(2) Service

Members of the Council serve at the pleasure of the appointing authority.

(3) Vacancies

Any vacancy on the Council shall be filled in the manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office.

(g) Transaction of business

(1) Procedures

The Council shall establish practices and procedures for the carrying out of its functions under subsection (b). The procedures shall include requirements that—

(A) a quorum of the Council must be present before business may be transacted; and

(B) no comprehensive plan or recommendation referred to in subsection (b)(1)(A) or (B) may be adopted by the Council except by the unanimous vote of all members present and voting.

(2) Chairman

The Council shall elect a Chairman from among its members.

(3) Meetings

The Council shall meet at the call of the Chairman or upon the request of a majority of its members.

(h) Staff and administration

(1) Administrative support

The Secretary and the Director of the California Department of Fish and Game shall provide the Council with such administrative and technical support services as are necessary for the effective functioning of the Council.

(2) Information

The Secretary and the Director of the California Department of Fish and Game shall furnish the Council with relevant information concerning the Area.

(3) Organization

The Council shall determine its organization, and prescribe the practices and procedures for carrying out its functions under subsection (b).

(i) Federal or State employees

Any Council member who is an officer or employee of the United States, the State of California, or the State of Oregon at the time of appointment to the Council shall cease to be a Council member within 14 days after the date on which he ceases to be so employed.

(j) Expenses

(1) Travel expenses

While away from their homes or regular places of business in the performance of services for the Council, Council members shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed travel expenses under section 5703 of title 5. Any Council member who is an employee of an agency or governmental unit and is eligible for travel expenses from that agency or unit for performing services for the Council is not eligible for travel expenses under this paragraph.

(2) Limitation on spending authority

No money authorized to be appropriated under section 460ss–5 of this title may be used to reimburse any agency or governmental unit (whose employees are Council members) for time spent by any such employee performing Council duties.

(Pub. L. 99–552, § 3, Oct. 27, 1986, 100 Stat. 3082; Pub. L. 100–653, title VI, §§ 602(a), 603(1), (2), Nov. 14, 1988, 102 Stat. 3830.)

Editorial Notes

AMENDMENTS

1988—Subsec. (g)(1). Pub. L. 100–653, § 602(a), substituted ''Procedures'' for ''Decisions of Council'' as par. heading and amended text generally. Prior to amendment, text read as follows: ''All decisions of the Council must be by unanimous vote of all of the members.''

Subsec. (i). Pub. L. 100–653, § 603(1), substituted '', the State of California, or the State of Oregon'' for ''or the State of California''.

Subsec. (j)(1). Pub. L. 100–653, § 603(2), inserted provision at end that any Council member who is employee of agency or governmental unit and is eligible for travel expenses from that agency or unit for performing services for Council not be eligible for travel expenses under this par.

§ 460ss–3. Klamath River Basin Fisheries Task Force

(a) Establishment

There is established a Klamath River Basin Fisheries Task Force (hereafter in this subchapter referred to as the ''Task Force'').

(b) Functions

The Task Force—

(1) shall assist the Secretary in the formulation, coordination, and implementation of the program;

(2) shall assist, and coordinate its activities with, Federal, State, and local governmental or private anadromous fish restoration projects within the Area;

(3) shall conduct any other activity that is necessary to accomplish the objectives of the program; and

(4) may act as an advisor to the Council.

(c) Membership and appointment

The Task Force is composed of 14 members as follows:

(1) A representative, who shall be appointed by the Governor of California, of each of the following:

(A) The commercial salmon fishing industry.

(B) The in-river sport fishing community.

(C) The California Department of Fish and Game.

(2) A representative of the Hoopa Indian Tribe who shall be appointed by the Hoopa Valley Business Council.

(3) A representative of the Department of the Interior who shall be appointed by the Secretary.

(4) A representative of the National Marine Fisheries Service who shall be appointed by the Secretary of Commerce.

(5) A representative of the Department of Agriculture who shall be appointed by the Secretary of Agriculture.

(6) A representative of the Oregon Department of Fish and Wildlife who shall be appointed by the Governor of Oregon.

(7) One individual who shall be appointed by the Board of Supervisors of Del Norte County, California.

(8) One individual who shall be appointed by the Board of Supervisors of Siskiyou County, California.

(9) One individual who shall be appointed by the Board of Supervisors of Humboldt County, California.

(10) One individual who shall be appointed by the Board of Supervisors of Trinity County, California.

(11) A representative of the Karuk Tribe, who shall be appointed by the governing body of the Tribe,[1]

(12) A representative of the Yurok Tribe, who shall be appointed by the Secretary until such time as the Yurok Tribe is organized upon which time the Yurok Tribe shall appoint such representative beginning with the first appointment ordinarily occurring after the Yurok Tribe is organized[2]

(d) Council membership not a bar to Task Force appointment

An individual who is a member of the Council is not ineligible for appointment as a member of the Task Force.

(e) Terms

(1) In general

The term of a member of the Task Force is 4 years.

(2) Service

Members of the Task Force serve at the pleasure of the appointing authorities.

(3) Vacancies

Any vacancy on the Task Force shall be filled in the manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office.

(f) Transaction of business

(1) Procedures

The Task Force shall establish practices and procedures for the carrying out of its functions under subsection (b). The procedures shall include the requirement that a quorum of the Task Force must be present before business may be transacted.

(2) Chairman

The members of the Task Force shall select a Chairman from among its members.

(3) Meetings

The Task Force shall meet at the call of the Chairman or upon the request of a majority of its members.

(g) Staff and administration

(1) Administrative support

The Secretary and the Director of the California Department of Fish and Game shall provide the Task Force with the administrative and technical support services necessary for the effective functioning of the Task Force.

(2) Information

The Secretary and the Director of the California Department of Fish and Game shall furnish the members of the Task Force with relevant information concerning the Area.

(3) Organization

The Task Force shall determine its organization, and prescribe the practices and procedures for carrying out its functions under subsection (b).

(h) Members who are Federal or State employees

Any Task Force member who is an officer or employee of the United States, the State of California, or the State of Oregon at the time of appointment to the Task Force shall cease to be a member of the Task Force within 14 days of the date on which he ceases to be so employed.

(i) Expenses

(1) Travel expenses

While away from their homes or regular places of business in the performance of services for the Task Force, Task Force members shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed travel expenses under section 5703 of title 5. Any Task Force member who is an employee of an agency or governmental unit and is eligible for travel expenses from that agency or unit for performing services for the Task Force is not eligible for travel expenses under this paragraph.

(2) Limitation on spending authority

No money authorized to be appropriated under section 460ss–5 of this title may be used to reimburse any agency or governmental unit (whose employees are Task Force members) for time spent by any such employee performing Task Force duties.

(j) Membership increase upon program expansion

At such time as the program is expanded to include portions of the Klamath River upstream from the Iron Gate dam, membership on the Task Force shall be increased to include the following—

(1) One individual who shall be appointed by the Commissioners of Klamath County, Oregon.

(2) A representative of the Klamath Tribe, who shall be appointed by the governing body of the Tribe.

[1] So in original. The comma probably should be a period.

[2] So in original. Probably should be followed by a period.

(Pub. L. 99–552, §4, Oct. 27, 1986, 100 Stat. 3084; Pub. L. 100–580, §12(a), Oct. 31, 1988, 102 Stat. 2935; Pub. L. 100–653, title VI, §§601, 602(b), 603(1), Nov. 14, 1988, 102 Stat. 3829, 3830; Pub. L. 102–570, §2, Oct. 29, 1992, 106 Stat. 4490.)

Editorial Notes

AMENDMENTS

1992—Subsec. (j). Pub. L. 102–570 added subsec. (j).

1988—Subsec. (c). Pub. L. 100–580, §12(a)(A), substituted ''14'' for ''12'' in introductory provisions.

Subsec. (c)(11), (12). Pub. L. 100–580, §12(a)(B), added pars. (11) and (12).

Subsec. (f)(1). Pub. L. 100–653, §602(b), substituted ''Procedures'' for ''Decisions of Task Force'' as par. heading and amended text generally. Prior to amendment, text read as follows: ''All decisions of the Task Force must be by unanimous vote of all the members.''

Subsec. (h). Pub. L. 100–653, §603(1), substituted '', the State of California, or the State of Oregon'' for ''or the State of California''.

Subsec. (i). Pub. L. 100–653, §601, substituted ''Expenses'' for ''Limitation on spending authority'' in heading and amended text generally, designating existing provisions as par. (2) and adding par. (1).

Statutory Notes and Related Subsidiaries

SPECIAL RULE

Pub. L. 100–580, §12(b), Oct. 31, 1988, 102 Stat. 2935, provided that: ''The initial term of the representative appointed pursuant to section 4(c)(11) and (12) of such Act [16 U.S.C. 460ss–3(c)(11), (12)] (as added by the amendment made by subsection (a)) shall be for that time which is the remainder of the terms of the members of the Task Force then serving. Thereafter, the term of such representatives shall be as provided in section 4(e) of such Act.''

§ 460ss–4. Enforcement

(a) Memorandum of agreement [1]

In order to strengthen and facilitate the enforcement of Area fishery harvesting regulations, the Secretary shall enter into a memorandum of agreement with the California Department of Fish and Game. Such agreement shall specify the enforcement activities within the Area for which the respective agencies of the Department of [2] Interior and the California Department of Fish and Game are responsible and shall contain such provisions as are necessary to ensure the coordinated implementation of Federal and State enforcement activities.

(Pub. L. 99–552, §5, Oct. 27, 1986, 100 Stat. 3085.)

§ 460ss–5. Appropriations

(a) Authorization

There are authorized to be appropriated to the Department of the Interior during the period beginning October 1, 1986, and ending on September 30, 2006, $21,000,000 for the design, construction, operation, and maintenance of the program and for the payment of travel expenses under sections 460ss–2(j) and 460ss–3(i) of this title. Monies appropriated under this subsection shall remain available until expended or October 1, 2006, whichever first occurs.

(b) Cost-sharing

(1) 50 percent of the cost of the development and implementation of the program must be provided by one or more non-Federal sources on a basis considered by the Secretary to be timely and appropriate. For purposes of this subsection, the term ''non-Federal source'' includes a State or local government, any private entity, and any individual.

(2) In addition to cash outlays, the Secretary shall consider as financial contributions by a non-Federal source the value of inkind contributions and real and personal property provided by the source for purposes of implementing the program. Valuations made by the Secretary under this paragraph are final and not subject to judicial review.

(3) For purposes of paragraph (2), inkind contributions may be in the form of, but are not limited to, personal services rendered by volunteers.

(4) The Secretary shall by regulation establish—

(A) the training, experience, and other qualifications which such volunteers must have in order for their services to be considered as inkind contributions; and

(B) the standards under which the Secretary will determine the value of inkind contributions and real and personal property for purposes of paragraph (2).

(5) The Secretary may not consider the expenditure, either directly or indirectly, with respect to the program of Federal moneys received by a State or local government to be a financial contribution by a non-Federal source to carry out the program.

(Pub. L. 99–552, §6, Oct. 27, 1986, 100 Stat. 3085; Pub. L. 100–653, title VI, §603(3), (4), Nov. 14, 1988, 102 Stat. 3830.)

Editorial Notes

AMENDMENTS

1988—Subsec. (a). Pub. L. 100–653, §603(3), inserted ''and for the payment of travel expenses under sections 460ss–2(j) and 460ss–3(i) of this title'' before period at end of first sentence.

Subsec. (b)(3). Pub. L. 100–653, §603(4), struck out ''in carrying out surveys, censuses, and other scientific studies'' after ''volunteers''.

§ 460ss–6. Definitions

As used in this subchapter—

(1) The term ''program'' means the Klamath River Basin Conservation Area Restoration Program established under section 460ss–1(b) of this title.

(2) The term ''Secretary'' means the Secretary of the Interior.

(Pub. L. 99–552, §7, Oct. 27, 1986, 100 Stat. 3086.)

SUBCHAPTER CV—CROSS FLORIDA NATIONAL CONSERVATION AREA

§ 460tt. Cross Florida Barge Canal

(a) Deauthorization

The barge canal project located between the Gulf of Mexico and the Atlantic Ocean (hereinafter in this section referred to as the ''project''), as described in the Act of July 23, 1942 (56 Stat. 703), shall be deauthorized by operation of law immediately upon the Governor and

[1] So in original. No subsec. (b) has been enacted.

[2] So in original. Probably should be ''of the''.