

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is act June 17, 1902, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

CODIFICATION

Section is comprised of section 8 (less proviso) of act June 17, 1902. The remainder of section 8 is classified to section 372 of this title.

Statutory Notes and Related Subsidiaries

SECTION AS UNAFFECTED BY SUBMERGED LANDS ACT

Provisions of this section as not amended, modified or repealed by the Submerged Lands Act, see section 1303 of this title.

§ 384. Extension of time for payment of charges accrued prior to March 2, 1924, and January 1, 1925

(a) The Secretary of the Interior is authorized and empowered, in his discretion, to defer the dates of payments of any charges, rentals, and penalties which have accrued prior to the 2d day of March, 1924, under the Act of June 17, 1902 (32 Stat. 388), and amendatory and supplemental acts or prior to that date, as against water users on any irrigation project being constructed or operated and maintained under the direction of the Commissioner of Indian Affairs, as may, in his judgment, be necessary in or concerning any irrigation project existing on May 9, 1924, under said act: *Provided*, That no payment shall be deferred under this section in any particular case beyond March 1, 1927: *Provided*, That upon such adjustment being made, any penalties or interest which may have accrued in connection with such unpaid construction and operation and maintenance charges shall be canceled, and in lieu thereof the amount so due, and the payment of which is hereby extended, shall draw interest at the rate of 5 per centum per annum, paid annually from the time said amount became due to date of payment: *And provided further*, That in case the principal and interest herein provided for are not paid in the manner and at the time provided by this section, any penalty provided by the law in effect on May 9, 1924, shall thereupon attach from the date of such default.

(b) Where an individual water user, or individual applicant for a water right under a Federal irrigation project constructed or being constructed under the Act of June 17, 1902 (32 Stat. 388), or any act amendatory thereof or supplementary thereto, makes application prior to January 1, 1925, alleging that he will be unable to make the payments as required in subsection (a) hereof, the Secretary of the Interior is authorized in his discretion prior to March 1, 1925, to add such accrued and unpaid charges to the construction charge of the land of such water user or applicant, and to distribute such accumulated charges equally over each of the subsequent years, beginning with the year 1925, or, in the discretion of the Secretary, distribute a total of one-fourth over the first half of the remaining years of the 20-year period beginning with the year 1925, and three-fourths over the

second half of such period, so as to complete the payment during the remaining years of the 20-year period of payment of the original construction charge: *Provided*, That upon such adjustment being made, any penalties or interest which may have accrued in connection with such unpaid construction and operation and maintenance charges shall be canceled, and in lieu thereof the amount so due, and the payment of which is extended, shall draw interest at the rate of 5 per centum per annum, paid annually from the time said amount became due to the date of payment: *Provided further*, That the applicant for the extension shall first show to the satisfaction of the Secretary of the Interior detailed statement of his assets and liabilities and probable inability to make payment at the time required in subsection (a): *And provided further*, That in case the principal and interest herein provided for are not paid in the manner and at the time provided by this section, any penalty provided by law, prior to May 9, 1924, shall thereupon attach from the date of such default: *And provided further*, That similar relief in whole or in part may be extended by the Secretary of the Interior to a legally organized group of water users of a project, upon presentation of a sufficient number of individual showings made in accordance with the foregoing proviso to satisfy the Secretary of the Interior that such extension is necessary.

(May 9, 1924, ch. 150, §§ 1, 2, 43 Stat. 116.)

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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 under section 1451 of this title.

§ 385. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 649

Section, act Aug. 9, 1937, ch. 570, § 1, 50 Stat. 592, related to contracts for medical attention and service for employees.

Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 647 to 649, also repealed acts Jan. 12, 1927, ch. 27, 44 Stat. 957; Mar. 7, 1928, ch. 137, 45 Stat. 227; Mar. 4, 1929, ch. 705, § 1, 45 Stat. 1589; May 14, 1930, ch. 273, § 1, 46 Stat. 306; Feb. 14, 1931, ch. 187, § 1, 46 Stat. 1142; Apr. 22, 1932, ch. 125, § 1, 47 Stat. 114; Feb. 17, 1933, ch. 98, § 1, 47 Stat. 842; Mar. 2, 1934, ch. 38, § 1, 48 Stat. 380; May 9, 1935, ch. 101, § 1, 49 Stat. 197, and June 22, 1936, ch. 691, § 1, 49 Stat. 1781, which contained similar provisions.

§ 385a. Payments to school districts for education of dependents of construction personnel; cooperative arrangements; chargeable to project

The Secretary of the Interior, giving due consideration to the temporary nature of the re-