

“(2) use the United States mail in the same manner and upon the same conditions as other departments and agencies of the United States;

“(3) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies to carry out such aspects of the Commission’s functions as the Commission determines can best be carried out in that manner; and

“(4) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

“(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Commission that testimony shall be taken or evidence received under oath.

“(c) The Commission shall have a Director who shall be appointed by the Commission and who shall be paid at a rate not to exceed the maximum rate of basic pay payable for level II of the Executive Schedule.

“(1) With the approval of the Commission, the Director may appoint and fix the pay of such personnel as the Director considers appropriate but only to the extent that such personnel cannot be obtained from the Secretary of the Interior or by detail from other Federal agencies. Such personnel may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such Title relating to classification and General Schedule pay rates.

“(2) With the approval of the Commission, the Director may procure temporary and intermittent services under section 3109(b) of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay payable for GS-18 of the General Schedule.

“(d) The Secretary of the Interior and the Secretary of the Army shall provide such office space, furnishings and equipment as may be required to enable the Commission to perform its functions. The Secretary shall also furnish the Commission with such staff, including clerical support, as the Commission may require.

“SEC. 3008. POWERS AND DUTIES OF THE CHAIRMAN.

“(a) Subject to general policies adopted by the Commission, the Chairman shall be the chief executive of the Commission and shall exercise its executive and administrative powers as set forth in paragraphs (2) through (4) of section 3007(a).

“(b) The Chairman may make such provisions as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Director or other personnel of the Commission.

“SEC. 3009. OTHER FEDERAL AGENCIES.

“(a) The Commission shall, to the extent practicable, utilize the services of the Federal water resource agencies.

“(b) Upon request of the Commission, the President may direct the head of any other Federal department or agency to assist the Commission and such head of any Federal department or agency is authorized—

“(1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 3007(a)(7) of this title, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and

“(2) to detail to temporary duty with the Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

“(c) Financial and administrative services (including those related to budgeting, accounting, financial re-

porting, personnel, and procurement) shall be provided the Commission by the Secretary of the Interior.

“SEC. 3010. APPROPRIATIONS.

“There are hereby authorized to be appropriated not to exceed \$10,000,000 to carry out the purposes of sections 3001 through 3009 of this title.”

[References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.]

[Committee on Merchant Marine and Fisheries of House of Representatives abolished and its jurisdiction transferred by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. For treatment of references to Committee on Merchant Marine and Fisheries, see section 1(b)(3) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.]

§ 372. Water right as appurtenant to land and extent of right

The right to the use of water acquired under the provisions of this Act shall be appurtenant to the land irrigated, and beneficial use shall be the basis, the measure, and the limit of the right.

(June 17, 1902, ch. 1093, § 8, 32 Stat. 390.)

REFERENCES IN TEXT

This Act, referred to in text, is act June 17, 1902, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

CODIFICATION

Section is comprised of the proviso in section 8 of act June 17, 1902. Remainder of section 8 is classified to section 383 of this title.

SECTION AS UNAFFECTED BY SUBMERGED LANDS ACT

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

§ 373. General authority of Secretary of the Interior

The Secretary of the Interior is authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying out the provisions of this Act into full force and effect.

(June 17, 1902, ch. 1093, § 10, 32 Stat. 390; Aug. 13, 1914, ch. 247, § 15, 38 Stat. 690.)

REFERENCES IN TEXT

This Act, referred to in text, refers both to act June 17, 1902, popularly known as the Reclamation Act, and to act Aug. 13, 1914. See Codification note set out below. For classification of act June 17, 1902 to the Code, see Short Title note set out under section 371 of this title and Tables. Act Aug. 13, 1914, is classified to sections 373, 414, 418, 435 to 437, 440, 443, 464, 465, 469, 471, 472, 475, 477 to 481, 492, 493, 494 to 497, and 499 of this title.

CODIFICATION

Act Aug. 13, 1914, cited as a credit to this section, did not amend act July 17, 1902, but contained identical provisions.

SECTION AS UNAFFECTED BY SUBMERGED LANDS ACT

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