

Editorial Notes

REFERENCES IN TEXT

Act of Congress approved August 19, 1921, referred to in subsec. (a), is act Aug. 19, 1921, ch. 72, 42 Stat. 171, which is not classified to the Code.

The Federal Power Act, referred to in subsec. (c), which was in the original the "Federal Water Power Act", is defined in section 617k of this title. For further details, see note set out under section 617k of this title.

Statutory Notes and Related Subsidiaries

UPPER COLORADO RIVER BASIN COMPACT

The Upper Colorado River Basin Compact signed by the States of Arizona, Colorado, New Mexico, Utah, and Wyoming on October 11, 1948, was approved by Congress Apr. 6, 1949, ch. 48, 63 Stat. 31.

§ 617m. Reclamation law applicable

This subchapter shall be deemed a supplement to the reclamation law, which said reclamation law shall govern the construction, operation, and management of the works herein authorized, except as otherwise therein provided.

(Dec. 21, 1928, ch. 42, §14, 45 Stat. 1065.)

Editorial Notes

REFERENCES IN TEXT

The reclamation law, referred to in text, is defined in section 617k of this title.

§ 617n. Projects for irrigation, generation of electric power, and other purposes; investigations and reports

The Secretary of the Interior is authorized and directed to make investigation and public reports of the feasibility of projects for irrigation, generation of electric power, and other purposes in the States of Arizona, Nevada, Colorado, New Mexico, Utah, and Wyoming for the purpose of making such information available to said States and to the Congress and of formulating a comprehensive scheme of control and the improvement and utilization of the water of the Colorado River and its tributaries. The sum of \$250,000 is authorized to be appropriated from said Colorado River Dam fund, created by section 617a of this title, for such purposes.

(Dec. 21, 1928, ch. 42, §15, 45 Stat. 1065.)

§ 617o. Officials of ratifying States; authority to act in advisory capacity; access to records

In furtherance of any comprehensive plan formulated on and after Dec. 21, 1928 for the control, improvement, and utilization of the resources of the Colorado River system and to the end that the project authorized by this subchapter may constitute and be administered as a unit in such control, improvement, and utilization, any commission or commissioner duly authorized under the laws of any ratifying State in that behalf shall have the right to act in an advisory capacity to and in cooperation with the Secretary of the Interior in the exercise of any authority under the provisions of sections 617c, 617d, and 617m of this title and shall have at all times access to records of all Federal agencies empowered to act under said sections, and shall be entitled to have copies of said records on request.

(Dec. 21, 1928, ch. 42, §16, 45 Stat. 1065.)

§ 617p. Claims of United States; priority

Except as provided in title 11, claims of the United States arising out of any contract authorized by this subchapter shall have priority over all others, secured or unsecured.

(Dec. 21, 1928, ch. 42, §17, 45 Stat. 1065; Pub. L. 95-598, title III, §332, Nov. 6, 1978, 92 Stat. 2679.)

Editorial Notes

AMENDMENTS

1978—Pub. L. 95-598 inserted introductory phrase "Except as provided in title 11".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Dates note preceding section 101 of Title 11, Bankruptcy.

§ 617q. Effect on authority of States to control waters within own borders

Nothing herein shall be construed as interfering with such rights as the States had on December 21, 1928, either to the waters within their borders or to adopt such policies and enact such laws as they deem necessary with respect to the appropriation, control, and use of waters within their borders, except as modified by the Colorado River compact or other interstate agreement.

(Dec. 21, 1928, ch. 42, §18, 45 Stat. 1065.)

§ 617r. Consent given States to negotiate supplemental compacts for development of Colorado River

The consent of Congress is given to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming to negotiate and enter into compacts or agreements, supplemental to and in conformity with the Colorado River compact and consistent with this subchapter for a comprehensive plan for the development of the Colorado River and providing for the storage, diversion, and use of the waters of said river. Any such compact or agreement may provide for the construction of dams, headworks, and other diversion works or structures for flood control, reclamation, improvement of navigation, division of water, or other purposes and/or the construction of power houses or other structures for the purpose of the development of water power and the financing of the same; and for such purposes may authorize the creation of interstate commissions and/or the creation of corporations, authorities, or other instrumentalities.

(a) Such consent is given upon condition that a representative of the United States, to be appointed by the President, shall participate in the negotiations and shall make report to Congress of the proceedings and of any compact or agreement entered into.

(b) No such compact or agreement shall be binding or obligatory upon any of such States unless and until it has been approved by the leg-