

previously provided for by the Department of the Army, unless the Chief of Engineers determines that the actual damage has or will exceed that for which provision had previously been made.

(July 24, 1946, ch. 596, §9, 60 Stat. 643; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

Statutory Notes and Related Subsidiaries

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 Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641.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

§ 701q-1. Repair and restoration of embankments

(a) In general

At the request of a non-Federal interest, the Secretary shall assess the cause of damage to, or the failure of, an embankment that is adjacent to the shoreline of a reservoir project owned and operated by the Secretary for which such damage or failure to the embankment has adversely affected a roadway that the Secretary has relocated for construction of the reservoir.

(b) Repair and restoration activities

If, based on the assessment carried out under subsection (a), the Secretary determines that the cause of the damage to, or the failure of, the embankment is the direct result of the design or operation of the reservoir by the Secretary, the Secretary is authorized to participate in the repair or restoration of such embankment.

(c) Authorization of appropriations

There is authorized to be appropriated to the Secretary \$10,000,000 to carry out this section.

(Pub. L. 116-260, div. AA, title I, §147, Dec. 27, 2020, 134 Stat. 2656.)

Statutory Notes and Related Subsidiaries

"SECRETARY" DEFINED

Secretary means the Secretary of the Army, see section 2 of div. AA of Pub. L. 116-260, set out as a note under section 2201 of this title.

§ 701r. Protection of highways, bridge approaches, public works, and nonprofit public services

The Secretary of the Army is authorized to allot from any appropriations heretofore or hereafter made for flood control, not to exceed \$25,000,000 per year, for the construction, repair, restoration, and modification of emergency streambank and shoreline protection works to prevent damage to highways, bridge approaches, and public works, churches, hospitals, schools, and other nonprofit public services, when in the opinion of the Chief of Engineers such work is advisable: *Provided*, That not more than \$5,000,000 shall be allotted for this purpose at any single locality from the appropriations for any one fiscal year, and if such amount is not

sufficient to cover the costs included in the Federal cost share for a project, as determined by the Secretary, the non-Federal interest shall be responsible for any such costs that exceed such amount.

(July 24, 1946, ch. 596, §14, 60 Stat. 653; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; Pub. L. 93-251, title I, §27, Mar. 7, 1974, 88 Stat. 20; Pub. L. 99-662, title IX, §915(c), Nov. 17, 1986, 100 Stat. 4191; Pub. L. 104-303, title II, §219, Oct. 12, 1996, 110 Stat. 3696; Pub. L. 110-114, title II, §2023, Nov. 8, 2007, 121 Stat. 1078; Pub. L. 113-121, title I, §1030(i), June 10, 2014, 128 Stat. 1232; Pub. L. 115-270, title I, §§1157(h), 1167, Oct. 23, 2018, 132 Stat. 3794, 3798.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-270 substituted "\$25,000,000" for "\$20,000,000" and inserted ", and if such amount is not sufficient to cover the costs included in the Federal cost share for a project, as determined by the Secretary, the non-Federal interest shall be responsible for any such costs that exceed such amount" before period at end.

2014—Pub. L. 113-121 substituted "\$20,000,000" for "\$15,000,000" and "\$5,000,000" for "\$1,500,000".

2007—Pub. L. 110-114 substituted "\$1,500,000" for "\$1,000,000".

1996—Pub. L. 104-303 substituted "\$15,000,000" for "\$12,500,000" and "\$1,000,000" for "\$500,000".

1986—Pub. L. 99-662 substituted "\$12,500,000" for "\$10,000,000" and "\$500,000" for "\$250,000".

1974—Pub. L. 93-251 substituted "\$10,000,000" for "\$1,000,000", "\$250,000" for "\$50,000", and "construction, repair, restoration, and modification of emergency streambank and shoreline protection works to prevent flood damages to highways, bridge approaches, and public works, churches, hospitals, schools, and other nonprofit public services," for "construction of emergency bank-protection works to prevent flood damages to highways, bridge approaches, and public works,".

Statutory Notes and Related Subsidiaries

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.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-662 not applicable to any project under contract for construction on Nov. 17, 1986, see section 915(i) of Pub. L. 99-662, set out as a note under section 426g of this title.

§ 701r-1. Utilization of public roads

(a) Definitions

When used in this section—

(1) The term "Agency" means the Corps of Engineers, United States Army or the Bureau of Reclamation, United States Department of the Interior, whichever has jurisdiction over the project concerned.

(2) The term "head of the Agency concerned" means the Chief of Engineers or the Commissioner, Bureau of Reclamation, or their respective designees.