

retary may determine and may include such renewal options as the Secretary deems desirable: *And provided further*, That in sales or leases of such power, preference shall be given to municipalities and other public corporations or agencies; and also to cooperatives and other non-profit organizations financed in whole or in part by loans made pursuant to the Rural Electrification Act of 1936 [7 U.S.C. 901 et seq.] and any amendments thereof.

(b) Certain leases authorized

(1) In general

Notwithstanding subsection (a), the Secretary—

(A) may enter into leases of power privileges for electric power generation in connection with any project constructed pursuant to this subchapter; and

(B) shall have authority over any project constructed pursuant to this subchapter in addition to and alternative to any existing authority relating to a particular project.

(2) Process

In entering into a lease of power privileges under paragraph (1), the Secretary shall use the processes, terms, and conditions applicable to a lease under section 485h(c) of title 43.

(3) Findings not required

No findings under section 590z-1 of this title shall be required for a lease under paragraph (1).

(4) Rights retained by lessee

Except as otherwise provided under paragraph (5), all right, title, and interest in and to installed power facilities constructed by non-Federal entities pursuant to a lease under paragraph (1), and any direct revenues derived from that lease, shall remain with the lessee.

(5) Lease charges

Notwithstanding section 590z-6 of this title, lease charges shall be credited to the project from which the power is derived.

(6) Effect

Nothing in this section alters or affects any agreement in effect on December 19, 2014, for the development of hydropower projects or disposition of revenues.

(Aug. 11, 1939, ch. 717, § 9, as added Oct. 14, 1940, ch. 861, 54 Stat. 1124; Pub. L. 113-291, div. B, title XXX, § 3087, Dec. 19, 2014, 128 Stat. 3857.)

Editorial Notes

REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in subsec. (a), is act May 20, 1936, ch. 432, 49 Stat. 1363, which is classified generally to chapter 31 (§901 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see section 901 of Title 7 and Tables.

AMENDMENTS

2014—Pub. L. 113-291 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

§ 590z-8. Authority of Secretary of the Interior over lands, contracts, water rights, etc.

(a) Utilization of lands

In connection with any project constructed pursuant to the provisions of this subchapter,

the Secretary shall have the same authority, with regard to the utilization of lands owned by the United States, other than lands acquired under section 590z-3 of this title as he has in connection with projects undertaken pursuant to the Federal reclamation laws, Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto.

(b) Contracts, land acquisitions, etc.

In connection with the construction or operation and maintenance of a project undertaken pursuant to the authority of this subchapter, the Secretary shall have with respect to construction and supply contracts, and with respect to the acquisition, exchange, and disposition of lands, interest in lands, water rights, and other property and the relocation thereof, the same authority, including authority to acquire lands and interests in land and water rights with titles and at prices satisfactory to him, which he has in connection with projects under the Federal reclamation laws.

(Aug. 11, 1939, ch. 717, § 10, as added Oct. 14, 1940, ch. 861, 54 Stat. 1125.)

Editorial Notes

REFERENCES IN TEXT

Act of June 17, 1902, referred to in subsec. (a), is act June 17, 1902, ch. 1093, 32 Stat. 388, popularly known as the Reclamation Act, which is classified generally to chapter 12 (§371 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 371 of Title 43 and Tables.

§ 590z-9. Powers and duties of Secretaries of the Interior and Agriculture; rules and regulations

The Secretary of the Interior and the Secretary of Agriculture are authorized to perform any and all Acts¹ and to make such rules and regulations as may be necessary and proper for the purpose of carrying out their respective functions under this subchapter and for the purpose of carrying the provisions of this subchapter into full force and effect.

(Aug. 11, 1939, ch. 717, § 11, as added Oct. 14, 1940, ch. 861, 54 Stat. 1125.)

Executive Documents

TRANSFER OF FUNCTIONS

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.

§ 590z-10. Authorization of appropriations

To carry out the purposes of this subchapter there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated (1) for the Department of the Interior such sums as may be necessary to carry out its functions under this subchapter, and (2) for

¹ So in original.