Public Law 87-852

AN ACT

October 23, 1962
[H. R. 8355]

To authorize executive agencies to grant easements in, over, or upon real property of the United States under the control of such agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever a State or political subdivision or agency thereof or any person makes application for the grant of an easement in, over, or upon real property of the United States for a right-of-way or other purpose, the executive agency having control of such real property may grant to the applicant, on behalf of the United States, such easement as the head of such agency determines will not be adverse to the interests of the United States, subject to such reservations, exceptions, limitations, benefits, burdens, terms, or conditions, including those provided in section 2 hereof, as the head of the agency deems necessary to protect the interests of the United States. Such grant may be made without consideration, or with monetary or other consideration, including any interest in real property. In connection with the grant of such an easement, the executive agency concerned may relinquish to the State in which the affected real property is located such legislative jurisdiction as the executive agency deems necessary or desirable. Relinquishment of legislative jurisdiction under the authority of this Act may be accomplished by filing with the Governor of the State concerned a notice of relinquishment to take effect upon acceptance thereof or by proceeding in such manner as the laws applicable to such State may provide.

Real property of U.S.
Authority to grant easements.

SEC. 2. The instrument granting any such easement may provide for termination of the easement in whole or in part if there has been—

Conditions.

(a) a failure to comply with any term or condition of the grant, or

(b) a nonuse of the easement for a consecutive two-year period for the purpose for which granted, or

(c) an abandonment of the easement.

If such a provision is included, it shall require that written notice of such termination shall be given to the grantee, or its successors or assigns. The termination shall be effective as of the date of such notice.

SEC. 3. The authority conferred by this Act shall be in addition to, and shall not affect or be subject to, any other law under which an executive agency may grant easements.

SEC. 4. As used in this Act—

Definitions.

(a) The term "State" means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(b) The term "executive agency" means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation.

(c) The term "person" includes any corporation, partnership, firm, association, trust, estate, or other entity.

(d) The term "real property of the United States" excludes the public lands (including minerals, vegetative, and other resources) in the United States, including lands reserved or dedicated for national forest purposes, lands administered or supervised by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, Indian-owned trust and restricted lands, and lands acquired by the United States primarily for fish and wildlife conservation purposes and administered by the Secretary of

16 USC 1 *et seq.*

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

the Interior, lands withdrawn from the public domain primarily under the jurisdiction of the Secretary of the Interior, and lands acquired for national forest purposes.

Approved October 23, 1962.

Public Law 87-853

October 23, 1962
[H. R. 555]

AN ACT

For the relief of Elmore County, Alabama.

Elmore County, Ala.
Claims settlement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elmore County, Alabama, the sum of $4,372.51. The payment of such sum shall be in full settlement of all the claims of Elmore County against the United States for reimbursement for one-half of the cost of certain civil defense communications equipment purchased by the county in October of 1958 at the urging of civil defense officials and in the belief that such reimbursement would be made. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Approved October 23, 1962.

Public Law 87-854

October 23, 1962
[H. R. 5700]

AN ACT

To amend the Tariff Act of 1930 to permit the designation of certain contract carriers as carriers of bonded merchandise.

Contract carriers.
Designation as carriers of bonded merchandise.
59 Stat. 667.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 551 of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1551), is amended to read as follows:

"SEC. 551. BONDING OF CARRIERS.

"Under such regulations and subject to such terms and conditions as the Secretary of the Treasury shall prescribe—

"(1) any common carrier of merchandise owning or operating a railroad, steamship, or other transportation line or route for the transportation of merchandise in the United States,

"(2) any contract carrier authorized to operate as such by any agency of the United States, and

"(3) any freight forwarder authorized to operate as such by any agency of the United States,

upon application, may, in the discretion of the Secretary, be designated as a carrier of bonded merchandise for the final release of which from customs custody a permit has not been issued."

Approved October 23, 1962.