

Editorial Notes

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-676 substituted “have the power to recover benefits through any cost-recovery approach that is consistent with State law and satisfies the applicable cost-recovery requirement under subsection (b)” for “include the power to collect a portion of the transfer price from any transaction involving the sale, transfer, or change in beneficial ownership of lands and improvements within the district boundaries”.

§ 2292. Surveying and mapping

Any surveying or mapping services to be performed in connection with a water resources project which is or has been authorized to be undertaken by the Secretary shall be procured in accordance with title IX of the Federal Property and Administrative Services Act of 1949.¹

(Pub. L. 99-662, title IX, § 918, Nov. 17, 1986, 100 Stat. 4192.)

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REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377. Title IX of the Act, which was classified generally to subchapter VI (§ 541 et seq.) of chapter 10 of former Title 40, Public Buildings, Property, and Works, was repealed and reenacted by Pub. L. 107-217, §§ 1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304, as chapter 11 (§ 1101 et seq.) of Title 40, Public Buildings, Property, and Works. For disposition of sections of former Title 40 to revised Title 40, see Table preceding section 101 of Title 40. For complete classification of this Act to the Code, see Tables.

Statutory Notes and Related Subsidiaries

GEOMATIC DATA

Pub. L. 115-270, title I, § 1118, Oct. 23, 2018, 132 Stat. 3776, provided that:

“(a) IN GENERAL.—The Secretary [of the Army] shall develop guidance for the acceptance and use of information obtained from a non-Federal interest through geomatic techniques, including remote sensing and land surveying, cartography, geographic information systems, global navigation satellite systems, photogrammetry, or other remote means, in carrying out any authority of the Secretary.

“(b) CONSIDERATIONS.—In carrying out this section, the Secretary shall ensure that use of information described in subsection (a) meets the data quality and operational requirements of the Secretary.

“(c) SAVINGS CLAUSE.—Nothing in this section—

“(1) requires the Secretary to accept information that the Secretary determines does not meet the guidance developed under this section; or

“(2) changes the current statutory or regulatory requirements of the Corps of Engineers.”

§ 2292a. National coastal mapping program**(a) In general**

The Secretary is authorized to carry out a national coastal mapping program to provide recurring national coastal mapping along the coasts of the United States to support Corps of Engineers navigation, flood risk management, environmental restoration, and emergency operations missions.

¹ See References in Text note below.

(b) Scope

In carrying out the program under subsection (a), the Secretary—

(1) shall disseminate coastal mapping data and new or advanced geospatial information and remote sensing tools for coastal mapping derived from the analysis of such data to the Corps of Engineers, other Federal agencies, States, and other stakeholders;

(2) shall implement coastal surveying based on findings of the national coastal mapping study carried out under section 8110 of the Water Resources Development Act of 2022 (136 Stat. 3702);

(3) shall conduct research and development on bathymetric LiDAR and ancillary technologies necessary to advance coastal mapping capabilities in order to exploit data with increased efficiency and greater accuracy;

(4) with respect to any region affected by a hurricane rated category 3 or higher, shall—

(A) conduct coastal mapping of such region;

(B) determine volume changes at Federal projects in such region;

(C) quantify damage to navigation infrastructure in such region;

(D) assess environmental impacts to such region, measure any coastal impacts; and

(E) make any data gathered under this paragraph publicly available not later than 2 weeks after the acquisition of such data;

(5) at the request of another Federal entity or a State or local government entity, may provide subject matter expertise, mapping services, and technology evolution assistance;

(6) may enter into an agreement with another Federal agency or a State agency to accept funds from such agency to expand the coverage of the program to efficiently meet the needs of such agency;

(7) shall coordinate with representatives of the Naval Meteorology and Oceanography Command, the National Oceanic and Atmospheric Administration, United States Geological Survey, and any other representative of a Federal agency that the Secretary determines necessary, to support any relevant Federal, State, or local agency through participation in working groups, committees, and organizations;

(8) may maintain the panel of senior leaders established under section 8110(e) of the Water Resources Development Act of 2022; and

(9) may convene an annual coastal mapping community of practice meeting to discuss and identify technical topics and challenges to inform such panel in carrying out the duties of such panel.

(c) Authorization of appropriations

There is authorized to be appropriated to carry out this section for each fiscal year \$15,000,000, to remain available until expended.

(Pub. L. 118-272, div. A, title I, § 1123, Jan. 4, 2025, 138 Stat. 3015.)

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REFERENCES IN TEXT

Section 8110 of the Water Resources Development Act of 2022, referred to in subsec. (b)(2), (8), is section 8110

of title LXXXI of div. H of Pub. L. 117-263, Dec. 23, 2022, 136 Stat. 3702, which is not classified to the Code.

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2024, and also as part of the Thomas R. Carper Water Resources Development Act of 2024, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

Statutory Notes and Related Subsidiaries

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 1002 of div. A of Pub. L. 118-272, set out as a note under section 2201 of this title.

§ 2293. Reprogramming during national emergencies

(a) Termination or deferment of civil works projects; application of resources to national defense projects

In the event of a declaration of war or a declaration by the President of a national emergency in accordance with the National Emergencies Act [50 U.S.C. 1601 et seq.] that requires or may require use of the Armed Forces, the Secretary, without regard to any other provision of law, may (1) terminate or defer the construction, operation, maintenance, or repair of any Department of the Army civil works project that he deems not essential to the national defense, and (2) apply the resources of the Department of the Army’s civil works program, including funds, personnel, and equipment, to construct or assist in the construction, operation, maintenance, and repair of authorized civil works, military construction, and civil defense projects that are essential to the national defense.

(b) Termination of state of war or national emergency

The Secretary shall immediately notify the appropriate committees of Congress of any actions taken pursuant to the authorities provided by this section, and cease to exercise such authorities not later than 180 calendar days after the termination of the state of war or national emergency, whichever occurs later.

(Pub. L. 99-662, title IX, §923, Nov. 17, 1986, 100 Stat. 4194.)

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REFERENCES IN TEXT

The National Emergencies Act, referred to in subsec. (a), is Pub. L. 94-412, Sept. 14, 1976, 90 Stat. 1255, which is classified principally to chapter 34 (§1601 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 50 and Tables.

§ 2293a. Reprogramming of funds for projects by Corps of Engineers

None of the funds made available before, on, or after June 15, 2006, in an appropriations Act may be expended to prevent or limit any reprogramming of funds for a project to be carried out by the Corps of Engineers using funds appropriated in any Act making appropriations for energy and water development, based on whether the

project was included by the President in the budget transmitted under section 1105(a) of title 31 or is otherwise proposed by the President or considered part of the budget by the Office of Management and Budget, if the project received funds in an Act making appropriations for energy and water development or any other appropriations Act making additional funds available for energy and water development.

(Pub. L. 109-234, title II, §2307, June 15, 2006, 120 Stat. 457.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

§ 2294. Office of Environmental Policy

The Secretary shall establish in the Directorate of Civil Works of the Office of the Chief of Engineers an Office of Environmental Policy. Such Office shall be responsible for the formulation, coordination, and implementation of all matters concerning environmental quality and policy as they relate to the water resources program of the United States Army Corps of Engineers. Such Office shall, among other things, develop, and monitor compliance with, guidelines for the consideration of environmental quality in formulation and planning of water resources projects carried out by the Secretary, the preparation and coordination of environmental impact statements for such projects, and the coordination with Federal, State, and local agencies of environmental aspects of such projects and regulatory responsibilities of the Secretary.

(Pub. L. 99-662, title IX, §924, Nov. 17, 1986, 100 Stat. 4194.)

§ 2295. Compilation of laws; annual reports

(a) Federal laws relating to improvements of rivers and harbors, flood control, beach erosion, and other water resources development

Within one year after November 17, 1986, the laws of the United States relating to the improvement of rivers and harbors, flood control, beach erosion, and other water resources development enacted after November 8, 1966, and before January 1, 1987, shall be compiled under the direction of the Secretary and the Chief of Engineers and printed for the use of the Department of the Army, the Congress, and the general public. The Secretary shall reprint the volumes containing such laws enacted before November 8, 1966. In addition, the Secretary shall include an index in each volume so compiled or reprinted. The Secretary shall transmit copies of each such volume to Congress.

(b) Annual report

The Secretary shall prepare and submit the annual report required by section 556 of this title, in two volumes. Volume I shall consist of a summary and highlights of Corps of Engineers’ activities, authorities, and accomplishments. Volume II shall consist of detailed information