

ized by said legislature, to improve the channels on the New Jersey seacoast, or any portion of said coast, or the waters adjacent thereto, lying between thirty-eight degrees fifty-six minutes and forty degrees twenty minutes north latitude, by dredging, or by the construction of piers, jetties, or breakwaters, or other river and harbor work of any description or nature adapted to attain the ends now pursued by the United States Government for the advantage of said coast or the relief of commerce: *Provided*, That such operations shall not encroach upon those portions of said coast, or the channels adjacent thereto, for which the United States Government may undertake similar work according to its own plans: *And provided*, That the plans for said work shall be placed on file with the Chief of Engineers of the Department of the Army for thirty days, during which time he is authorized to disapprove said plans and forbid such work if, in his judgment, the improvements when completed will interfere with navigation or with any works of the United States Government commenced or proposed to be made: *Provided further*, That no tolls or other charges upon commerce shall be imposed by those making such improvements: *And provided further*, That this section shall not be construed as affecting in any way the jurisdiction and control of the Federal Government over any waters that may be improved in pursuance of the provisions thereof, nor as exempting such waters from the operation of the laws heretofore or hereafter enacted by Congress for the preservation and protection of navigable waters. The right to alter, amend, or repeal this section is expressly reserved.

(June 30, 1906, ch. 3923, §§1, 2, 34 Stat. 800; 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 Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641.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.

#### § 567. Navigation and flood control improvements by Minnesota, North Dakota, and South Dakota

Congress consents that the States of Minnesota, North Dakota, and South Dakota, or any two of them, may enter into any agreement or agreements with each other to aid in improving navigation and to prevent and control floods on boundary waters of said States and the waters tributary thereto. And said States, or any two of them, may agree with each other upon any project or projects for the purpose of making such improvements, and upon the amount of money to be contributed by each to carry out such projects. The Secretary of the Army is authorized and directed to make a survey of any project proposed, as aforesaid, by said States, or any two of them, to determine the feasibility and practicability thereof and the expenses of

carrying the same into effect and what share of such expenses should be borne by the respective States, local interests, or by the National Government. If the Secretary of the Army approves any such projects, he may authorize the States to make such improvements at their own expense, but under his supervision.

(Aug. 8, 1917, ch. 49, §5, 40 Stat. 266; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

#### Editorial Notes

##### CODIFICATION

Section is from a part of section 5 of act Aug. 8, 1917, which act was popularly known as the "Rivers and Harbors Appropriation Act for 1917". The omitted part of such section read as follows: "That the sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, for the purpose of enabling the Secretary of War to make the surveys and estimates herein contemplated."

#### 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.

#### § 567a. Flood and pollution control compacts between certain States

The consent of the Congress of the United States is given to the States of Maine, New York, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, West Virginia, Kentucky, Indiana, Illinois, Tennessee, and Ohio, or any two or more of them, to negotiate and enter into agreements or compacts for conserving and regulating the flow, lessening flood damage, removing sources of pollution of the waters thereof, or making other public improvements on any rivers or streams whose drainage basins lie within any two or more of the said States.

No such compact or agreement shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the legislatures of each of the States whose assent is contemplated by the terms of the compact or agreement and by the Congress.

(June 8, 1936, ch. 542, §§1, 2, 49 Stat. 1490.)

#### Statutory Notes and Related Subsidiaries

##### APPROVAL OF COMPACT BY CONGRESS

Act July 11, 1940, ch. 581, 54 Stat. 752, provided in part that: "The consent and approval of Congress is hereby given to an interstate compact relating to the control and reduction of the pollution of the streams of the Ohio River drainage basin negotiated and entered into or to be entered into under authority of Public Resolution Numbered 104, Seventy-fourth Congress, approved June 8, 1936, [this section] and now ratified by the States of New York, Illinois, Kentucky, and Indiana, and by the State of Ohio (whose ratification is to go into effect at the time at which the States of New

York, Pennsylvania, and West Virginia enter into said compact as parties and signatory States), also by the State of West Virginia (whose ratification is to go into effect at the time at which the States of New York, Ohio, Virginia, and Pennsylvania enter into said compact as parties and signatory States) \* \* \*.”

“SEC. 2. Without further submission of said compact, the consent of Congress is hereby given to the State of Virginia or any other State with waters in the Ohio River drainage basin, entering into said compact as a signatory State and party in addition to the States therein named or any of them.

“SEC. 3. The commissioners to represent the United States, as provided in article IV of said compact, shall be appointed by the President.

“SEC. 4. Nothing contained in this Act or in the compact herein approved shall be construed as impairing or affecting the sovereignty of the United States or any of its rights or jurisdiction in and over the area or waters which are the subject of such compact.

“SEC. 5. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.”

#### § 567b. Pollution of Potomac drainage basin; control by State compacts

The consent of Congress is given to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia to enter into the compact to create a Potomac Valley Conservancy District and to establish an Interstate Commission on the Potomac River Basin: *Provided*, That nothing contained in such compact shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of this compact.

(July 11, 1940, ch. 579, 54 Stat. 748.)

#### § 567b-1. Amended compact

The consent of Congress is hereby given to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia to adopt the aforementioned amendments and enter into the amended compact hereinbefore recited and every part and article thereof: *Provided*, That nothing contained in such amended compact shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of this compact: *And provided further*, That the consent herein given does not extend to section (F)(2) of article II of the amended compact.

(Pub. L. 91-407, § 1, Sept. 25, 1970, 84 Stat. 860.)

#### Editorial Notes

##### REFERENCES IN TEXT

The amended compact, referred to in text, is set out in 84 Stat. 856 to 860.

#### § 568. Limitation on power of committee of Congress to consider projects

No project shall be considered by any committee of Congress with a view to its adoption, except with a view to a survey, if five years have elapsed since a report upon a survey of such project has been submitted to Congress pursuant to law.

(Sept. 22, 1922, ch. 427, § 9, 42 Stat. 1043.)

#### Editorial Notes

##### CODIFICATION

Section is from act Sept. 22, 1922, popularly known as the “Rivers and Harbors Appropriation Act of 1918”.

#### § 569. Personal equipment for employees; use of funds for purpose

Funds heretofore or hereafter appropriated for rivers and harbors to be expended under the supervision of the Secretary of the Army shall be available for expenditure in the purchase of such personal equipment for employees as in the opinion of the Chief of Engineers are essential for the efficient prosecution of the works.

(Jan. 21, 1927, ch. 47, § 5(b), 44 Stat. 1021; 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.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

For transfer of certain functions insofar as they pertain to Air Force, and to extent that they were not previously transferred to Secretary of the Air Force and Department of the Air Force from Secretary of the Army and Department of the Army, see Secretary of Defense Transfer Order No. 40, July 22, 1949.

#### § 569a. Temporary employment of experts or consultants; compensation

The Chief of Engineers is authorized to procure the temporary or intermittent services of experts or consultants or organizations thereof in connection with civil functions of the Corps of Engineers without regard to chapter 51 and subchapter III of chapter 53 of title 5: *Provided*, That individuals so engaged may be paid at rates not to exceed the daily equivalent of the rate for GS-18 for each day of their services.

(July 3, 1930, ch. 847, § 6, 46 Stat. 948; May 17, 1950, ch. 188, title I, § 105, 64 Stat. 168; Pub. L. 91-611, title I, § 104, Dec. 31, 1970, 84 Stat. 1819.)

#### Editorial Notes

##### CODIFICATION

“Chapter 51 and subchapter III of chapter 53 of title 5” substituted in text for “the Classification Act as amended” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

##### AMENDMENTS

1970—Pub. L. 91-611 substituted provision that compensation “may be paid at rates not to exceed the daily equivalent of the rate for GS-18 for each day of their services” for “shall not be paid in excess of \$100 per day for their services”.

1950—Act May 17, 1950, amended section generally, providing for employment of experts and consultants