

Public Law 88-140

AN ACT

Defining the interest of local public agencies in water reservoirs constructed by the Government which have been financed partially by such agencies.

October 16, 1963
[H. R. 1696]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, cognizant that many States and local interests have in the past contributed to the Government, or have contracted to pay to the Government over a specified period of years, money equivalent to the cost of providing for them water storage space at Government-owned dams and reservoirs, constructed by the Corps of Engineers of the United States Army, and that such practices will continue, and, that no law defines the duration of their interest in such storage space, and realizing that such States and local interests assume the obligation of paying substantially their portion of the cost of providing such facilities, their right to use may be continued during the existence of the facility as hereinafter provided.

Water reservoirs.
Interest of local
agencies, defini-
tion.

SEC. 2. That this Act be applicable to all dams and reservoirs heretofore or hereafter constructed by the United States Government (acting through the Corps of Engineers of the United States Army) wherein either a part of the construction cost thereof shall have been contributed or may be contributed by States or local interests (hereinafter called "local interests") or local interests have acquired or may acquire rights to utilize certain storage space thereof by making payments during the period of such use as specified in the agreement with the Government and wherein the amount of money paid, exclusive of interest, is equivalent to the cost of providing that part of such dam and reservoir which is allocated to such use, whether such share of cost shall have been determined by the "incremental cost" method or by the "separable costs-remaining benefits" method or by any other method. Included among the dams and reservoirs affected by this Act are those constructed by the Corps of Engineers of the Department of the Army, but nothing in this Act shall be construed to affect or modify section 8 of the Flood Control Act of 1944.

SEC. 3. The right thus acquired by any such local interest is hereby declared to be available to the local interest so long as the space designated for that purpose may be physically available, taking into account such equitable reallocation of reservoir storage capacities among the purposes served by the project as may be necessary due to sedimentation, and not limited to the term of years which may be prescribed in any lease agreement or other agreement with the Government, but the enjoyment of such right will remain subject to performance of its obligations prescribed in such lease agreement or agreement executed in reference thereto. Such obligations will include continued payment of annual operation and maintenance costs allocated to water supply. In addition, local interests shall bear the costs allocated to the water supply of any necessary reconstruction, rehabilitation, or replacement of project features which may be required to continue satisfactory operation of the project. Any affected local interest may utilize such facility so long as it is operated by the Government. In the event that the Government concludes that it can no longer usefully and economically maintain and operate such facility, the responsible department or agency of the Government is authorized to negotiate a contract

58 Stat. 891.
43 USC 390.

with the affected local interest under which the local interest may continue to operate such part of the facility as is necessary for utilization of the storage space allocated to it, under terms which will protect the public interest and provided that the Government is effectively absolved from all liability in connection with such operation.

SEC. 4. Upon application of any affected local interest its existing lease or agreement with the Government will be revised to evidence the conversion of its rights to the use of the storage as prescribed in this Act.

Approved October 16, 1963.

Public Law 88-141

October 16, 1963
[H. R. 772]

AN ACT

To provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Michigan.

Detroit, Mich.
Low-rent housing,
transfer.
63 Stat. 414;
68 Stat. 622.
42 USC 1450-
1464.
50 Stat. 888;
63 Stat. 422.
42 USC 1430.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of title I of the Housing Act of 1949, as amended, and the United States Housing Act of 1937, as amended, the Housing and Home Finance Administrator and the Public Housing Commissioner are authorized and directed to consent to the transfer by the city of Detroit, from its low-rent housing project numbered Michigan 1-11 to its Elmwood Park numbered 1 urban renewal project, Michigan R-40, of all real property, except the administration building and appurtenant land, acquired by the city for the low-rent housing project, on the condition that the sum of \$1,246,987.31, plus interest thereon from September 9, 1960, to the date of payment at the rate specified in contract numbered C-102 between the city and the Public Housing Administration, will be paid by the city to the Public Housing Administration to be applied to the extent thereof against the city's obligations in connection with the low-rent housing project, and that the amount of these payments will be included in the gross project cost of the Elmwood Park numbered 1 urban renewal project.

SEC. 2. The Housing and Home Finance Administrator and the Public Housing Commissioner are hereby authorized to modify any contracts heretofore entered into with the city of Detroit to the extent necessary to carry out the provisions of section 1 of this Act.

Approved October 16, 1963.

Public Law 88-142

October 16, 1963
[S. 453]

AN ACT

To change the name of the Memphis lock and dam on the Tombigbee River near Aliceville, Alabama.

Alabama,
Aliceville
lock and dam,
designation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Memphis lock and dam near Aliceville, Alabama, on the Tombigbee River shall hereafter be known and designated as the Aliceville lock and dam. Any law, regulation, map, document, record, or other paper of the United States in which such lock and dam are referred to shall be held to refer to such lock and dam as the Aliceville lock and dam.

Approved October 16, 1963.