

members of the official delegation from the persons recommended to him by the Council.

(c) Authorization of appropriations and payments

For the purposes of this section there is authorized to be appropriated an amount equal to the assessment for United States membership in the Centre for fiscal years 1979, 1980, 1981, and 1982: *Provided*, That no appropriation is authorized and no payment shall be made to the Centre in excess of 25 per centum of the total annual assessment of such organization. Authorization for payment of such assessments shall begin in fiscal year 1981, but shall include earlier costs.

(Pub. L. 89-665, title II, §206, as added Pub. L. 91-243, §2, May 9, 1970, 84 Stat. 204; amended Pub. L. 93-54, §1(b), July 1, 1973, 87 Stat. 139; Pub. L. 94-422, title II, §201(8), Sept. 28, 1976, 90 Stat. 1322; Pub. L. 96-199, title I, §114, Mar. 5, 1980, 94 Stat. 71; Pub. L. 106-208, §5(b), May 26, 2000, 114 Stat. 319.)

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-208, made technical correction to directory language of Pub. L. 96-199. See 1980 Amendment note below.

1980—Subsec. (c). Pub. L. 96-199, as amended by Pub. L. 106-208, substituted “there is authorized to be appropriated an amount equal to the assessment for United States membership in the Centre for fiscal years 1979, 1980, 1981, and 1982” for “there are authorized to be appropriated not more than \$175,000 per year for fiscal years 1977, 1978, and 1979” in the existing provisions and inserted provision that the authorization for the payment of assessments should begin in fiscal year 1981 but should include earlier costs.

1976—Subsec. (c). Pub. L. 94-422 substituted provisions authorizing appropriations of not more than \$175,000 per year for fiscal years 1977, 1978, and 1979 for provisions authorizing appropriations of not more than \$100,000 in fiscal year 1974, \$100,000 in fiscal year 1975, and \$125,000 in fiscal year 1976 and struck out “effective January 1, 1974,” after “*Provided*, That”.

1973—Subsec. (c). Pub. L. 93-54 added subsec. (c) and repealed former subsec. (c) authorizing appropriation of \$100,000 annually for fiscal years 1971 through 1973.

§ 470o. Transfer of personnel, property, etc., by Department of the Interior to Council; time limit

So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, held, used, programed, or available or to be made available by the Department of the Interior in connection with the functions of the Council, as the Director of the Office of Management and Budget shall determine, shall be transferred from the Department to the Council within 60 days of the effective date of this Act.

(Pub. L. 89-665, title II, §207, as added Pub. L. 94-422, title II, §201(9), Sept. 28, 1976, 90 Stat. 1322.)

REFERENCES IN TEXT

The effective date of this Act, referred to in text, probably means the effective date of Pub. L. 94-422, which was approved on Sept. 28, 1976.

§ 470p. Rights, benefits, and privileges of transferred employees

Any employee in the competitive service of the United States transferred to the Council

under the provisions of this section shall retain all the rights, benefits, and privileges pertaining thereto held prior to such transfer.

(Pub. L. 89-665, title II, §208, as added Pub. L. 94-422, title II, §201(9), Sept. 28, 1976, 90 Stat. 1322.)

§ 470q. Operations of Council; exemption

The Council is exempt from the provisions of the Federal Advisory Committee Act (86 Stat. 770), and the provisions of subchapter II of chapter 5, and chapter 7, of title 5 shall govern the operations of the Council.

(Pub. L. 89-665, title II, §209, as added Pub. L. 94-422, title II, §201(9), Sept. 28, 1976, 90 Stat. 1322.)

REFERENCES IN TEXT

The Federal Advisory Committee Act (86 Stat. 770), referred to in text, is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is classified to the Appendix of Title 5, Government Organization and Employees.

CODIFICATION

“Subchapter II of chapter 5, and chapter 7 of title 5” substituted in text for “the Administrative Procedure Act (80 Stat. 381)” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

§ 470r. Transmittal of legislative recommendations, or testimony, or comments, to any officer or agency of the United States prior to submission thereof to Congress; prohibition

No officer or agency of the United States shall have any authority to require the Council to submit its legislative recommendations, or testimony, or comments on legislation to any officer or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the Congress. In instances in which the Council voluntarily seeks to obtain the comments or review of any officer or agency of the United States, the Council shall include a description of such actions in its legislative recommendations, testimony, or comments on legislation which it transmits to the Congress.

(Pub. L. 89-665, title II, §210, as added Pub. L. 94-422, title II, §201(9), Sept. 28, 1976, 90 Stat. 1322; amended Pub. L. 96-515, title III, §301(k), Dec. 12, 1980, 94 Stat. 2999.)

AMENDMENTS

1980—Pub. L. 96-515 struck out provision requiring the Council, whenever it transmits any legislative recommendations, or testimony, or comments on legislation to the President or Office of Management and Budget, to concurrently transmit copies thereof to the House Committee on Interior and Insular Affairs and the Senate Committee on Interior and Insular Affairs.

§ 470s. Rules and regulations; participation by local governments

The Council is authorized to promulgate such rules and regulations as it deems necessary to govern the implementation of section 470f of this title in its entirety. The Council shall, by regulation, establish such procedures as may be necessary to provide for participation by local

governments in proceedings and other actions taken by the Council with respect to undertakings referred to in section 470f of this title which affect such local governments.

(Pub. L. 89-665, title II, §211, as added Pub. L. 94-422, title II, §201(9), Sept. 28, 1976, 90 Stat. 1322; amended Pub. L. 96-515, title III, §301(l), Dec. 12, 1980, 94 Stat. 2999; Pub. L. 102-575, title XL, §4018, Oct. 30, 1992, 106 Stat. 4763.)

AMENDMENTS

1992—Pub. L. 102-575 inserted “in its entirety” before period at end of first sentence.

1980—Pub. L. 96-515 inserted provision authorizing the Council to establish procedures as necessary to provide for participation by local governments in proceedings and other actions taken by the Council with respect to undertakings referred to in section 470f of this title which affect such local governments.

§ 470t. Budget; authorization of appropriations

(a) Time of submission; related department; authorized appropriations

The Council shall submit its budget annually as a related agency of the Department of the Interior. There are authorized to be appropriated such amounts as may be necessary to carry out this part.

(b) Transmittal of copies to Congressional committees

Whenever the Council submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit copies of that estimate or request to the House and Senate Appropriations Committees and the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources.

(Pub. L. 89-665, title II, §212, as added Pub. L. 94-422, title II, §201(9), Sept. 28, 1976, 90 Stat. 1323; amended Pub. L. 95-625, title VI, §614, Nov. 10, 1978, 92 Stat. 3521; Pub. L. 96-205, title VI, §608(a)(3), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96-244, §2, May 19, 1980, 94 Stat. 346; Pub. L. 96-515, title III, §302(b), Dec. 12, 1980, 94 Stat. 3000; Pub. L. 98-483, Oct. 17, 1984, 98 Stat. 2258; Pub. L. 101-70, Aug. 3, 1989, 103 Stat. 180; Pub. L. 102-575, title XL, §4017, Oct. 30, 1992, 106 Stat. 4763; Pub. L. 103-437, §6(d)(29), Nov. 2, 1994, 108 Stat. 4584; Pub. L. 104-333, div. I, title V, §509(a), Nov. 12, 1996, 110 Stat. 4157; Pub. L. 106-208, §3, May 26, 2000, 114 Stat. 318; Pub. L. 109-453, §1(f), Dec. 22, 2006, 120 Stat. 3368.)

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-453, which directed amendment of subsec. (a) by substituting “such amounts as may be necessary to carry out this part” for “for purposes of this part not to exceed \$4,000,000 for each fiscal year 1997 through 2005”, was executed by making the substitution for “for the purposes of this part not to exceed \$4,000,000 in each fiscal year 1997 through 2005” to reflect the probable intent of Congress.

2000—Subsec. (a). Pub. L. 106-208 substituted “2005” for “2000”.

1996—Subsec. (a). Pub. L. 104-333 amended last sentence generally. Prior to amendment, last sentence read as follows: “There are authorized to be appropriated for purposes of this part not to exceed \$5,000,000 for each of the fiscal years 1993 through 1996.”

1994—Subsec. (b). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

1992—Subsec. (a). Pub. L. 102-575 substituted provision authorizing appropriations for purposes of this part of not to exceed \$5,000,000 for each of fiscal years 1993 through 1996 for provision authorizing appropriations of not to exceed \$2,500,000 in each fiscal year 1990 through 1994.

1989—Subsec. (a). Pub. L. 101-70 substituted provision authorizing appropriations of not to exceed \$2,500,000 in each fiscal year 1990 through 1994 for provision authorizing appropriations, to carry out provisions of this part, of not more than \$2,500,000 for each of the fiscal years 1985 through 1989.

1984—Subsec. (a). Pub. L. 98-483 substituted provision authorizing appropriations of not more than \$2,500,000 for each of the fiscal years 1985 through 1989 for provision authorizing appropriations of not more than \$1,500,000 to \$2,250,000 in increments of \$250,000 for fiscal years 1977 through 1980, and not more than \$2,500,000 for each of the fiscal years 1981 through 1983.

1980—Subsec. (a). Pub. L. 96-244 inserted “\$2,500,000 in the fiscal year 1981, \$2,500,000 in fiscal year 1982, and \$2,500,000 in fiscal year 1983” after “in fiscal year 1980”.

Subsec. (b). Pub. L. 96-515 substituted “Senate Committee on Energy and Natural Resources” for “Senate Committee on Interior and Insular Affairs”, which amendment is identical to the amendment by section 608(a)(3) of Pub. L. 96-205, thereby requiring no change in text.

Pub. L. 96-205 substituted “Energy and Natural Resources” for “Interior and Insular Affairs”.

1978—Subsec. (a). Pub. L. 95-625 authorized appropriation of \$2,250,000 in fiscal year 1980.

§ 470u. Report by Secretary to Council

To assist the Council in discharging its responsibilities under this subchapter, the Secretary at the request of the Chairman, shall provide a report to the Council detailing the significance of any historic property, describing the effects of any proposed undertaking on the affected property, and recommending measures to avoid, minimize, or mitigate adverse effects.

(Pub. L. 89-665, title II, §213, as added Pub. L. 96-515, title III, §302(a), Dec. 12, 1980, 94 Stat. 3000.)

§ 470v. Exemption for Federal programs or undertakings; regulations

The Council, with the concurrence of the Secretary, shall promulgate regulations or guidelines, as appropriate, under which Federal programs or undertakings may be exempted from any or all of the requirements of this subchapter when such exemption is determined to be consistent with the purposes of this subchapter, taking into consideration the magnitude of the exempted undertaking or program and the likelihood of impairment of historic properties.

(Pub. L. 89-665, title II, §214, as added Pub. L. 96-515, title III, §302(a), Dec. 12, 1980, 94 Stat. 3000.)

§ 470v-1. Reimbursements from State and local agencies

Subject to applicable conflict of interest laws, the Council may receive reimbursements from State and local agencies and others pursuant to agreements executed in furtherance of the purposes of this subchapter.

(Pub. L. 89-665, title II, §215, as added Pub. L. 104-333, div. I, title V, §509(c)(3), Nov. 12, 1996, 110 Stat. 4157.)