

SUBCHAPTER II—PAY AND ALLOWANCES;
TRAVELING EXPENSES AND SUBSISTENCE

§ 581. Hiring special means of transportation

In their execution and inspection of river and harbor improvement work, at points beyond easy reach of ordinary regular transportation lines, Engineer officers are authorized to hire and use such transportation as they may consider desirable and advantageous to the progress of work.

(July 25, 1912, ch. 253, § 9, 37 Stat. 233.)

Editorial Notes

CODIFICATION

Section is from act July 25, 1912, popularly known as the "Rivers and Harbors Appropriation Act of 1912".

§ 582. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 644

Section, act July 18, 1918, ch. 155, § 9, 40 Stat. 912, related to subsistence allowance to persons engaged in field work.

§ 583. Payment of allowances, etc., incident to change of station of Engineer officers from appropriation for improvements

When in the opinion of the Secretary of the Army the changes of a station of an officer of the Corps of Engineers is primarily in the interest of river and harbor improvement, the mileage and other allowances to which he may be entitled incident to such change of station may be paid from appropriations for such improvements.

(Mar. 3, 1925, ch. 467, § 5, 43 Stat. 1191; 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 Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641.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.

§ 583a. Payment of pay and allowances of officers of Corps of Engineers from appropriation for improvements

(a) In general

The personnel described in subsection (b) who are employed primarily on duty connected with non-military public works prosecuted under the direction of the Chief of Engineers, including river and harbor improvements, flood control, and other such works, shall, while so employed, be paid their pay and allowances from the appropriation for the works upon which they are employed.

(b) Personnel described

The personnel referred to in subsection (a) are the following:

- (1) Regular officers of the Corps of Engineers of the Army.

(2) The following members of the Army who are assigned to the Corps of Engineers:

(A) Reserve component officers.

(B) Warrant officers (whether regular or reserve component).

(C) Enlisted members (whether regular or reserve component).

(Aug. 10, 1956, ch. 1041, § 36, 70A Stat. 634; Pub. L. 117-263, div. H, title LXXXI, § 8125, Dec. 23, 2022, 136 Stat. 3715.)

Editorial Notes

CODIFICATION

Section is derived from the third proviso of Act June 26, 1936, ch. 839, 49 Stat. 1974, which was classified to section 181a of Title 10 prior to the general revision and enactment of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 1.

AMENDMENTS

2022—Pub. L. 117-263 designated existing provisions as subsec. (a), inserted heading, substituted "The personnel described in subsection (b)" for "Regular officers of the Corps of Engineers of the Army, and reserve officers of the Army who are assigned to the Corps of Engineers," and added subsec. (b).

§§ 584, 584a. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 647, 648

Section 584, act Jan. 21, 1927, ch. 47, § 5(d), 44 Stat. 1021, related to expenses incident to transportation of household effects of civilian employees.

Section 584a, act July 3, 1930, ch. 847, § 6, 46 Stat. 948, related to travel expenses of civilian employees on river and harbor works.

§ 585. Reserve component training at water resources development projects

(a) In general

In carrying out military training activities or otherwise fulfilling military training requirements, units or members of a reserve component of the Armed Forces may perform services and furnish supplies in support of a water resources development project or program of the Corps of Engineers without reimbursement.

(b) Exception

This section shall not apply to any member of a reserve component of the Armed Forces who is employed by the Corps of Engineers on a full-time basis.

(Pub. L. 117-263, div. H, title LXXXI, § 8124, Dec. 23, 2022, 136 Stat. 3715.)

SUBCHAPTER III—ACQUISITION OF LAND
AND MATERIALS

§ 591. Condemnation, purchase, and donation of land and materials

The Secretary of the Army may cause proceedings to be instituted, in the name of the United States, in any court having jurisdiction of such proceedings, for the acquirement by condemnation of any land, right-of-way, or material needed to enable him to maintain, operate, or prosecute works for the improvement of rivers and harbors for which provision has been made by law; such proceedings to be prosecuted in accordance with the laws relating to suits for the

condemnation of property of the States wherein the proceedings may be instituted: *Provided, however,* That when the owner of such land, right-of-way, or material shall fix a price for the same, which in the opinion of the Secretary of the Army, shall be reasonable, he may purchase the same at such price without further delay: And provided further, That the Secretary of the Army is authorized to accept donations of lands or materials required for the maintenance or prosecution of such works.

(Apr. 24, 1888, ch. 194, 25 Stat. 94; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

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§ 592. Condemnation of land in aid of person, company, corporation, municipal or private

Whenever any person, company, or corporation, municipal or private, shall undertake to secure any land or easement therein needed in connection with a work of river and harbor improvement duly authorized by Congress, for the purpose of conveying the same to the United States free of cost, or for the purpose of constructing, maintaining, and operating locks, dry docks, or other works to be conveyed to the United States free of cost, and of constructing, maintaining and operating dams for use in connection therewith, and shall be unable for any reason to obtain the same by purchase and acquire a valid title thereto, the Secretary of the Army may, in his discretion, cause proceedings to be instituted in the name of the United States for the acquirement by condemnation of said land or easement, and it shall be the duty of the Attorney General of the United States to institute and conduct such proceedings upon the request of the Secretary of the Army: *Provided,* That all expenses of said proceedings and any award that may be made thereunder shall be paid by the said person, company, or corporation, to secure which payment the Secretary of the Army may require the said person, company, or corporation to execute a proper bond in such amount as he may deem necessary before said proceedings are commenced.

(May 16, 1906, ch. 2465, 34 Stat. 196; June 29, 1906, ch. 3628, 34 Stat. 632; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

Editorial Notes

CODIFICATION

Act May 16, 1906, as originally enacted, provided that: "Whenever any person, company, or corporation, municipal or private, shall undertake to secure, for the purpose of conveying the same to the United States free of cost, any land or easement therein, needed in connection with a work of river and harbor improve-

ment duly authorized by Congress, and shall be unable for any reason to obtain a valid title thereto, the Secretary of War may, in his discretion, cause proceedings to be instituted in the name of the United States for the acquirement by condemnation of said land or easement, and it shall be the duty of the Attorney General of the United States to institute and conduct such proceedings upon the request of the Secretary of War: *Provided,* That all the expenses of said proceedings and any award that may be made thereunder shall be paid by the said person, company, or corporation, to secure which payment the Secretary of War may require the said person, company, or corporation to execute a proper bond in such amount as he may deem necessary before said proceedings are commenced."

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

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§ 593. Condemnation of land in aid of State or State agency

Whenever any State, or any reclamation, flood control or drainage district, or other public agency created by any State, shall undertake to secure any land or easement therein, needed in connection with a work of river and harbor improvement duly authorized by Congress, for the purpose of conveying the same to the United States free of cost, and shall be unable for any reason to obtain the same by purchase and acquire a valid title thereto, the Secretary of the Army may, in his discretion, cause proceedings to be instituted in the name of the United States for the acquirement by condemnation of said land or easement, and it shall be the duty of the Attorney General of the United States to institute and conduct such proceedings upon the request of the Secretary of the Army: *Provided,* That all expenses of said proceedings and any award that may be made thereunder shall be paid by such State, or reclamation, flood control or drainage district, or other public agency as aforesaid, to secure which payment the Secretary of the Army may require such State, or reclamation, flood control or drainage district, or other public agency as aforesaid, to execute a proper bond in such amount as he may deem necessary before said proceedings are commenced.

(Aug. 8, 1917, ch. 49, §9, 40 Stat. 267; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

Editorial Notes

CODIFICATION

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

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