

Money in lieu of
accrued taxes.
44 Stat. 915.

Amount to satisfy
reimbursable charges
against fund.

Proviso.
Paying deficiencies
in county payments.
44 Stat. 915.

Payments to coun-
ties after charges re-
imbursed.

Amount for admin-
istrative purposes; ex-
cess covered in.

Proviso.
Use of moneys cov-
ered in.

Conflicting laws re-
pealed.

(b) Twenty-five per centum to said counties as money in lieu of taxes accrued or which shall accrue to them prior to March 1, 1938, under the provisions of the Act of July 13, 1926 (44 Stat. 915), and which taxes are unpaid on said date, such moneys to be paid to said counties severally by the Secretary of the Treasury of the United States, upon certification by the Secretary of the Interior, until such tax indebtedness as shall have accrued prior to March 1, 1938, is extinguished.

From and after payment of the above accrued taxes said 25 per centum shall be accreted annually to the general fund in the Treasury of the United States until all reimbursable charges against the Oregon and California land-grant fund owing to the general fund in the Treasury have been paid: *Provided*, That if for any year after the extinguishment of the tax indebtedness accruing to the counties prior to March 1, 1938, under the provisions of Forty-fourth Statutes, page 915, the total amount payable under subsection (a) of this title is less than 78 per centum of the aggregate amount of tax claims which accrued to said counties under said Act for the year 1934, there shall be additionally payable for such year such portion of said 25 per centum (but not in excess of three-fifths of said 25 per centum), as may be necessary to make up the deficiency. When the general fund in the Treasury has been fully reimbursed for the expenditures which were made charges against the Oregon and California land-grant fund said 25 per centum shall be paid annually, on or after June 30, to the several counties in the manner provided in subsection (a) hereof.

(c) Twenty-five per centum to be available for the administration of this Act, in such annual amounts as the Congress shall from time to time determine. Any part of such per centum not used for administrative purposes shall be covered into the general fund of the Treasury of the United States: *Provided*, That moneys covered into the Treasury in such manner shall be used to satisfy the reimbursable charges against the Oregon and California land-grant fund mentioned in subsection (b) so long as any such charges shall exist.

All Acts or parts of Acts in conflict with this Act are hereby repealed to the extent necessary to give full force and effect to this Act.

Approved, August 28, 1937.

[CHAPTER 877]

AN ACT

August 28, 1937
[H. R. 7646]
[Public, No. 406]

To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936.

Flood Control Act
of 1936, amendments.
49 Stat. 1586.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding a third paragraph reading as follows under the heading "Ohio River Basin" in section 5:

Ohio River Basin.
Levees, floodwalls,
and drainage struc-
tures.

"Levees, floodwalls, and drainage structures: Construction of levees, floodwalls, and drainage structures for the protection of cities and towns in the Ohio River Basin, the projects to be selected by the Chief of Engineers with the approval of the Secretary of War, in accordance with the report of the Chief of Engineers in House Committee on Flood Control Document Numbered 1, Seventy-fifth Con-

gress, first session, at a cost not to exceed \$24,877,000 for construction which is hereby authorized to be appropriated for this purpose: *Provided*, That the protection for Pittsburgh, Pennsylvania, is to be interpreted as applying to the metropolitan district of Pittsburgh: *Provided further*, That the local cooperation required by section 3 is complied with: *Provided further*, That if, after investigation, the President finds that any city or town is, by reason of its financial condition, unable to comply with the requirements of section 3 as to local cooperation, he is hereby authorized to waive such requirements on any individual project not to exceed 50 per centum of the estimated costs of the lands, easements, and rights-of-way: *Provided further*, That any funds appropriated for the fiscal year 1938 to carry out the provisions of the Flood Control Act of June 22, 1936, may be used for plant, material, supervisory, and skilled services necessary in the execution of the projects authorized herein, with relief labor furnished under the provisions of the Emergency Relief Appropriation Act of 1937.

SEC. 2. That the Secretary of War is hereby authorized to approve the expenditure of not to exceed \$300,000 per year, from any appropriations heretofore or hereafter made for flood control, in removing accumulated snags and other debris and clearing of channels in navigable streams and tributaries thereof when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than \$25,000 shall be expended for this purpose on any single stream in any one year.

SEC. 3. That, in order to further the declaration of policy and principles declared in sections 1 and 2 of the Flood Control Act approved June 22, 1936, and to supplement the preliminary examinations and surveys which the Secretary of War has heretofore been authorized and directed to make of waterways with a view to the control of their floods, the Secretary of Agriculture be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for run-off and water-flow retardation and soil-erosion prevention on the watersheds of said waterways, the costs thereof to be paid from appropriations heretofore or hereafter made for such purposes.

SEC. 4. That section 3 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding the following subsection (d):

"As a condition to the extending of any benefits, in prosecuting measures for run-off and water-flow retardation and soil erosion prevention authorized by Act of Congress pursuant to the policy declared in this Act, to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of such Acts, require—

"(1) The enactment and reasonable safeguards for the enforcement of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for run-off and water-flow retardation and soil-erosion prevention;

"(2) Agreements or covenants as to the permanent use of such lands; and

"(3) Contributions in money, services, materials, or otherwise to any operations conferring such benefits."

SEC. 5. That section 6 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby

Provisos.
Pittsburgh interpreted as metropolitan district.
Local cooperation requirement.
Waiver, if unable to comply.

Use of relief labor.

Ante, p. 352.

Removal of debris, etc.

Proviso.
Restriction.

Surveys for soil-erosion prevention, etc., authorized.
49 Stat. 1570.

State, etc., cooperation.
49 Stat. 1571.

Conditions to extension of benefits.

Local restrictions for prevention of erosion, etc.

Agreements as to permanent use of lands.

Contributions to operations.

Preliminary flood-control examinations; additions.
49 Stat. 1592.

Preliminary flood-control examinations; additions—Contd.

amended by adding to the list of localities at which preliminary examinations and surveys are authorized to be made the following names:

- "Connecticut and Chicopee Rivers.
- "Pawtuxet River, Rhode Island.
- "Conewango Creek and Davis Brook in Chautauqua County and Cattaraugus County, New York.
- "Battenkill, New York.
- "Mettawee River, New York.
- "Ilion, Steel Creek, New York.
- "Delaware River.
- "Youghiogheny River watershed above Dawson, Pennsylvania.
- "North Branch of Potomac River and its tributaries in the vicinity of Keyser, West Virginia.
- "Kissimmee River Valley and its tributaries, Florida.
- "Estero River, Imperial River, Corkscrew River (Horse Creek), Gordon River, Rock Creek, Hendry Creek, Mulock Creek, and Six Mile Cypress Slough, all in Florida.
- "Quiver River, Mississippi.
- "Sunflower River, Mississippi.
- "Clarksville, Memphis, and Nashville, Tennessee, with a view to submitting comprehensive plans for flood protection to Congress.
- "Dugdemonia Bayou, Louisiana.
- "Boeuf River, Catahoula, Franklin, Caldwell, Richland, West Carroll, and Morehouse Parishes, Louisiana.
- "Bayou Macon, Franklin, Madison, Richland, East Carroll, and West Carroll Parishes, Louisiana.
- "Ouachita River and tributaries, Louisiana.
- "San Jacinto River, and its tributaries, in Montgomery, Walker, San Jacinto, Grimes, Waller, Liberty, and Harris Counties, Texas.
- "Brazos River and its tributaries, Texas.
- "Saline River, Arkansas.
- "The Narrows' on Fourche La Fave River in Scott County, Arkansas.
- "Walnut Bayou in Little River County, Arkansas.
- "Illinois Bayou, Pope County, Arkansas.
- "Big Piney Creek in Pope and Johnson Counties, Arkansas.
- "Fourche La Fave River, in Perry, Yell, and Scott Counties, Arkansas.
- "Palarm Creek, a tributary of the Arkansas River, in Faulkner and Pulaski Counties, Arkansas.
- "Bayou Meto Basin, a tributary of the Arkansas River in the State of Arkansas.
- "Sulphur River, Arkansas.
- "Poteau River, Arkansas.
- "Grand (Neosho) River and its tributaries, Oklahoma, Kansas, Missouri, and Arkansas.
- "Platte River in the vicinity of Schuyler, Nebraska.
- "Little Osage River, Kansas.
- "Yellowstone River, Montana.
- "Arkansas River in Sequoyah and Haskell Counties, Oklahoma.
- "Sans Bois Creek in Haskell and Latimer Counties, Oklahoma.
- "North Canadian River, Oklahoma and Texas.
- "South Canadian River, Oklahoma.
- "Cimarron River, Oklahoma and Kansas.
- "Beaver River, Oklahoma.
- "Washita River, Oklahoma.
- "Fountaine Que Bouille (Fountain) River and its tributaries, Colorado.

- "Cherry Creek and its tributaries, Colorado.
- "Mississippi River and tributaries in Memphis and Shelby County, Tennessee.
- "Wyaconda River in Clark and Lewis Counties, Missouri.
- "South Fabius River in northeast Missouri.
- "Chariton River in Schuyler County, Missouri.
- "Galena River (Fever River) in Illinois and Wisconsin.
- "Floyd River, Iowa.
- "Little Sioux River, Iowa.
- "Cedar River, Iowa.
- "Chariton River, Iowa.
- "Iowa River, Iowa.
- "Boyer River, Iowa.
- "Turkey River, Iowa.
- "Nishnabotna River, Iowa.
- "Bureau Creek and tributaries, Illinois.
- "Illinois River and the Fox River at Ottawa, Illinois.
- "Mackinaw River, Illinois.
- "Kickapoo River, Wisconsin.
- "Gilmore Creek, Winona County, Minnesota.
- "Root River, Fillmore, Mower, Olmsted, Winona, and Houston Counties, Minnesota.
- "Zumbro River and the Whitewater River in southeastern Minnesota.
- "White River, South Dakota.
- "Keyapaha River, South Dakota.
- "Bad River from Philip to Fort Pierre, South Dakota.
- "Flathead River and tributaries in Flathead County, Montana.
- "Kiskiminitas River, Pennsylvania.
- "Kiskiminitas and Conemaugh Rivers and their tributaries, Pennsylvania.
- "Tygart River and tributaries in the vicinity of Elkins, West Virginia.
- "Buckhannon River and Middle Fork River and their tributaries in the vicinity of Buckhannon, West Virginia.
- "Cumberland River and its tributaries in the vicinity of Nashville, Tennessee.
- "Cumberland River and its tributaries in the vicinity of Clarksville, Tennessee.
- "Girtys Run, in Allegheny County, Pennsylvania.
- "Clinton River, Michigan.
- "Scioto and Sandusky Rivers and their tributaries, Ohio.
- "Mill Creek Valley in Cincinnati, Ohio.
- "Bill Williams River, Arizona.
- "Big Sandy River, in Arizona, from the junction of Trout Creek and Knight Creek on the north to the Bill Williams River on the south.
- "Gila River, in Arizona, from Gillespie Dam downstream to a point near Wellton.
- "Little Colorado River and its tributaries upstream from the boundary of the Navajo Indian Reservation in Arizona.
- "Santa Ana River and tributaries, California.
- "Santa Ana River and Banning Canyon in counties of San Bernardino and Riverside, California.
- "Mojave River, in the county of San Bernardino, California.
- "Lytle Creek, Waterman Canyon, in the county of San Bernardino, California.
- "San Jacinto River and Bautiste Creek in the county of Riverside, California.

Preliminary flood-control examinations; additions—Contd.

Preliminary flood-control examinations; additions—Contd.

"Santa Clara River, California.
 "Salinas River, California.
 "Cucamonga Creek, Deer Creek, San Antonio Creek, and Chino Creek, California.
 "Arroyo Grande Creek in the county of San Luis Obispo, California.
 "Whitewater River, California.
 "Alameda and San Lorenzo Creeks and their tributaries, California.
 "Pajaro River, California.
 "Russian River, California.
 "Santa Maria River, California.
 "Ventura River, Ventura County, California.
 "Willow Creek, Oregon.
 "Nestucca River and its tributaries, Oregon.
 "Chetco River and tributaries, Oregon.
 "Smith River and tributaries, Oregon.
 "Alsea River and tributaries, Oregon.
 "Clatskanie River and tributaries, Oregon.
 "Sandy River and tributaries, Oregon.
 "Deschutes River and tributaries, Oregon.
 "Klamath River and tributaries, Oregon.
 "Malheur River and tributaries, Oregon.
 "Owyhee River and tributaries, Oregon.
 "Burnt River and tributaries, Oregon.
 "Powder River and tributaries, Oregon.
 "Grande Ronde River and tributaries, Oregon.
 "Whatcom Creek at Bellingham, Washington.
 "North and South Forks of the Skagit River from Mount Vernon to Skagit Bay, Washington.
 "Lowell Creek, Alaska.
 "Skagway River in the vicinity of Skagway, Alaska."

Yazoo River project, modification.
 49 Stat. 1509.

Provisos.
 Cost not to exceed authorization.

Conditions of local cooperation specified.

SEC. 6. That the Chief of Engineers may, in his discretion, modify the project for the control of floods on the Yazoo River, as authorized by Public Act Numbered 678, approved June 15, 1936, to substitute therefor a combined reservoir floodway and levee plan: *Provided*, That the total cost thereof does not exceed the present authorization as estimated in House Committee on Flood Control Document Numbered 1, Seventy-fourth Congress, first session: *Provided further*, That the modified project shall be subject to the following conditions of local cooperation:

No work shall be undertaken until the States or other qualified agencies have furnished satisfactory assurances that they will—

(a) undertake, without cost to the United States, all alterations of highways made necessary because of the construction of reservoirs and meet all damages because of such highway alterations; and

(b) furnish, without cost to the United States, all lands and easements necessary to the construction of levees and drainage ditches.

Bank protection, etc.
 Willamette River; tributaries added.
 49 Stat. 1591.

SEC. 7. That section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding the words "and tributaries," after the words "Willamette River," in the paragraph entitled "WILLAMETTE RIVER".

Johnstown, Pa., flood protection.
 49 Stat. 1570.
Ante, p. 95.

SEC. 8. That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, as amended by Act of Congress approved April 27, 1937, is hereby further amended to provide that, if, in the execution of the project for a reservoir system for the protection of Pittsburgh, it is found that geological and engineering conditions make it impracticable to construct a reservoir to

provide protection for the city of Johnstown, Pennsylvania, flood protection shall be provided for said city by channel enlargement or other works: *Provided*, That the total estimated construction cost of the entire project shall not be increased.

SEC. 9. That section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding a third paragraph reading as follows, under the heading "Mississippi River":

"Memphis, Tennessee: The construction of floodwalls, levees, and revetments along Wolf River and Nonconnah Creek for the protection of Memphis, Tennessee, in accordance with the report on record in the office of the Chief of Engineers. Estimated construction cost, \$9,000,000. Estimated cost of lands and damages, \$4,324,000."

Approved, August 28, 1937.

Proviso.
Cost limitation.

Mississippi River.
49 Stat. 1575.

Memphis, Tenn.,
flood protection.

[CHAPTER 878]

AN ACT

To extend the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 21 of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935, and known as the Bankhead-Jones Act, be, and the same are hereby, extended to Puerto Rico in such amounts as are hereinafter authorized without diminution of the amounts authorized for payment to the States and the Territory of Hawaii, as provided in section 21 of that Act.

SEC. 2. To carry into effect the above provisions for extending to Puerto Rico, to the extent herein provided, the benefits of the said Bankhead-Jones Act, the following sums are hereby authorized to be appropriated: For the fiscal year beginning after the date of the enactment of this Act, \$88,000; for the fiscal year following the first fiscal year for which an appropriation is made in pursuance of the foregoing authorization, the additional sum of \$40,000; and for each succeeding fiscal year thereafter an additional sum of \$40,000 until the total appropriations authorized by this section shall amount to \$408,000 annually, the authorization to continue in that amount for each succeeding fiscal year.

Approved, August 28, 1937.

August 28, 1937
[H. R. 7908]
[Public, No. 407]

Puerto Rico.
Cooperative State
agricultural extension
work extended to.
49 Stat. 438.
7 U. S. C., Supp.
II, § 343c.

Amounts author-
ized.

[CHAPTER 888]

AN ACT

To provide for the addition of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tracts or parcels of land, lying and being within the seventh civil district of Stewart County, Tennessee, are hereby transferred from the jurisdiction of the Secretary of War to the jurisdiction of the Secretary of the Interior as additions to the Fort Donelson National Military Park, and shall hereafter be subject to all laws and rules and regulations applicable to said park:

Tract numbered 1, a right-of-way, fifty feet wide, lying twenty-five feet on each side of a center line, beginning at a point in the southerly

August 30, 1937
[S. 2026]
[Public, No. 408]

Fort Donelson Na-
tional Military Park,
Tenn.
Certain lands added.

Description.