poses when, but not before, the Secretary shall have found that provision has been made for the termination of the existing lease of the Hoover Power Plant and for the operation thereof as authorized by section 618h of this title, and that allottees obligated under contracts in force on July 19, 1940 to pay for at least 90 per centum of the firm energy shall have entered into contracts (1) consenting to such operation, and (2) containing such other provisions as the Secretary may deem necessary or proper for carrying out the purposes of this subchapter. For purposes of this section such 90 per centum shall be computed as of the end of the absorption periods provided for in regulations heretofore promulgated by the Secretary and in effect on July 19, 1940.

If contracts in accordance with the requirements of this section shall not have been entered into prior to June 1, 1941, this subchapter shall cease to be operative and shall be of no further force or effect.

(July 19, 1940, ch. 643, § 10, 54 Stat. 778; Apr. 30, 1947, ch. 46, 61 Stat. 56.)

CHANGE OF NAME

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

§ 618j. Effect of refusal to modify existing contracts

Any contractor for energy from the project failing or refusing to execute a contract modifying its existing contract to conform to this subchapter shall continue to pay the rates and charges provided for in its existing contract, subject to such periodic readjustments as are therein provided, in all respects as if this subchapter had not been passed, and so far as necessary to support such existing contract all of the provisions of the Project Act [43 U.S.C. 617 et seq.] shall remain in effect, anything in this subchapter inconsistent therewith notwithstanding.

(July 19, 1940, ch. 643, § 11, 54 Stat. 778.)

REFERENCES IN TEXT

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

§ 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.)

REFERENCES IN TEXT

The Boulder Canyon Project Act, referred to in text, is act Dec. 21, 1928, ch. 42, 45 Stat. 1057, as amended, 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''.

§ 618*l*. 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. 617*l*(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.)

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