

quirements therefor, is authorized to make such provision as he deems to be necessary and in the public interest for the education of dependents of persons employed on the actual construction of projects or features of projects, by the Bureau of Reclamation, in any cases in which he finds that by reason of such construction activity, an undue burden is, or will be cast upon the facilities of the public-school districts serving the areas in which construction is being undertaken, and to pay for the same from any funds available for the construction of said projects: *Provided*, That the Secretary of the Interior shall enter into cooperative arrangements with local school districts wherein such features are situated to contribute toward covering the cost of furnishing the educational services required for such dependents, or for the operation by those school districts of Government facilities, or for the expansion of local school facilities. Such cost incurred hereunder shall be charged to the project concerned and shall be repayable in the same manner and to the same extent as are its other costs of construction.

(June 29, 1948, ch. 733, § 1, 62 Stat. 1108.)

#### 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.

#### § 385b. Repealed. Pub. L. 86-533, § 1(18), June 29, 1960, 74 Stat. 248

Section, act June 29, 1948, ch. 733, § 2, 62 Stat. 1108, related to reports to Congress of all activities undertaken pursuant to provisions of section 385a of this title.

#### § 385c. Omitted

#### Editorial Notes

##### CODIFICATION

Section, which related to tuition charge per pupil, was from the Interior Department Appropriation Act, 1949, act June 29, 1948, ch. 754, 62 Stat. 1125, and was not repeated in subsequent appropriation acts.

#### § 386. Application of excess-land provisions of reclamation laws to certain lands

The excess-land provisions of the Federal reclamation laws shall not be applicable to lands which on June 16, 1938, had an irrigation water supply from sources other than a Federal reclamation project and which will receive a supplemental supply from the Colorado-Big Thompson project.

(June 16, 1938, ch. 485, 52 Stat. 764.)

#### § 387. Removal of sand, gravel, etc.; leases, easements, etc.

The Secretary, in his discretion, may (a) permit the removal, from lands or interests in lands withdrawn or acquired and being administered under the Federal reclamation laws in connection with the construction or operation and maintenance of any project, of sand, gravel,

and other minerals and building materials with or without competitive bidding: *Provided*, That removals may be permitted without charge if for use by a public agency in the construction of public roads or streets within any project or in its immediate vicinity; and (b) grant leases and licenses for periods not to exceed fifty years, and easements or rights-of-way with or without limitation as to period of time affecting lands or interest in lands withdrawn or acquired and being administered under the Federal reclamation laws in connection with the construction or operation and maintenance of any project: *Provided*, That, if a water users' organization is under contract obligation for repayment on account of the project or division involved, easements or rights-of-way for periods in excess of twenty-five years shall be granted only upon prior written approval of the governing board of such organization. Such permits or grants shall be made only when, in the judgment of the Secretary, their exercise will not be incompatible with the purposes for which the lands or interests in lands are being administered, and shall be on such terms and conditions as in his judgment will adequately protect the interests of the United States and the project for which said lands or interests in lands are being administered.

(Aug. 4, 1939, ch. 418, § 10, 53 Stat. 1196; Aug. 18, 1950, ch. 752, 64 Stat. 463.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Federal reclamation laws, referred to in text, are defined in section 485a of this title.

##### AMENDMENTS

1950—Act Aug. 18, 1950, permitted Secretary to grant permanent easements or rights-of-way provided that no easement or right-of-way in excess of 25 years be granted unless there has been prior written approval by the governing board of that water users' organization as may be under contract obligation for repayment on account of the project involved.

#### Statutory Notes and Related Subsidiaries

##### DEFINITIONS

The definitions in section 485a of this title apply to this section.

#### § 388. Contracts for materials; liability of United States

When appropriations have been made for the commencement or continuation of construction or operation and maintenance of any project, the Secretary may, in connection with such construction or operation and maintenance, enter into contracts for miscellaneous services, for materials and supplies, as well as for construction, which may cover such periods of time as the Secretary may consider necessary but in which the liability of the United States shall be contingent upon appropriations being made therefor.

(Aug. 4, 1939, ch. 418, § 12, 53 Stat. 1197.)