

trol work prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers, whether collected in cash or by deduction from amounts otherwise due such person, persons, or corporations, hereafter shall be credited in each case to the appropriation that bore the cost of purchase, repair, or replacement of the lost, stolen, or damaged property.

(June 20, 1938, ch. 535, § 4, 52 Stat. 805; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

#### CODIFICATION

Section is also set out as section 701k of this title.

#### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

### § 572. Collection and removal of drift in Baltimore Harbor

On and after July 30, 1948, direct allotments from appropriations for the maintenance and improvement of existing river and harbor works, or from other available appropriations, may be made by the Secretary of the Army for the collection and removal of drift in Baltimore Harbor and its tributary waters, and this work shall be carried out as a separate and distinct project.

(June 30, 1948, ch. 771, title I, § 102, 62 Stat. 1173.)

### § 573. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 656

Section, act May 17, 1950, ch. 188, title I, § 111, 64 Stat. 170, provided that section 607 of the Federal Employees Pay Act of 1945, as amended [former 5 U.S.C. 947], should not be construed to prevent employment of additional personnel.

### § 574. Omitted

#### CODIFICATION

Section, act Sept. 6, 1950, ch. 896, ch. IX, § 101, 64 Stat. 726, which related to availability of appropriation for payments to school districts, was from the Civil Functions Appropriation Act, 1951, and was not repeated in subsequent appropriation acts.

### § 574a. Training funds

#### (a) In general

The Secretary may include individuals not employed by the Department of the Army in training classes and courses offered by the Corps of Engineers in any case in which the Secretary determines that it is in the best interest of the Federal Government to include those individuals as participants.

#### (b) Expenses

##### (1) In general

An individual not employed by the Department of the Army attending a training class or course described in subsection (a) shall pay the full cost of the training provided to the individual.

### (2) Payments

Payments made by an individual for training received under paragraph (1), up to the actual cost of the training—

(A) may be retained by the Secretary;

(B) shall be credited to an appropriations account used for paying training costs; and

(C) shall be available for use by the Secretary, without further appropriation, for training purposes.

### (3) Excess amounts

Any payments received under paragraph (2) that are in excess of the actual cost of training provided shall be credited as miscellaneous receipts to the Treasury of the United States.

(Pub. L. 110-114, title II, § 2016, Nov. 8, 2007, 121 Stat. 1076.)

#### "SECRETARY" DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110-114, set out as a note under section 2201 of this title.

### § 575. Availability of appropriations for expenses incident to operation of power boats or vessels; expenses defined; certification of expenditures

On and after July 31, 1947, no appropriation under the Corps of Engineers shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business, and that Government business shall be construed to include transportation, lodging, and subsistence on inspection trips of Federal and State officials, having a public interest in authorized or proposed improvements for river and harbor and flood control, and any expenses incurred therefor shall be chargeable to river and harbor and flood control appropriations heretofore or hereafter made under rules and regulations to be prescribed by the Chief of Engineers: *Provided*, That such expenditures shall be certified by the Division Engineer as necessary and proper expenditures.

(July 31, 1947, ch. 411, § 1, 61 Stat. 688.)

#### CODIFICATION

Section is also set out as section 701b-9 of this title.

Section was formerly classified to sections 190a and 199 of Title 10 prior to the general revision and enactment of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 1.

### § 576. Revolving fund; establishment; availability; reimbursement; transfer of funds; limitation

There is established a revolving fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of the plant and equipment of the Corps of Engineers used in civil works functions, including acquisition of plant and equipment, maintenance, repair, and purchase, operation, and maintenance of not to exceed four aircraft at any one time, temporary financing of services finally chargeable to appropriations for civil works functions, and the furnishing of facilities and services for military functions of the Department of the Army and other Government agencies and private persons, as authorized by

law. In addition, the Secretary of the Army is authorized to provide capital for the fund by capitalizing the present inventories, plant and equipment of the civil works functions of the Corps of Engineers. The fund shall be credited with reimbursements or advances for the cost of equipment, facilities, and services furnished, at rates which shall include charges for overhead and related expenses, depreciation of plant and equipment, and accrued leave: *Provided*, That on July 1, 1953, (1) the fund shall assume the assets, liabilities, and obligations of the Plant accounts, as carried on the records of the Corps of Engineers as of June 30, 1953, under the appropriations for "Maintenance and improvement of existing river and harbor works", "Flood control, general", and "Flood control, Mississippi River and tributaries", and (2) there shall be transferred from said appropriations to the fund amounts equivalent to the unexpended cash balances of the Plant accounts on June 30, 1953: *Provided further*, That the total capital of said fund shall not exceed \$140,000,000.

(July 27, 1953, ch. 245, § 101, 67 Stat. 199.)

#### CODIFICATION

Section is also set out as section 701b-10 of this title. Section was formerly classified to section 190b of Title 10 prior to the general revision and enactment of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 1.

#### HEADQUARTERS AIRCRAFT; TRANSFER AND REASSIGNMENT OF PROPERTY ACCOUNTABILITY TO ARMY MILITARY ACTIVITY

Pub. L. 101-101, title I, § 105, Sept. 29, 1989, 103 Stat. 649, provided that: "Notwithstanding section 110 of the Energy and Water Development Appropriation Act, 1988, Public Law 100-202 [set out below], the Secretary of the Army is authorized to transfer and reassign property accountability for the headquarters aircraft of the Corps of Engineers, Serial Number 045, from the assets of the civil works revolving fund, to the military activity of the Army that the Secretary determines is appropriate, except that the aircraft shall be made available on a priority basis as necessary for activities in support of the Army's civil works mission."

#### RETENTION OF THREE OPERATIONAL AIRCRAFT; NOTICE OF INTENDED USE OUTSIDE UNITED STATES

Pub. L. 100-202, § 101(d) [title I, § 110], Dec. 22, 1987, 101 Stat. 1329-104, 1329-112, provided that: "The Chief of Engineers is directed to retain three operational aircraft authorized pursuant to section 101 of the Act of July 27, 1953, 67 Stat. 199 [33 U.S.C. 576], together with their attendant crews, and may only dispose of any of these aircraft if authorized to do so by a future congressional enactment for that purpose. The Chief of Engineers shall provide at least thirty days advance written notification to the Appropriations Committees of the Senate and House of Representatives of any intended use of any of these aircraft for a trip destined outside the United States or its territories or possessions."

#### § 576a. Purchase of passenger motor vehicles by Corps of Engineers

On and after March 4, 1933, the provisions of section 1343 of title 31 shall be construed as applying to the Corps of Engineers as to the purchase of motor-propelled passenger-carrying vehicles.

(Mar. 4, 1933, ch. 281, title II, § 1, 47 Stat. 1599.)

#### CODIFICATION

"Section 1343 of title 31" substituted in text for "section 5 of the Act of July 16, 1914 (U.S.C., title 5, sec. 78)"

on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was formerly classified to section 638b of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 877.

Section was also formerly classified to section 78a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

#### § 576b. Lease authority

Notwithstanding any other provision of law, the Secretary may lease space available in buildings for which funding for construction or purchase was provided from the revolving fund established by the 1st section of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576; 67 Stat. 199), under such terms and conditions as are acceptable to the Secretary. The proceeds from such leases shall be credited to the revolving fund for the purposes set forth in such Act.

(Pub. L. 104-303, title II, § 213, Oct. 12, 1996, 110 Stat. 3684.)

#### REFERENCES IN TEXT

The Civil Functions Appropriations Act, 1954, referred to in text, is act July 27, 1953, ch. 245, 67 Stat. 197. For complete classification of this Act to the Code, see Tables.

#### § 577. Small river and harbor improvement projects

##### (a) Allotment from appropriations for construction

The Secretary of the Army is authorized to allot from any appropriations hereafter made for rivers and harbors not to exceed \$35,000,000 for any one fiscal year for the construction of small river and harbor improvement projects not specifically authorized by Congress which will result in substantial benefits to navigation and which can be operated consistently with appropriate and economic use of the waters of the Nation for other purposes, when in the opinion of the Chief of Engineers such work is advisable, if benefits are in excess of the cost.

##### (b) Limitation on allotment

Not more than \$7,000,000 shall be allotted for the construction of a project under this section at any single locality and the amount allotted shall be sufficient to complete the Federal participation in the project under this section.

##### (c) Lands, easements, and rights-of-way; indemnification; assurances of local cooperation

Local interests shall provide without cost to the United States all necessary lands, easements and rights-of-way for all projects to be constructed under the authority of this section. In addition, local interests may be required to hold and save the United States free from damages that may result from the construction and maintenance of the project and may be required to provide such additional local cooperation as the Chief of Engineers deems appropriate. A State, county, municipality or other responsible local entity shall give assurance satisfactory to the Chief of Engineers that such conditions of cooperation as are required will be accomplished.