

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

§ 833k. Separability

If any provision of this chapter or the application of such provision to any person or circumstances shall be held invalid, the remainder of the chapter and the application of such provisions to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

(May 18, 1938, ch. 250, § 12, 52 Stat. 407.)

§ 833l. Acquisition of Indian lands

In aid of the construction of the Fort Peck project, there is granted to the United States, subject to the provisions of sections 833l to 833p of this title, such right, title, and interest of the Indians as may be required in and to such tribal and allotted lands as may be designated by the Secretary of the Interior from time to time for the construction, operation, and maintenance of electric transmission lines and other works of the project or for the relocation or reconstruction of properties made necessary by the construction of the project.

(Apr. 23, 1946, ch. 199, § 1, 60 Stat. 118.)

CODIFICATION

Section was not enacted as part of act May 18, 1938, which comprises this chapter.

TRANSFER OF FUNCTIONS

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§ 833m. Determination of compensation for acquisition of Indian lands; funds payable from; disposition of moneys

As lands or interests in lands are designated from time to time under sections 833l to 833p of this title, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. The amounts due the tribe and the individual allottees or their heirs or devisees shall be paid from funds now or hereafter made available to the Department of the Interior for the Fort Peck project to the superintendent of the appropriate Indian agency, or such other officer as may be designated by the Secretary of the Interior, for credit on the books of such agency to the accounts of the tribe and the individuals concerned.

(Apr. 23, 1946, ch. 199, § 2, 60 Stat. 118.)

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§ 833n. Use of deposits by allottees; nontaxability of lands

Funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of sections 833l to 833p of this title. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

(Apr. 23, 1946, ch. 199, § 3, 60 Stat. 118.)

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§ 833o. Authority of Secretary of the Interior for acquisition of Indian land

The Secretary of the Interior is authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of sections 833l to 833p of this title.

(Apr. 23, 1946, ch. 199, § 4, 60 Stat. 118.)

CODIFICATION

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§ 833p. Reversion of title

All designations of Indian lands pursuant to sections 833l to 833p of this title shall be made subject to the condition that in the event any such lands shall no longer be required for the purposes for which they were designated, then the right, title, or interest so acquired in lands so designated shall revert to the United States in trust for the Fort Peck Indian Tribes.

(Apr. 23, 1946, ch. 199, § 5, 60 Stat. 118.)

CODIFICATION

Section was not enacted as part of act May 18, 1938, which comprises this chapter.

§ 833q. Educational costs of dependents of employees; payments to school districts; reimbursement from continuing fund

Under regulations prescribed by the Secretary of the Army, payments may be made, in advance or otherwise, from any funds available for the Fort Peck project, Montana, to the school district or districts serving that project as reimbursement for educational facilities (including, where appropriate, transportation to and from school) furnished by the said district or districts to pupils who are dependents of persons engaged in the construction, operation, and maintenance of the project and living at or near Fort Peck upon real property of the United States not subject to taxation by State or local agencies and upon which payments in lieu of taxes are not made by the United States, which payments for any school year shall not exceed that part of the cost of operating and maintaining such facilities which the number of pupils aforesaid in average daily attendance during that year bears to the whole number of pupils in average daily attendance at those schools during that year: *Provided*, That of the whole amount so paid in any fiscal year, the Bureau of Reclamation, Department of the Interior, shall reimburse the Secretary of the Army from the continuing fund provided in section 833i of this title, that part which is properly chargeable as an operation expense incident to the generation and transmission of power delivered to the Bureau under said section.

(June 3, 1948, ch. 389, 62 Stat. 297.)

CODIFICATION

Section was not enacted as part of act May 18, 1938, which comprises this chapter.

TRANSFER OF FUNCTIONS

Power marketing functions of Bureau of Reclamation, including construction, operation, and maintenance of transmission lines and attendant facilities, transferred to Secretary of Energy by section 7152(a)(1)(E), (3) of Title 42, The Public Health and Welfare, and are to be exercised by Secretary through a separate Administration within Department of Energy.

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CHAPTER 12D—COLUMBIA BASIN PROJECT

- Sec. 835. Project authorized; laws applicable.
- 835-1. Laws governing.
- 835a, 835b. Repealed.
- 835c. Duties of Secretary of the Interior.
- 835c-1. Taxation and assessments; applicability of State laws.
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- 835c-4. General powers of Secretary of the Interior; delegation to authorized representatives.
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- 835d. Acquisition of Indian lands, Spokane and Colville Reservations.
- 835e. Payment for lands acquired from Spokane and Colville Reservations.

- Sec. 835f. Use of funds deposited to allottees; land and improvements.
- 835g. Relocation of Indian cemeteries.
- 835h. Acts and regulations by Secretary of the Interior.
- 835i. Contracts with State of Washington for maintenance and operation of fish hatcheries.
- 835j. Projects marketing commercial power and energy; consolidated financial statement to President and Congress; adjustment of rates to assure return of reimbursable construction costs within prescribed period.
- 835k. Return of construction costs from marketing revenues in event of inability of irrigation water users to repay within repayment period and lack of other sources of revenue.
- 835l. Congressional declaration of financial policy; limitations on assistance; analyses and studies; "net revenues" defined.
- 835m. Recommendations for changes in limitations on financial assistance; time and frequency of submission.

§ 835. Project authorized; laws applicable

In addition to the primary purposes for which the Grand Coulee Dam project (hereafter to be known as the Columbia Basin project and herein called the "project") was authorized under the provisions of the Act of August 30, 1935 (49 Stat. 1028), the project is authorized and reauthorized as a project subject to the Reclamation Project Act of 1939; and the provisions of each of those two Acts together with the provisions of this Act shall govern the repayment of expenditures and the construction, operation, and maintenance of the works constructed as a part of the project.

(May 27, 1937, ch. 269, § 1, 50 Stat. 208; Mar. 10, 1943, ch. 14, 57 Stat. 14.)

REFERENCES IN TEXT

Act of August 30, 1935 (49 Stat. 1028), referred to in text, is act Aug. 30, 1935, ch. 831, 49 Stat. 1028, as amended, which act, by section 2, authorized the construction of the Grand Coulee Dam.

The Reclamation Project Act of 1939, referred to in text, is act Aug. 4, 1939, ch. 418, 53 Stat. 1187, as amended, which is classified generally to sections 375a, 387 to 389, 485 to 485h, and 485i to 485k of Title 43, Public Lands. For complete classification of this Act to the Code, see section 485k of Title 43 and Tables.

Those two Acts, referred to in text, refer to the act of Aug. 30, 1935, and to the Reclamation Project Act of 1939. See notes above.

This Act, referred to in text, is act May 27, 1937, ch. 269, as amended generally by act Mar. 10, 1943, ch. 14, 57 Stat. 14, known as The Columbia Basin Project Act, which enacted this section, sections 835a to 835c-5 of this title, and provisions set out as a note under this section. For complete classification of this Act to the Code, see Short Title note set out under this section and Tables.

AMENDMENTS

1943—Act Mar. 10, 1943, amended section generally.

SHORT TITLE

Act May 27, 1937, ch. 269, § 11, as added by Mar. 10, 1943, ch. 14, 57 Stat. 20, provided that: "This Act [enacting this section, sections 835a to 835c-5 of this title, and provisions set out as a note below] may be cited as 'The Columbia Basin Project Act'."

SEPARABILITY

Act May 27, 1937, ch. 269, § 10, as added by Mar. 10, 1943, ch. 14, 57 Stat. 20, provided that: "If any provision