

other material on river and harbor, flood control, and other civil works activities, including related public park and recreation facilities, under his jurisdiction, as he may deem to be of value to the general public.

(Pub. L. 85-480, §1, July 2, 1958, 72 Stat. 279.)

**§ 557b. Sale of publications, charts, or other material; deposit of proceeds**

The Chief of Engineers is authorized to provide for the sale of any of the material prepared under authority of section 557a of this title; and of publications, charts, or material prepared under his direction pursuant to other legislative authorization or appropriation, and to charge therefor a sum not less than the cost of reproduction. The money received from sales authorized by this section shall be deposited into the Treasury to the credit of miscellaneous receipts, except that in any case in which the cost of reproduction has been paid from the revolving fund established pursuant to the Civil Functions Appropriation Act, 1954, the proceeds shall be deposited to the credit of such fund.

(Pub. L. 85-480, §2, July 2, 1958, 72 Stat. 279.)

REFERENCES IN TEXT

The Civil Functions Appropriation Act, 1954, referred to in text, is act July 27, 1953, ch. 245, 67 Stat. 197. Provisions of the Act establishing the revolving fund are classified to sections 576 and 701b-10 of this title.

**§ 558. Proceeds from sale or transfer of property acquired**

When any property which has been heretofore or may be hereafter purchased or acquired for the improvement of rivers and harbors is no longer needed, or is no longer serviceable and is transferred or sold, the proceeds thereof may be credited to the appropriation for the work for which it was acquired.

(June 13, 1902, ch. 1079, §5, 32 Stat. 373; Feb. 20, 1931, ch. 235, 46 Stat. 1191; Oct. 31, 1951, ch. 654, §4(4), 65 Stat. 709.)

CODIFICATION

Section originally began with the words "when any land or other" preceding "property". The words, "land or other", were deleted on the basis of act February 20, 1931, which provided, "that hereafter no real estate of the War Department shall be sold or disposed of without authority of Congress, and all existing Acts or parts thereof in conflict with this proviso, other than special Acts for the sale of stated tracts of land, are hereby repealed."

Section is from the first part of section 5 of act June 13, 1902, which was a provision of the Rivers and Harbors Appropriation Act for 1902. The last part of such section 5 is set out as section 631 of this title.

AMENDMENTS

1951—Act Oct. 31, 1951, struck out provisions authorizing the Secretary of the Army to sell the unserviceable property referred to, and authorizing him to direct the transfer of any property employed in river and harbor works; struck out the provision that the property so transferred should be valued and credited to the project upon which it was theretofore used and charged to the project to which it was transferred; and inserted "and is transferred or sold, the proceeds thereof may be credited to the appropriation for the work for which it was acquired".

**§ 558a. Repealed. Oct. 31, 1951, ch. 654, §1(56), 65 Stat. 703**

Section, act Aug. 30, 1935, ch. 831, §7, 49 Stat. 1048, related to sale of property no longer needed for improvement of canals, rivers and harbors.

**§ 558b. Exchange of land or property**

In any case in which it may be necessary or advisable in the execution of an authorized work of river and harbor improvement to exchange land or other property of the Government for private lands or property required for such project, the Secretary of the Army may, upon the recommendation of the Chief of Engineers, authorize such exchange upon terms and conditions deemed appropriate by him, and any conveyance of Government land or interests therein necessary to effect such exchange may be executed by the Secretary of the Army: *Provided further*, That the authority granted to the Secretary of the Army shall not extend to or include lands held or acquired by the Tennessee Valley Authority pursuant to the terms of the Tennessee Valley Authority Act [16 U.S.C. 831 et seq.]. This section shall apply to any exchanges heretofore deemed advisable in connection with the construction of the Bonneville Dam in the Columbia River.

(June 20, 1938, ch. 535, §2, 52 Stat. 804; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

REFERENCES IN TEXT

The Tennessee Valley Authority Act, referred to in text, is act May 18, 1933, ch. 32, 48 Stat. 58, as amended, known as the Tennessee Valley Authority Act of 1933, which is classified generally to chapter 12A (§831 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see section 831 of Title 16 and Tables.

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.

**§ 558b-1. Application to authorized works of flood control**

Section 558b of this title is made applicable to authorized works of flood control.

(Aug. 11, 1939, ch. 699, §3, 53 Stat. 1414.)

**§ 558c. Rights-of-way over United States land**

The Secretary of the Army is authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant easements for rights-of-way for public roads and streets on and across lands acquired by the United States for river and harbor and flood control improvements including, whenever necessary, the privilege of occupying so much of said lands as may be necessary for the piers, abutments, and other portions of a bridge structure: *Provided*, That such rights-of-way shall be granted only upon a finding by the Secretary of the Army that the same will be in the public in-

terest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such rights-of-way may be annulled and forfeited by the Secretary of the Army for failure to comply with the terms or conditions of any grant hereunder or for nonuse or for abandonment of rights granted under the authority hereof: *Provided further*, That the authority granted to the Secretary of the Army shall not extend to or include lands held or acquired by the Tennessee Valley Authority pursuant to the terms of the Tennessee Valley Authority Act [16 U.S.C. 831 et seq.].

(June 20, 1938, ch. 535, §10, 52 Stat. 808; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

#### REFERENCES IN TEXT

The Tennessee Valley Authority Act, referred to in text, is act May 18, 1933, ch. 32, 48 Stat. 58, as amended, known as the Tennessee Valley Authority Act of 1933, which is classified generally to chapter 12A (§831 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see section 831 of Title 16 and Tables.

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#### § 559. Disposition of rentals for Government plants

Amounts paid after August 8, 1917, by private parties or other agencies for rental of plant owned by the Government in connection with the prosecution of river and harbor works shall be deposited in each case to the credit of the appropriation to which the plant belongs.

(Aug. 8, 1917, ch. 49, §13, 40 Stat. 268.)

#### CODIFICATION

Section is from act Aug. 8, 1917, popularly known as the "Rivers and Harbors Appropriation Act of 1917".

#### § 560. Contributions from private parties; return of excess

The Secretary of the Army is authorized to receive from private parties such funds as may be contributed by them to be expended in connection with funds appropriated by the United States for any authorized work of public improvement of rivers and harbors whenever such work and expenditure may be considered by the Chief of Engineers as advantageous to the interests of navigation: *Provided*, That when contributions heretofore or hereafter made by local interests for river and harbor improvements, in accordance with specific requirements or under general authority of Congress, are in excess of the actual cost of the work contemplated and properly chargeable to such contributions, such excess contributions may, with the approval of the Secretary of the Army, be returned to the proper representatives of the contributing inter-

ests, unless the provision of law under which the contribution is made requires that the entire contribution be retained by the United States.

(Mar. 4, 1915, ch. 142, §4, 38 Stat. 1053; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

#### CODIFICATION

Section is from act Mar. 4, 1915, popularly known as the "Rivers and Harbors Appropriation Act of 1915".

#### PRIOR PROVISIONS

Section superseded act Mar. 4, 1913, ch. 144, §8, 37 Stat. 827, which read as follows: "The Secretary of War is hereby authorized to receive from private parties such funds as may be contributed by them to be expended in connection with funds appropriated by the United States for any authorized work of public improvement of rivers and harbors, whenever such work and expenditure may be considered by the Chief of Engineers as advantageous to the interests of navigation."

#### 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.

#### § 561. Advances by private parties; repayment

Whenever local interests shall offer to advance funds for the prosecution of a work of river and harbor improvement duly adopted and authorized by law the Secretary of the Army may, in his discretion, receive such funds and expend the same in the immediate prosecution of such work. The Secretary of the Army is authorized and directed to repay without interest, from appropriations which may be provided by Congress for river and harbor improvements, the moneys so contributed and expended: *Provided*, That no repayment of funds which may be contributed for the purpose of meeting any conditions of local cooperation imposed by Congress, nor under the authority of section 560 of this title shall be made.

(Mar. 3, 1925, ch. 467, §11, 43 Stat. 1197; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

#### 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.

#### § 561a. Contributions from local interests; reduction to meet lowered cost

When the authorization of a project of river and harbor improvement requires that local interests shall contribute a specific sum of money toward its cost, the Secretary of the Army, upon the recommendation of the Chief of Engineers, may reduce the sum to be contributed to an amount which shall be in the same ratio to the