Public Law 87-706

September 27, 1962
[H. R. 575]

AN ACT

To authorize the Secretary of the Interior to construct, operate, and maintain the upper division of the Baker Federal reclamation project, Oregon, and for other purposes.

Baker Federal reclamation project, Oreg.
Construction authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of providing irrigation water, controlling floods, conserving and developing fish and wildlife, and providing recreational benefits, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the facilities of the upper division of the Baker Federal reclamation project, Oregon. The principal works of the project shall consist of a dam and reservoir, pumping plants, and related facilities.

43 USC 371 note.

Repayment period, extension.
53 Stat. 1193; 72 Stat. 542.

SEC. 2. (a) The period provided in subsection (d), section 9, of the Reclamation Project Act of 1939, as amended (43 U.S.C. 485h), for repayment of the construction cost properly chargeable to any block of lands and assigned to be repaid by irrigators, may be extended to fifty years, exclusive of any development period, from the time water is first delivered to that block or to as near that number of years as is consistent with the adoption and operation of a variable repayment plan as is provided therein. Costs allocated to irrigation in excess of the amount determined by the Secretary to be within the ability of the irrigators to repay, within the repayment period or periods herein specified, shall be returned to the reclamation fund within such period or periods from revenues derived by the Secretary of the Interior from the disposition of power from the McNary project power facilities.

(b) Any lands in the upper division of the Baker project, Oregon, which are held in private ownership by a person whose holdings exceed the equivalent of one hundred and twenty acres of class 1 land shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of project works unless (1) the owner's total holdings do not exceed one hundred and sixty irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the Act of May 25, 1926 (44 Stat. 636, 649, 43 U.S.C. 423e). In computing "the equivalent of one hundred and twenty acres of class 1 land" under the first sentence of this section, each acre of class 2 land shall be counted as seventy-five one-hundredths of an acre, each acre of class 3 land shall be counted as fifty-five one-hundredths of an acre, and each acre of class 4 land shall be counted as thirty-eight one-hundredths of an acre.

Public recreation facilities.

SEC. 3. (a) The Secretary of the Interior is authorized, in connection with the upper division of the Baker project, to construct minimum basic public recreation facilities and to arrange for the operation and maintenance of the same by an appropriate State or local agency or organization. The cost of constructing such facilities shall be nonreimbursable and nonreturnable under the reclamation laws.

Fish and wildlife conservation.

(b) The Secretary may make such reasonable provision in the works authorized by this Act as he finds to be required for the conservation and development of fish and wildlife in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661–666c, inclusive), and the portion of the construction costs allocated to these purposes and to flood control, together with an appropriate share of the operation, maintenance, and replacement costs

60 Stat. 1080.

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therefor, shall be nonreimbursable and nonreturnable. Before the works are transferred to an irrigation water user's organization for care, operation, and maintenance, the organization shall have agreed to operate them in a manner satisfactory to the Secretary of the Interior with respect to achieving the fish and wildlife benefits, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

(c) The works authorized in this Act shall be operated for flood control in accordance with regulations prescribed by the Secretary of the Army pursuant to section 7 of the Flood Control Act approved September 22, 1944 (58 Stat. 887). 33 USC 709.

SEC. 4. There is hereby authorized to be appropriated for construction of the Baker Federal reclamation project the sum of $6,168,000 (February 1962 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the project. Appropriation.

Approved September 27, 1962.

Public Law 87-707

AN ACT

September 27, 1962
[S. 319]

To amend part I of the Interstate Commerce Act in order to provide that the provisions of section 4(1) thereof, relating to long- and short-haul charges, shall not apply to express companies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(1) of the Interstate Commerce Act (49 U.S.C. 4(1)) is amended by inserting before the period at the end thereof a colon and the following: "*And provided further*, That the provisions of this paragraph shall not apply to express companies subject to the provisions of this part, except that the exemption herein accorded express companies shall not be construed to relieve them from the operation of any other provision contained in this Act". Interstate Commerce Act, amendment. Long- and short-haul charges, exemption. 71 Stat. 292.

Approved September 27, 1962.

Public Law 87-708

AN ACT

September 27, 1962
[H. R. 12727]

To amend the Act of February 28, 1901, to insure that policemen and firemen in the District of Columbia will receive medical care for all injuries and diseases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of paragraph (7) of the first section of the Act entitled "An Act relating to the Metropolitan Police of the District of Columbia", approved February 28, 1901, as amended (D.C. Code, sec. 4–124), is amended by inserting after "Fire Department of said District" the following: "for any injury received or disease contracted (whether or not received or contracted in the performance of duty)". D.C. policemen and firemen. Medical care. 34 Stat. 222.

Approved September 27, 1962.