

§ 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 interests, 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Section superseded act Mar. 4, 1913, ch. 144, § 8, 37 Stat. 827, which read as follows: "The Secretary of War is hereby authorized to receive from private parties such funds as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 Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641.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 amount of the required contribution as the actual cost of the work to which said contribution is applicable bears to its original estimated cost as set forth in the project document.

(Mar. 3, 1933, ch. 216, 47 Stat. 1545; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

CODIFICATION

A prior provision that the reduction authorized by this section was not to apply to contributions made prior to Mar. 3, 1933, was omitted as obsolete.

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.

§ 562. Channel depths and dimensions defined

In the preparation of projects under this and subsequent river and harbor acts and after the project becomes operational, unless otherwise expressed, the channel depths referred to shall be understood to signify the depth at mean lower low water, as defined by the Department of Commerce for nautical charts and tidal predictions, in tidal waters tributary to the Atlantic and Gulf coasts and at mean lower low water, as defined by the Department of Commerce for nautical charts and tidal predictions, in tidal waters tributary to the Pacific coast and the mean depth for a continuous period of fifteen days of the lowest water, as defined by the Department of Commerce for nautical charts and tidal predictions, in the navigation season of any year in rivers and nontidal channels, and and¹ after the project becomes operational the channel dimensions specified shall be understood to admit of such increase at the entrances, bends, sidings, and turning places as may be necessary to allow of the free movement of boats.

(Mar. 4, 1915, ch. 142, § 5, 38 Stat. 1053; Pub. L. 102-580, title II, § 224, Oct. 31, 1992, 106 Stat. 4837.)

¹ So in original.