

§ 618k. Definitions

The following terms wherever used in this subchapter shall have the following respective meanings:

“Project Act” shall mean the Boulder Canyon Project Act [43 U.S.C. 617 et seq.];

“Project” shall mean the works authorized by the Project Act to be constructed and owned by the United States, exclusive of the main canal and appurtenances mentioned therein, now known as the All-American Canal;

“Secretary” shall mean the Secretary of the Interior of the United States;

“Firm energy” and “allottees” shall have the meaning assigned to such terms in regulations promulgated before July 19, 1940, by the Secretary and in effect on July 19, 1940;

“Replacements” shall mean such replacements as may be necessary to keep the project in good operating condition beginning June 1, 1937, but shall not include (except where used in conjunction with the word “emergency” or the words “however necessitated”) replacements made necessary by any act of God, or of the public enemy, or by any major catastrophe; and

“Year of operation” shall mean the period from and including June 1 of any calendar year to and including May 31 of the following calendar year.

(July 19, 1940, ch. 643, §12, 54 Stat. 778; Pub. L. 98-381, title I, §104(a)(6), Aug. 18, 1984, 98 Stat. 1335.)

Editorial Notes

REFERENCES IN TEXT

The Boulder Canyon Project Act, referred to in text, is act Dec. 21, 1928, ch. 42, 45 Stat. 1057, which is classified generally to subchapter I (§617 et seq.) of this chapter. For complete classification of this Act to the Code, see section 617t of this title and Tables.

AMENDMENTS

1984—Pub. L. 98-381 substituted “beginning June 1, 1937” for “during the period from June 1, 1937, to May 31, 1987, inclusive” in definition of “Replacements”.

§ 618l. Repealed. Aug. 30, 1954, ch. 1076, § 1(22), 68 Stat. 968

Section, act July 19, 1940, ch. 643, §13, 54 Stat. 779, required Secretary of the Interior to submit an annual financial statement and report to Congress of operations under this subchapter.

§ 618m. Effect on existing laws and States’ rights

Nothing in this subchapter shall be construed as interfering with such rights as the States had on July 19, 1940, either to the waters within their borders or to adopt such policies and enact such laws as they deem necessary with respect to the appropriation, control, and use of waters within their borders, except as modified by the Colorado River compact or other interstate agreement. Neither the promulgation of charges, or the basis of charges, nor anything contained in this subchapter, or done thereunder, shall in anywise affect, limit, or prejudice any right of any State in or to the waters of the Colorado River system under the Colorado River compact. Sections 13(b), 13(c), and 13(d) of the Project Act [43 U.S.C. 617l(b), (c), and (d)]

and all other provisions of said Project Act [43 U.S.C. 617 et seq.] not inconsistent with the terms of this subchapter shall remain in full force and effect.

(July 19, 1940, ch. 643, §14, 54 Stat. 779.)

Editorial Notes

REFERENCES IN TEXT

The Project Act, referred to in text, is defined in section 618k of this title.

§ 618n. Wages of employees

All laborers and mechanics employed in the construction of any part of the project, or in the operation, maintenance, or replacement of any part of the Hoover Dam, shall be paid not less than the prevailing rate of wages or compensation for work of a similar nature prevailing in the locality of the project. In the event any dispute arises as to what are the prevailing rates, the determination thereof shall be made by the Secretary of the Interior, and his decision, subject to the concurrence of the Secretary of Labor, shall be final.

(July 19, 1940, ch. 643, §15, 54 Stat. 779; Apr. 30, 1947, ch. 46, 61 Stat. 56.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Hoover Dam” substituted in text for “Boulder Dam” on authority of act Apr. 30, 1947, which changed name of Boulder Dam to Hoover Dam.

§ 618o. Short title

This subchapter may be cited as “Boulder Canyon Project Adjustment Act”.

(July 19, 1940, ch. 643, §16, 54 Stat. 779.)

§ 618p. Omitted**Editorial Notes**

CODIFICATION

Section, act Oct. 12, 1949, ch. 680, title I, §101, in part, 63 Stat. 784, related to reports to Congressional appropriations committees on Colorado River dam funds, was from the Interior Department Appropriation Act, 1950, and was not repeated in subsequent appropriation acts. Similar provisions were contained in act June 29, 1948, ch. 754, §1, 62 Stat. 1130.

SUBCHAPTER III—HOOVER DAM
CONTRACTS AND FACILITIES**§ 619. Increase in capacity of existing generating equipment at Hoover Powerplant; construction of Colorado River bridge crossing****(a) Hoover Powerplant generating equipment; increase in capacity; improvement of appurtenances; authorization of Secretary**

The Secretary of the Interior is authorized to increase the capacity of existing generating equipment and appurtenances at Hoover Powerplant (hereinafter in this subchapter referred to as “uprating program”); and to improve parking, visitor facilities, and roadways and to provide additional elevators, and other facilities that will contribute to the safety and suffi-

ciency of visitor access to Hoover Dam and Powerplant (hereinafter in this subchapter referred to as “visitor facilities program”).

(b) Construction of Colorado River bridge crossing; authorization of Secretary

The Secretary of the Interior is authorized to construct a Colorado River bridge crossing, including suitable approach spans, immediately downstream from Hoover Dam for the purpose of alleviating traffic congestion and reducing safety hazards. This bridge shall not be a part of the Boulder Canyon project and shall neither be funded nor repaid from the Colorado River Dam Fund or the Lower Colorado River Basin Development Fund.

(Pub. L. 98-381, title I, §101, Aug. 17, 1984, 98 Stat. 1333.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, was in the original “this Act”, meaning Pub. L. 98-381, Aug. 17, 1984, 98 Stat. 1333, which enacted this subchapter and sections 7274 and 7275 of Title 42, The Public Health and Welfare, and amended sections 617a, 617b, 618, 618a, 618e, 618k, and 1543 of this title. For complete classification of this Act to the Code, see Short Title note below and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2011 AMENDMENT

Pub. L. 112-72, §1, Dec. 20, 2011, 125 Stat. 777, provided that: “This Act [amending section 619a of this title] may be cited as the ‘Hoover Power Allocation Act of 2011’.”

SHORT TITLE

Pub. L. 98-381, §1, Aug. 17, 1984, 98 Stat. 1333, provided that: “This Act [enacting this subchapter, provisions set out as notes under sections 617 and 618 of this title and section 839b of Title 16, Conservation, sections 7274 and 7275 and provisions set out as a note under section 7133 of Title 42, The Public Health and Welfare, and amending sections 617a, 617b, 618, 618a, 618e, 618k, and 1543 of this title] may be cited as the ‘Hoover Power Plant Act of 1984’.”

HOOVER DAM MISCELLANEOUS SALES

Pub. L. 106-461, Nov. 7, 2000, 114 Stat. 1989, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Hoover Dam Miscellaneous Sales Act’.

“SEC. 2. FINDINGS.

“Congress finds that—

“(1) the sale and distribution of general public information about the use of public land and water areas for recreation, fish, wildlife, and other purposes serve significant public benefits;

“(2) publications and other materials educate the public and provide general information about Bureau of Reclamation programs and projects;

“(3) in 1997, more than 1,000,000 visitors, including 300,000 from foreign countries, toured the Hoover Dam;

“(4) hundreds of thousands of additional visitors stopped to view the dam;

“(5) visitors often ask to purchase maps, publications, and other items to enhance their experience or serve educational purposes;

“(6) in many cases the Bureau of Reclamation is the sole source of those items;

“(7) the Bureau is in a unique position to fulfill public requests for those items; and

“(8) as a public agency, the Bureau should be responsive to the public by having appropriate items available for sale.

“SEC. 3. PURPOSES.

“The purposes of this Act are—

“(1) to authorize the Secretary of the Interior to offer for sale to members of the public that visit the Hoover Dam Visitor Center educational materials and memorabilia; and

“(2) to use revenue from those sales to repay the costs relating to construction of the Hoover Dam Visitor Center.

“SEC. 4. AUTHORITY TO CONDUCT SALES.

“With respect to the Hoover Dam, the Secretary of the Interior, acting through the Commissioner of Reclamation, may—

“(1) conduct sales of—

“(A) materials generated by the Bureau of Reclamation such as posters, maps, brochures, photographs, and similar publications, videotapes, and computer information discs that are related to programs or projects of the Bureau; and

“(B) memorabilia and other commemorative items that depict programs or projects of the Bureau;

“(2) convert unneeded property or scrap material into Bureau memorabilia for sale purposes; and

“(3) enter into agreements with nonprofit organizations, other Federal agencies, State and local governments, and commercial entities for—

“(A) the production or sale of items described in paragraphs (1) and (2); and

“(B) the sale of publications described in paragraph (1).

“SEC. 5. COSTS AND REVENUES.

“(a) COSTS.—All costs incurred by the Bureau of Reclamation under this Act shall be paid from the Colorado River Dam fund established by section 2 of the Act of December 21, 1928 (43 U.S.C. 617a).

“(b) REVENUES.—

“(1) USE FOR REPAYMENT OF SALES COSTS.—All revenues collected by the Bureau of Reclamation under this Act shall be credited to the Colorado River Dam fund to remain available, without further Act of appropriation, to pay costs associated with the production and sale of items in accordance with section 4.

“(2) USE FOR REPAYMENT OF CONSTRUCTION COSTS.—All revenues collected by the Bureau of Reclamation under this Act that are not needed to pay costs described in paragraph (1) shall be transferred annually to the general fund of the Treasury in repayment of costs relating to construction of the Hoover Dam Visitor Center.”

§ 619a. Renewal contracts for power

(a) Offering of contracts by Secretary; total power obligation; conforming of regulations; contract expiration and restrictions

(1) The Secretary of Energy shall offer:

(A) To each contractor for power generated at Hoover Dam a contract for delivery commencing October 1, 2017, of the amount of capacity and firm energy specified for that contractor in the following table:

SCHEDULE A

LONG-TERM SCHEDULE A CONTINGENT CAPACITY AND ASSOCIATED FIRM ENERGY FOR OFFERS OF CONTRACTS TO BOULDER CANYON PROJECT CONTRACTORS

Contractor	Contingent capacity (kW)	Firm energy (thousands of kWh)		
		Summer	Winter	Total
Metropolitan Water District of Southern California	249,948	859,163	368,212	1,227,375