Public Law 476 CHAPTER 461

AN ACT

July 6, 1954
[S. 119]

To provide for the construction of the Markham Ferry project on the Grand River in Oklahoma by the Grand River Dam Authority, an instrumentality of the State of Oklahoma.

Markham Ferry project, Okla. Construction.
52 Stat. 1215; 55 Stat. 645; 60 Stat. 647.
33 USC 701b et seq.
41 Stat. 1063; 49 Stat. 863.
16 USC 791a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the general comprehensive plan for flood control and other purposes approved by the Act of June 28, 1938, for the Arkansas River Basin, as modified by the Acts of August 18, 1941, and July 24, 1946, is hereby further modified to provide for the construction of the Markham Ferry project on the Grand River in Oklahoma by the Grand River Dam Authority, an instrumentality of the State of Oklahoma, in accordance with the terms of the Federal Power Act and in general conformity with the recommendations of the Chief of Engineers in House Document Numbered 107 of the Seventy-sixth Congress and House Document Numbered 758 of the Seventy-ninth Congress, such project to have the same number of acre-feet of flood storage and the same flood control and power pool elevations as recommended by the Chief of Engineers, with provision for emergency operation for surcharge storage three feet above the normal flood control pool and such project shall be designed for an ultimate installed capacity of not less than seventy-two thousand kilowatts: *Provided*, That the initial installation may have a smaller capacity.

Power operation coordination.

SEC. 2. To the extent that it may be mutually agreed between the Grand River Dam Authority and the Secretary of the Interior, operation for power production of this and other installations of the Grand River Dam Authority on the Grand River in the State of Oklahoma shall be coordinated with the power operations of the Federal projects in the area: *Provided*, That nothing herein stated with regard to any such agreement shall be construed in any way to modify or repeal any existing authority vested in the Federal Power Commission by this or any other Act or to modify or repeal any authority of the Secretary of the Army or the Chief of Engineers pursuant to section 7 of Public Law 534, Seventy-eighth Congress.

58 Stat. 890.
33 USC 709.
Appropriation.

SEC. 3. There is hereby authorized to be appropriated not to exceed $6,500,000 as a monetary contribution by the United States for flood-control storage in the Markham Ferry project: *Provided*, That such funds as may be appropriated under the foregoing authorization shall be administered by the Chief of Engineers in a manner which shall assure (1) that the Grand River Dam Authority shall comply with the provisions of this Act relating to the construction of the Markham Ferry project, and (2) that the total payment made by the Chief of Engineers to the Grand River Dam Authority shall be $6,500,000 less the sum of (a) such amount as he shall determine to represent the cost to the Government, including acquisition and conveyance of lands acquired in the Markham Ferry project area by the United States with flood-control appropriations and conveyed to the Grand River Dam Authority pursuant to section 4 of this Act, and (b) such amount as he shall determine to represent the fair market value of any other lands acquired by the United States and Public Domain lands, or interests therein, lying within the project area, and conveyed to the Grand River Dam Authority pursuant to section 4 of this Act: *Provided further*, That the acceptance by the Grand River Dam Authority of the foregoing amount shall constitute the agreement of the Grand River Dam Authority to hold and save the United States free and harmless from all claims heretofore or hereafter asserted of whatever nature including but not limited to acquisition of land, relocation, con-

Administration.

U. S. freedom from claims, etc.

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struction, operation and maintenance of the dam and reservoir: *Provided further*, That the foregoing authorization shall be in addition to authorizations heretofore made for appropriations for flood-control projects for the Department of the Army.

Conveyance.

SEC. 4. The sale, transfer, assignment, grant, or conveyance to the Grand River Dam Authority of such land, easements and flowage rights owned by the United States of America as may be necessary for the construction, operation, and maintenance of the Markham Ferry project by the Grand River Dam Authority is hereby authorized and directed. The conveyance of such lands or interests therein shall be made by the Secretary of the Army, notwithstanding the provisions of any other law or requirement to the contrary. Other officials having jurisdiction over such lands are authorized and directed to transfer custody of such land to the Secretary of the Army. Reimbursement for the fair market value of said lands will be made by the Chief of Engineers from funds appropriated pursuant to this Act. No such conveyance shall be made until funds have been appropriated pursuant to section 3 of this Act and until a license for the Markham Ferry project has been issued by the Federal Power Commission. In addition to the foregoing monetary contribution, the Secretary of the Army is authorized and directed to transfer engineering data including maps, survey reports and data, drilling records and designs as will be of value to the Grand River Dam Authority in planning, construction, maintenance, and operation of the Markham Ferry project.

Reimbursement.

FPC license.

Engineering data.

Approved July 6, 1954.

Public Law 477 CHAPTER 462

AN ACT

July 6, 1954
[S. 2217]

To amend section 67 of the National Defense Act, as amended, to provide for an active-duty status for all United States property and fiscal officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third paragraph of section 67 of the National Defense Act, as amended (32 U. S. C. 49), is amended to read as follows:

U. S. property and fiscal officers.

39 Stat. 200.

"PROPERTY AND FISCAL OFFICERS.—The Governor of each State and Territory and the Commanding General of the National Guard of the District of Columbia shall appoint, designate, or detail, subject to the approval of the Secretaries of the Army and Air Force, a qualified officer of the National Guard of the United States or the Air National Guard of the United States, who is an officer of the National Guard or Air National Guard of the State, Territory, or District of Columbia and who shall be the United States property and fiscal officer. The President may with the consent of the officer concerned, if such officer is not on active duty, order him to active duty to serve as United States property and fiscal officer of the State, Territory, or the District of Columbia, for which appointed, designated or detailed, and, upon relief from assignment as United States property and fiscal officer, he shall revert to his National Guard or Air National Guard status. The United States property and fiscal officer shall receipt and account for all funds and property belonging to the United States in possession of the National Guard or Air National Guard of the State, Territory, or the District of Columbia, and shall make such returns and reports pertaining thereto as may be required by the appropriate Secretary. Before entering upon his duties as property and fiscal officer he shall be required to give good and sufficient bond to the United States, the amount thereof to be determined by the Secretaries of the Army and the Air Force, for the faith-