

Public Law 98-50 [July 14, 1983, 97 Stat. 247, 257] shall also be available on an ongoing basis for paying for purchase power and wheeling expenses when the Administrator determines that such expenditures are necessary to meet contractual obligations for the sale and delivery of power during periods of below-normal hydro-power generation. Payments from the continuing fund shall be limited to the amount required to replace the generation deficiency, and only for the project where the deficiency occurred. Replenishment of the continuing fund shall occur within twelve months of the month in which the funds were first expended."

#### EMERGENCY FUND

Provisions relating to appropriations for the emergency fund to assure continuous operation of projects and project facilities governed by Federal reclamation law were contained in the following appropriation acts:

- Pub. L. 103-316, title II, Aug. 26, 1994, 108 Stat. 1714.
- Pub. L. 103-126, title II, Oct. 28, 1993, 107 Stat. 1324.
- Pub. L. 102-377, title II, Oct. 2, 1992, 106 Stat. 1329.
- Pub. L. 102-104, title II, Aug. 17, 1991, 105 Stat. 524.
- Pub. L. 101-514, title II, Nov. 5, 1990, 104 Stat. 2085.
- Pub. L. 101-101, title II, Sept. 29, 1989, 103 Stat. 654.
- Pub. L. 100-371, title II, July 19, 1988, 102 Stat. 864.
- Pub. L. 100-202, §101(d) [title II], Dec. 22, 1987, 101 Stat. 1329-104, 1329-116.
- Pub. L. 99-500, §101(e) [title II], Oct. 18, 1986, 100 Stat. 1783-194, 1783-202, and Pub. L. 99-591, §101(e) [title II], Oct. 30, 1986, 100 Stat. 3341-194, 3341-202.
- Pub. L. 99-141, title II, title III, Nov. 1, 1985, 99 Stat. 569, 575.
- Pub. L. 98-360, title II, title III, July 16, 1984, 98 Stat. 409, 416.
- Pub. L. 98-50, title II, title III, July 14, 1983, 97 Stat. 252, 257.
- Pub. L. 97-88, title III, Dec. 4, 1981, 95 Stat. 1145.
- Pub. L. 96-367, title I, Oct. 1, 1980, 94 Stat. 1335.
- Pub. L. 96-69, title I, Sept. 25, 1979, 93 Stat. 440.
- Pub. L. 94-355, title III, July 12, 1976, 89 Stat. 895.
- Pub. L. 93-393, title III, Aug. 28, 1974, 88 Stat. 787.
- Pub. L. 93-97, title III, Aug. 16, 1973, 87 Stat. 321.
- Pub. L. 92-134, title III, Oct. 5, 1971, 85 Stat. 370.
- Pub. L. 91-144, title III, Dec. 11, 1969, 83 Stat. 331.
- Pub. L. 89-689, title II, Oct. 15, 1966, 80 Stat. 1008.
- Pub. L. 88-511, title II, Aug. 30, 1964, 78 Stat. 687.
- Pub. L. 87-880, title II, Oct. 24, 1962, 76 Stat. 1221.

#### TEMPORARY AUTHORITY OF SECRETARY OF THE INTERIOR TO FACILITATE EMERGENCY ACTIONS WITH REGARD TO 1976-1977 DROUGHT

Pub. L. 95-18, Apr. 7, 1977, 91 Stat. 36, as amended by Pub. L. 95-107, Aug. 17, 1977, 91 Stat. 870; Pub. L. 95-226, Feb. 7, 1978, 92 Stat. 10, directed Secretary of the Interior to undertake construction, management and conservation activities designed to mitigate losses and damages to Federal reclamation projects and Indian irrigation projects resulting from 1976-1977 drought, to assist willing buyers in purchasing available water supplies from willing sellers, and to undertake studies of potential facilities to mitigate effects of a recurrence of drought and make recommendations to President and Congress evaluating potential undertakings, authorized Secretary to defer, without penalty, the 1977 installment payments on charges owed the United States and to make loans to irrigators for construction, management, conservation activities, or acquisition and transportation of water, appropriated \$100,000,000 to carry out provisions of this Act and specified the availability of such funds for expenditures, directed Secretary, not later than May 1, 1978, to provide President and Congress a complete report on expenditures and accomplishments, and provided that authorities conferred by this Act terminate on Nov. 30, 1977.

#### § 503. "Unusual or emergency conditions" defined

The term "unusual or emergency conditions", as used in section 502 of this title, shall be con-

strued to mean canal bank failures, generator failures, damage to transmission lines; or other physical failures or damage, or acts of God, or of the public enemy, fires, floods, drought, epidemics, strikes, or freight embargoes, or conditions, causing or threatening to cause interruption in water or power service.

(June 26, 1948, ch. 676, §2, 62 Stat. 1052.)

#### § 504. Rehabilitation and betterment of Federal reclamation projects, including small reclamation projects; return of costs; interest; definitions; performance of work

Expenditures of funds hereafter specifically appropriated for rehabilitation and betterment of any project constructed under authority of the Small Reclamation Projects Act (Act of August 6, 1956, 70 Stat. 1044, and Acts amendatory thereof and supplementary thereto) [43 U.S.C. 422a et seq.] and of irrigation systems on projects governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), shall be made only after the organizations concerned shall have obligated themselves for the return thereof, in installments fixed in accordance with their ability to pay, as determined by the Secretary of the Interior in the light of their outstanding repayment obligations, and which shall, to the fullest practicable extent, be scheduled for return with their construction charge installments or otherwise scheduled as he shall determine: *Provided*, That repayment of such loans made for small reclamation projects shall include interest in accordance with the provisions of said Small Reclamation Projects Act. No such determination of the Secretary of the Interior shall become effective until the expiration of sixty days after it has been submitted to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives; except that, any such determination may become effective prior to the expiration of such sixty days in any case in which each such committee approves an earlier date and notifies the Secretary in writing, of such approval: *Provided*, That when Congress is not in session the Secretary's determination, if accompanied by a finding by the Secretary that substantial hardship to the water users concerned or substantial further injury to the project works will result, shall become effective when the chairman and ranking minority member of each such committee shall file with the Secretary their written approval of said findings. The term "rehabilitation and betterment", as used in this section, shall mean maintenance, including replacements, which cannot be financed currently, as otherwise contemplated by the Federal reclamation laws in the case of operation and maintenance costs, but shall not include construction, the costs of which are returnable, in whole or in part, through "construction charges" as that term is defined in section 485a(d) of this title. Such rehabilitation and betterment work may be performed by contract, by force-account, or, notwithstanding any other law and subject to such reasonable terms and conditions as the Secretary of the Interior shall deem appropriate