

SUBCHAPTER IV—MISCELLANEOUS
PROVISIONS

**§ 1962d. Authorization of appropriations to the
Water Resources Council**

There are authorized to be appropriated to the Water Resources Council:

(a) Limitation for single river basin commission

The sum of \$2,886,000 for fiscal year 1979 for the Federal share of the expenses of administration and operation of river basin commissions, including salaries and expenses of the chairmen, but not including funds authorized by subsection (c) below: *Provided*, That not more than \$750,000 annually shall be available under this subsection for any single river basin commission;

(b) Limitation on the expenses of the Water Resources Council

the¹ sum of \$2,668,000 for fiscal year 1979 for the expenses of the Water Resources Council in administering this chapter, not including funds authorized by subsection (c) below;

(c) Limitation on availability of funds for preparation of certain studies and for assessments and plans

The sum of \$3,179,900 for fiscal year 1979 for preparation of assessments, and for directing and coordinating the preparation of such river basin plans as the Council determines are necessary and desirable in carrying out the policy of this chapter: *Provided*, That \$828,900 shall be available under this subsection for preparation of the Columbia River Estuary Special Study: *Provided further*, That \$308,000 shall be available under this subsection for preparation of the New England Port and Harbor Study and \$135,000 shall be available for completion of the Hudson River Basin Level B Study: *Provided further*, That \$150,000 shall be available under this subsection for completion of Case Studies of the Application of Cost Sharing Policy Options for Flood Plain Management in the Connecticut River Basin: *Provided further*, That not more than \$2,500,000 shall be available under this subsection for the preparation of assessments: *Provided further*, That the Council may transfer funds authorized by this subsection to river basin commissions and to Federal and State agencies upon such terms and conditions as it determines are necessary and desirable to carry out the above functions in an economical, efficient, and timely manner, and that such commissions and agencies are hereby authorized to receive and expend such funds pursuant to this subsection.

(Pub. L. 89-80, title IV, §401, July 22, 1965, 79 Stat. 253; Pub. L. 90-547, Oct. 2, 1968, 82 Stat. 935; Pub. L. 92-27, June 17, 1971, 85 Stat. 77; Pub. L. 92-396, Aug. 20, 1972, 86 Stat. 578; Pub. L. 93-55, July 1, 1973, 87 Stat. 140; Pub. L. 94-112, §1(e), Oct. 16, 1975, 89 Stat. 575; Pub. L. 94-285, §1, May 12, 1976, 90 Stat. 516; Pub. L. 95-41, §1, June 6, 1977, 91 Stat. 209; Pub. L. 95-404, §1(a)-(c), Sept. 30, 1978, 92 Stat. 864.)

¹ So in original. Probably should be capitalized.

AMENDMENTS

1978—Subsec. (a). Pub. L. 95-404, §1(a), substituted “The sum of \$2,886,000 for fiscal year 1979” for “not to exceed \$6,000,000 for fiscal year 1978”.

Subsec. (b). Pub. L. 95-404, §1(b), substituted “the sum of \$2,668,000 for fiscal year 1979” for “not to exceed \$2,000,000 for fiscal year 1978”.

Subsec. (c). Pub. L. 95-404, §1(c), substituted “The sum of \$3,179,900 for fiscal year 1979” for “not to exceed the sum of \$3,905,000 for fiscal year 1978” and inserted provisions making available the sums of \$828,900 for the Columbia River Estuary Special Study, \$308,000 for the New England Port and Harbor Study, \$135,000 for the Hudson River Basin Level B Study, and \$150,000 for the Case Studies of the Application of Cost Sharing Policy Options for Flood Plan Management in the Connecticut River Basin.

1977—Subsecs. (a), (b). Pub. L. 95-41, §1(b), (c), substituted “for fiscal year 1978” for “annually”.

Subsec. (c). Pub. L. 95-41, §1(a), substituted “not to exceed the sum of \$3,905,000 for fiscal year 1978” for “not to exceed a total of \$10,000,000 for fiscal years 1976 and 1977”.

1976—Subsec. (b). Pub. L. 94-285 substituted “\$2,000,000” for “\$1,500,000”.

1975—Subsec. (c). Pub. L. 94-112 substituted “not to exceed a total of \$10,000,000 for fiscal years 1976 and 1977” for “not to exceed \$3,500,000 annually for fiscal years 1974 and 1975”.

1973—Subsec. (c). Pub. L. 93-55 substituted “annually for fiscal years 1974 and 1975” for “in fiscal year 1973 and such annual amounts as may be authorized by subsequent Acts”.

1972—Pub. L. 92-396 authorized appropriations to the Water Resources Council, and in subsec. (a), substituted “chairmen” for “chairman”, in subsec. (b) inserted “not including funds authorized by subsection (c) below”, and added subsec. (c).

1971—Pub. L. 92-27 substituted appropriation authorization of \$6,000,000 annually for Federal share of expenses of administration and operation of river basin commissions, including salaries and expenses of chairman, for former provisions for annual appropriation authorization of \$500,000; \$6,000,000; and \$400,000 for subchapters I, II, and III of this chapter and authorize appropriation of \$1.5 million annually for administration expenses of Water Resources Council.

1968—Pub. L. 90-547 increased authorization for appropriations to carry out provisions of subchapter I of this chapter from not to exceed \$300,000 annually to not to exceed \$500,000 annually.

INCREASES IN SALARY, PAY, RETIREMENT, OR OTHER
BENEFITS FOR FEDERAL EMPLOYEES

Pub. L. 95-404, §1(e), Sept. 30, 1978, 92 Stat. 864, provided that: “Appropriations authorized by this Act [amending sections 1962c and 1962d of this title] for salary, pay, retirement, or other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases authorized by law.”

§ 1962d-1. Rules and regulations

The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this chapter which are administered by it.

(Pub. L. 89-80, title IV, §402, July 22, 1965, 79 Stat. 254.)

§ 1962d-2. Delegation of functions

The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 1962a-4 of this title and the detailed administration of the grant program under subchapter III.

(Pub. L. 89-80, title IV, §403, July 22, 1965, 79 Stat. 254.)

§ 1962d-3. Utilization of personnel

The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this chapter.

(Pub. L. 89-80, title IV, §404, July 22, 1965, 79 Stat. 254.)

§ 1962d-4. Northeastern United States water supply

(a) Plans for Federal construction, operation, and maintenance of reservoir system within certain river basins and conveyance and purification facilities through cooperation of Secretary of the Army and government agencies; financial participation of States

Congress hereby recognizes that assuring adequate supplies of water for the great metropolitan centers of the United States has become a problem of such magnitude that the welfare and prosperity of this country require the Federal Government to assist in the solution of water supply problems. Therefore, the Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate with Federal, State, and local agencies in preparing plans in accordance with the Water Resources Planning Act [42 U.S.C. 1962 et seq.] to meet the long-range water needs of the northeastern United States. This plan may provide for the construction, operation, and maintenance by the United States of (1) a system of major reservoirs to be located within those river basins of the northeastern United States which drain into the Chesapeake Bay, those that drain into the Atlantic Ocean north of the Chesapeake Bay, those that drain into Lake Ontario, and those that drain into the Saint Lawrence River, (2) major conveyance facilities by which water may be exchanged between these river basins to the extent found desirable in the national interest, and (3) major purification facilities. Such plans shall provide for appropriate financial participation by the States, political subdivisions thereof, and other local interests.

(b) Construction, operation, and maintenance of reservoirs and conveyance and purification facilities

The Secretary of the Army, acting through the Chief of Engineers, shall construct, operate, and maintain those reservoirs, conveyance facilities, and purification facilities, which are recommended in the plan prepared in accordance with subsection (a) of this section, and which are specifically authorized by law enacted after October 27, 1965.

(c) Reservoirs as components of river basin and water supply plans

Each reservoir included in the plan authorized by this section shall be considered as a component of a comprehensive plan for the optimum development of the river basin in which it is situated, as well as a component of the plan established in accordance with this section.

(Pub. L. 89-298, title I, §101, Oct. 27, 1965, 79 Stat. 1073.)

REFERENCES IN TEXT

The Water Resources Planning Act, referred to in subsec. (a), is Pub. L. 89-80, July 22, 1965, 79 Stat. 244, as amended, which is classified generally to this chapter (§1962 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1962 of this title and Tables.

CODIFICATION

Section was not enacted as a part of the Water Resources Planning Act which comprises this chapter.

§ 1962d-5. Water resources development projects involving navigation, flood control, and shore protection

(a) Construction, operation, and maintenance; limitation on estimated Federal first cost of construction; Congressional committee approval of projects; reports to Congress

The Secretary of the Army, acting through the Chief of Engineers, is authorized to construct, operate, and maintain any water resource development project, including single and multiple purpose projects involving, but not limited to, navigation, flood control, and shore protection, if the estimated Federal first cost of constructing such project is less than \$15,000,000. No appropriation shall be made to construct, operate, or maintain any such project if such project has not been approved by resolutions adopted by the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives, respectively. For the purpose of securing consideration of such approval the Secretary shall transmit to Congress a report of such proposed project, including all relevant data and all costs.

(b) Local cooperation requirements based on certain estimated Federal first cost of construction

Any water resource development project authorized to be constructed by this section shall be subject to the same requirements of local cooperation as it would be if the estimated Federal first cost of such project were \$15,000,000 or more.

(Pub. L. 89-298, title II, §201, Oct. 27, 1965, 79 Stat. 1073; Pub. L. 94-587, §131, Oct. 22, 1976, 90 Stat. 2928; Pub. L. 103-437, §15(d), Nov. 2, 1994, 108 Stat. 4592.)

CODIFICATION

Section was enacted as part of the Flood Control Act of 1965, and not as part of the Water Resources Planning Act which comprises this chapter.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-437 substituted “Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House” for “Committees on Public Works of the Senate and House”.

1976—Subsec. (a). Pub. L. 94-587, §131(a), substituted “\$15,000,000” for “\$10,000,000”.

Subsec. (b). Pub. L. 94-587, §131(b), substituted “\$15,000,000” for “\$10,000,000”.

CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Com-