

**(5) Deadline**

The Secretary shall complete an evaluation under this subsection by the date that is not later than 1 year after the date on which the Secretary begins the evaluation.

**(6) Report**

On completion of an evaluation under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effects of the operational changes proposed by the non-Federal interest and examined in the evaluation on the authorized purposes of the project, including a description of any negative impacts of the proposed operational changes on the authorized purposes of the project, or on any Federal project located in the same basin.

**(7) Savings provision**

Nothing in this subsection—

(A) affects the authorized purposes of a Corps of Engineers water resources development project;

(B) affects existing authorities of the Corps of Engineers, including authorities with respect to navigation, flood damage reduction, environmental protection and restoration, water supply and conservation, and other related purposes; or

(C) authorizes the Secretary to make any operational changes to a Corps of Engineers water resources development project.

(Pub. L. 113–121, title I, §1008, June 10, 2014, 128 Stat. 1215; Pub. L. 116–260, div. AA, title I, §146, Dec. 27, 2020, 134 Stat. 2655; Pub. L. 117–263, div. H, title LXXXI, §8123, Dec. 23, 2022, 136 Stat. 3714.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of the Water Resources Reform and Development Act of 2014, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

## AMENDMENTS

2022—Subsec. (b). Pub. L. 117–263, §8123(3), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (b)(1). Pub. L. 117–263, §8123(1), inserted “and to meet the requirements of subsection (b)” after “projects”.

Subsecs. (c), (d). Pub. L. 117–263, §8123(2), redesignated subsecs. (b) and (c) as (c) and (d), respectively.

2020—Subsecs. (a), (b). Pub. L. 116–260, §146(1), substituted “water resources development” for “civil works” wherever appearing.

Subsec. (c). Pub. L. 116–260, §146(2), added subsec. (c).

**Statutory Notes and Related Subsidiaries**

## “SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 113–121, set out as a note under section 2201 of this title.

**§ 2322. Single entities**

For purposes of Federal participation in water resource development projects which are to be carried out by the Secretary, benefits which are

to be provided to a facility owned by a State (including the District of Columbia and a territory or possession of the United States), county, municipality, or other public entity shall not be treated as benefits to be provided a single owner or single entity. The Secretary shall not treat such a facility as a single owner or single entity for any purpose.

(Pub. L. 101–640, title III, §317, Nov. 28, 1990, 104 Stat. 4641.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of the Water Resources Development Act of 1990, 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 2 of Pub. L. 101–640, set out as a note under section 2201 of this title.

**§ 2323. Technical assistance to private entities****(a) Use of Corps research and development labs**

The Secretary is authorized to use Corps of Engineers research and development laboratories to provide research and development assistance to corporations, partnerships, limited partnerships, consortia, public and private foundations, universities, and nonprofit organizations operating within the United States, territories or possessions of the United States, and the Commonwealths of Puerto Rico and the Northern Mariana Islands—

(1) if the entity furnishes in advance of fiscal obligation by the United States such funds as are necessary to cover any and all costs of such research and development assistance;

(2) if the Secretary determines that the research and development assistance to be provided is within the mission of the Corps of Engineers and is in the public interest;

(3) if the entity has certified to the Secretary that provision of such research and development assistance is not otherwise reasonably and expeditiously obtainable from the private sector; and

(4) if the entity has agreed to hold and save the United States free from any damages due to any such research and development assistance.

**(b) Contract**

The Secretary may provide research and development assistance under subsection (a), or any part thereof, by contract.

**(c) Omitted**

(Pub. L. 101–640, title III, §318, Nov. 28, 1990, 104 Stat. 4641.)

**Editorial Notes**

## CODIFICATION

Section is comprised of section 318 of Pub. L. 101–640. Subsec. (c) of section 318 of Pub. L. 101–640 amended section 2314a of this title.

Section was enacted as part of the Water Resources Development Act of 1990, and not as part of the Water