

- Sec.  
605. Operation of snag boats on Upper Mississippi River.  
605a. Mississippi River forecasting improvements.  
606. Removal of snags, and so forth, from Ohio River.  
607. Removal of drift from New York Harbor.  
607a. Appropriations; separate project.  
608. Construction of fishways.  
609. Sluices and other work in dams for development of water power.  
610. Control of aquatic plant growths.
- SUBCHAPTER V—PROSECUTION OF WORK  
GENERALLY
621. By what methods river and harbor work may be authorized to be prosecuted.  
622. Contracts, etc., with private industry for implementation of projects for improvements and dredging; reduction of federally owned fleet.  
623. Repealed.  
624. Limitation on improvement work by private contract.  
625. Repealed.  
626. Prosecution of work when appropriation insufficient.  
627. Application of appropriation when separate works are included therein.  
628. Expenditure for dredging within harbor lines.  
629. Contract for hire of dredging plant.  
630. Limitation on expenditure for purchase of dredges.  
631. Transfer of property between projects.  
632. Omitted.  
633. Protection, alteration, reconstruction, relocation, or replacement of structures and facilities; contract standards; reasonable costs.

#### SUBCHAPTER I—GENERAL PROVISIONS

#### § 540. Investigations and improvements; control by Department of the Army; wildlife conservation

Federal investigations and improvements of rivers, harbors, and other waterways shall be under the jurisdiction of and shall be prosecuted by the Department of the Army under the direction of the Secretary of the Army and the supervision of the Chief of Engineers, except as otherwise specifically provided by Act of Congress, which said investigations and improvements shall include a due regard for wildlife conservation.

(June 20, 1938, ch. 535, §1, 52 Stat. 802; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

#### PRIOR PROVISIONS

Acts Aug. 30, 1935, ch. 831, 49 Stat. 1028; Aug. 26, 1937, ch. 832, 50 Stat. 844, contained similar provisions.

#### 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 Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641.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.

#### WATERWAY IMPROVEMENTS STUDY AND REPORT; AVAILABILITY OF DATA TO NATIONAL TRANSPORTATION POLICY COMMISSION

Pub. L. 94-587, §158, Oct. 22, 1976, 90 Stat. 2933, directed the Secretary of the Army, acting through the

Chief of Engineers, to make a comprehensive study and report on the system of waterway improvements under his jurisdiction, including a review of emergency and defense requirements and an appraisal of additional improvements necessary to optimize the system and its intermodal characteristics, and to submit a report to Congress within three years after funds were first appropriated and made available for the study, together with his recommendations. The Secretary of the Army, acting through the Chief of Engineers, was to make available to the National Transportation Policy Study Commission established by section 154 of Public Law 94-280 [set out as a note under section 101 of Title 23, Highways], the information and other data developed as a result of the study.

#### REIMBURSEMENT OF STATES FOR WATER RESOURCES PROJECTS; STUDY

Pub. L. 89-298, title III, §314, Oct. 27, 1965, 79 Stat. 1096, authorized the Secretary of the Army, through the Chief of Engineers, to study the need for and feasibility of Federal reimbursement of certain public entities for their expenses incurred in connection with authorized projects for improvements of rivers, harbors, and certain other waterways, for various purposes, and to submit a report to Congress no later than Jan. 31, 1967, together with his recommendations in connection therewith.

#### § 540a. Availability of appropriations for attendance by military personnel at meetings and for printing survey reports

Appropriations in this title<sup>1</sup> or appropriations made in this title<sup>1</sup> in subsequent Energy and Water Development Appropriations Acts shall on and after October 2, 1992, be available for expenses of attendance by military personnel at meetings in the manner authorized by section 4110 of title 5, uniforms, and allowances therefor, as authorized by law (5 U.S.C. 5901-5902), and for printing, either during a recess or session of Congress, of survey reports authorized by law, and such survey reports as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress.

(Pub. L. 102-377, title I, Oct. 2, 1992, 106 Stat. 1325.)

#### REFERENCES IN TEXT

This title, referred to in text, is title I of Pub. L. 102-377, Oct. 2, 1992, 106 Stat. 1315. For complete classification of title I to the Code, see Tables.

#### § 541. Board of Engineers for Rivers and Harbors; establishment; duties and powers generally

There shall be organized in the office of the Chief of Engineers, United States Army, by detail from time to time from the Corps of Engineers, a board of seven engineer officers, a majority of whom shall be of rank not less than lieutenant colonel, whose duties shall be fixed by the Chief of Engineers, and to whom shall be referred for consideration and recommendation, in addition to any other duties assigned, so far as in the opinion of the Chief of Engineers may be necessary, all reports upon examinations and surveys provided for by Congress, and all projects or changes in projects for works of river and harbor improvement prior to June 13, 1902, or thereafter provided for. And the board shall

<sup>1</sup> See References in Text note below.