submitted as an integral part of the plans of the Department of Agriculture for works of improvement. Arrangements for construction, operation, and maintenance of works of improvement on such lands shall be mutually satisfactory to the Secretary of Agriculture and the Secretary of the Interior.

SEC. 4. Department of the Army. The Secretary of the Army shall notify the Secretary of Agriculture and the Secretary of the Interior and other Federal agencies concerned in writing of his decision to initiate any survey or field investigation involving water-resource development work, and shall furnish the Federal agencies concerned with appropriate information regarding the scope, nature, status, and results of such survey or investigation.

SEC. 5. Relationship to comprehensive development. (a) The Secretary of Agriculture shall submit plans for installation of works of improvement under the Act [this chapter] to the Congress through the President only if the Secretary is satisfied that such works constitute needed and harmonious elements in the comprehensive development of the river subbasin or river basin involved.

(b) Federal agencies having responsibilities for water resource developments shall, in the design and justification of works of improvement, take cognizance of all upstream and downstream works in place and in operation, or soon to be brought into operation. The guiding principle shall be to adjust the nature, capacity, and operating characteristics of works of improvement in a manner that (1) reflects the respective contributions of upstream and downstream works to flood protection and to the conservation, development, use, and disposal of water, and (2) provides the best use and control of water resources at minimum cost. Whenever approximately equivalent benefits can be obtained from alternative works of improvement, or combinations of improvements, with approximately the same cost, the alternative or combination least costly to the Federal Government shall be given preferential consideration. In case benefits are produced jointly by more than one work of improvement, or in case complementary relationships exist between the projects and plans of the several agencies, the benefits claimed in justification of a system of improvements shall not include any duplication or compounding of benefits.

SEC. 6. Basic data. In the utilization of existing basic physical and economic data, and in the acquisition of additional basic data required for planning, design, construction, operation and evaluation of works of improvement authorized under the Act [this chapter], the Department of Agriculture shall be assisted by the principal basic-data collection agencies, including the Geological Survey in the Department of the Interior and the Weather Bureau in the Department of Commerce. The basic-data collection agencies shall assist and cooperate with the Department of Agriculture with respect to the following:

(a) Provision of pertinent information in the preliminary planning of works of improvement.

(b) Collaboration in planning programs of hydrologic data collection in project areas, in the selection of station sites and installation of equipment for collecting hydrologic data, and in the collection of such data.

(c) Collaboration in the analysis and interpretation of hydrologic data collected specifically for projects initiated under the Act [this chapter], and of relevant data which may contribute to an analysis of the effects of such projects.

DWIGHT D. EISENHOWER

EX. ORD. NO. 10654. DELEGATION OF FUNCTIONS TO DIRECTOR OF BUREAU OF THE BUDGET

Ex. Ord. No. 10654, Jan. 23, 1950, 21 F. R. 511, provided:

The functions vested in the President by the third proviso of section 5 of the Watershed Protection and Flood Prevention Act (68 Stat. 667 [this section]), relating to the transmittal to the Congress of copies of plans for certain works of improvement and the justifications therefor, are hereby delegated to the Director of the Bureau of the Budget.

DWIGHT D. EISENHOWER

§ 1006. Cooperative programs.

The Secretary is authorized in cooperation with other Federal and with States and local agencies to make investigations and surveys of the watersheds of rivers and other waterways as a basis for the development of coordinated programs. In areas where the programs of the Secretary of Agriculture may affect public or other lands under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior is authorized to cooperate with the Secretary of Agriculture in the planning and development of works or programs for such lands. (Aug. 4, 1954, ch. 656, § 6, 68 Stat. 668.)

§ 1006a. Loans to local organizations; repayment; interest; maximum amount.

The Secretary is authorized to make loans or advancements to local organizations to finance the local share of costs of carrying out works of improvement provided for in this chapter. Such loans or advancements shall be made under contracts or agreements which will provide, under such terms and conditions as the Secretary deems appropriate, for the repayment thereof in not more than fifty years from the date when the principal benefits of the works of improvement first become available, with interest at the average rate, as determined by the Secretary of the Treasury, payable by the Treasury upon its marketable public obligations outstanding at the beginning of the fiscal year in which the loan or advancement is made, which are neither due nor callable for redemption for fifteen years from date of issue. With respect to any single plan for works of improvement, the amount of any such loan or advancement shall not exceed five million dollars. (Aug. 4, 1954, ch. 656, § 8, as added Aug. 7, 1956, ch. 1027, § 1 (g), 70 Stat. 1090.)

PROJECTS AUTHORIZED BEFORE AUG. 7, 1956

Section as applicable to all works of improvement and plans for such works under the provisions of this chapter, see section 2 of act Aug. 7, 1950, set out as a note under section 1001 of this title.

§ 1006b. Territorial application.

The provisions of this chapter shall be applicable to Hawaii, Alaska, Puerto Rico, and the Virgin Islands. (Aug. 4, 1954, ch. 656, § 9, as added Aug. 7, 1956, ch. 1027, § 1 (g), 70 Stat. 1090.)

PROJECTS AUTHORIZED BEFORE AUG. 7, 1956

Section as applicable to all works of improvement and plans for such works under the provisions of this chapter, see section 2 of act Aug. 7, 1950, set out as a note under section 1001 of this title.

§ 1007. Appropriations.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes

of this chapter, such sums to remain available until expended. (Aug. 4, 1954, ch. 656, § 16, formerly § 8, 68 Stat. 668, renumbered Aug. 7, 1956, ch. 1027, § 1 (g), 70 Stat. 1090.)

AMENDMENTS

1956—Act Aug. 7, 1956, amended credit to section by redesignating section, formerly 8, as section 10 of act Aug. 4, 1954.

§ 1008. Notification of Secretary of Interior of approval of assistance; surveys and investigations; report and recommendations; consideration; cost of surveys, investigations and reports.

When the Secretary approves the furnishing of assistance to a local organization in preparing a plan for works of improvement as provided for in section 1003 of this title:

(1) The Secretary shall so notify the Secretary of the Interior in order that the latter, as he desires, may make surveys and investigations and prepare a report with recommendations concerning the conservation and development of wildlife resources and participate, under arrangements satisfactory to the Secretary of Agriculture, in the preparation of a plan for works of improvement that is acceptable to the local organization and the Secretary of Agriculture.

(2) Full consideration shall be given to the recommendations contained in any such report of the Secretary of the Interior as he may submit to the Secretary of Agriculture prior to the time the local organization and the Secretary of Agriculture have agreed on a plan for works of improvement. The plan shall include such of the technically and economically feasible works of improvement for wildlife purposes recommended in the report by the Secretary of the Interior as are acceptable to, and agreed to by, the local organization and the Secretary of Agriculture, and such report of the Secretary of the Interior shall, if requested by the Secretary of the Interior, accompany the plan for works of improvement when it is submitted to the Secretary of Agriculture for approval or transmitted to the Congress through the President.

(3) The cost of making surveys and investigations and of preparing reports concerning the conservation and development of wildlife resources shall be borne by the Secretary of the Interior out of funds appropriated to his Department. (Aug. 4, 1954, ch. 656, § 12, as added Aug. 12, 1958, Pub. L. 85-624, § 3, 72 Stat. 567.)

Chapter 19.—NORTH PACIFIC FISHERIES

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§ 1021. Definitions.

As used in this chapter, the term—

(a) "Convention" means the International Convention for the High Seas Fisheries of the North Pacific Ocean with a protocol relating thereto signed at Tokyo, May 9, 1952;

(b) "Commission" means the International North Pacific Fisheries Commission provided for by article II of the Convention;

(c) "United States Section" means the United States Commissioners to the Commission;

(d) "Convention area" means all waters, other than territorial waters, of the North Pacific Ocean which for the purposes of this chapter shall include the adjacent seas;

(e) "Fishing vessel" means any vessel engaged in catching fish or processing or transporting fish loaded on the high seas, or any vessel outfitted for such activities. (Aug. 12, 1954, ch. 669, § 2, 68 Stat. 698.)

SHORT TITLE

Section 1 of act Aug. 12, 1954, provided that this chapter should be popularly known as the "North Pacific Fisheries Act of 1954."

SEPARABILITY PROVISIONS

Section 14 of act Aug. 12, 1954, provided that: "If any provision of this Act [this chapter] or the application of such provision to any circumstances or persons shall be held invalid, the validity of the remainder of the Act [this chapter] and the applicability of such provision to other circumstances or persons shall not be affected thereby."

§ 1022. Commissioners; appointment, number and compensation.

The United States shall be represented on the Commission by not more than four Commissioners to be appointed by the President, to serve as such during his pleasure, and to receive no compensation for their services as Commissioners. Of such Commissioners—

(a) one shall be an official of the United States Government; and

(b) each of the others shall be a person residing in a State or Territory, the residents of which maintain a substantial fishery in the Convention area. (Aug. 12, 1954, ch. 669, § 3, 68 Stat. 698.)

§ 1023. Advisory Committee; appointment and number of members; terms; sessions; meetings; compensation.

(a) The United States Section shall appoint an advisory committee composed of not less than five nor more than twenty members and shall fix the terms of office thereof, such members to be selected both from the various groups participating in the fisheries covered by the Convention and from the fishery agencies of the States or Territories, the residents of which maintain a substantial fishery in the Convention area.