

§ 578a. Disposition studies**(a) In general**

In carrying out a disposition study for a project of the Corps of Engineers, including a disposition study under section 549a of this title or an assessment under section 6002 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1349), the Secretary shall consider the extent to which the property concerned has economic, cultural, historic, or recreational significance or impacts at the national, State, or local level.

(b) Completion of assessment and inventory

Not later than 1 year after December 16, 2016, the Secretary shall complete the assessment and inventory required under section 6002(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1349).

(Pub. L. 114-322, title I, § 1165, Dec. 16, 2016, 130 Stat. 1670.)

Editorial Notes

REFERENCES IN TEXT

Section 6002 of the Water Resources Reform and Development Act of 2014, referred to in text, is section 6002 of Pub. L. 113-121, title VI, June 10, 2014, 128 Stat. 1349, which is not classified to the Code.

Statutory Notes and Related Subsidiaries

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

§ 578b. Disposition of projects**(a) In general**

In carrying out a disposition study for a project of the Corps of Engineers, or a separable element of such a project, including a disposition study under section 549a of this title, the Secretary shall consider modifications that would improve the overall quality of the environment in the public interest, including removal of the project or separable element of a project.

(b) Disposition study transparency

The Secretary shall carry out disposition studies described in subsection (a) in a transparent manner, including by—

- (1) providing opportunities for public input; and
- (2) publishing the final disposition studies.

(c) Removal of infrastructure

For disposition studies described in subsection (a) in which the Secretary determines that a Federal interest no longer exists, and makes a recommendation of removal of the project or separable element of a project, the Secretary is authorized, using existing authorities, to pursue removal of the project or separable element of a project in partnership with other Federal agencies and non-Federal entities with appropriate capabilities to undertake infrastructure removal.

(Pub. L. 115-270, title I, § 1168, Oct. 23, 2018, 132 Stat. 3798.)

Statutory Notes and Related Subsidiaries

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 102 of Pub. L. 115-270, set out as a note under section 2201 of this title.

§ 579. Repealed. Pub. L. 101-640, title I, § 119(b), Nov. 28, 1990, 104 Stat. 4630

Section, Pub. L. 93-251, title I, § 12, Mar. 7, 1974, 88 Stat. 16; H. Res. 988, Oct. 8, 1974; Pub. L. 94-587, § 157(a), Oct. 22, 1976, 90 Stat. 2933; S. Res. 4, Feb. 4, 1977, provided for deauthorization of projects of improvement of rivers and harbors and other waterways for navigation, beach erosion, flood control, and other purposes which the Secretary of the Army determined should no longer be authorized.

§ 579a. Corps budgeting; project deauthorizations; comprehensive backlog report**(a) Funds to be obligated for construction to avoid deauthorization**

Any project authorized for construction by this Act shall not be authorized after the last day of the 5-year period beginning on November 17, 1986, unless during such period funds have been obligated for construction, including planning and designing, of such project.

(b) Transmission to Congress of list of unconstructed projects or separable elements authorized but not receiving obligations during 10 fiscal years preceding transmission; two-year updates of list

(1) Not later than one year after November 17, 1986, the Secretary shall transmit to Congress a list of unconstructed projects, or unconstructed separable elements of projects, which have been authorized, but have received no obligations during the 10 full fiscal years preceding the transmittal of such list. A project or separable element included in such list is not authorized after December 31, 1989, if funds have not been obligated for construction of such project or element after November 17, 1986, and before December 31, 1989.

(2) COMPREHENSIVE CONSTRUCTION BACKLOG AND OPERATION AND MAINTENANCE REPORT.—

(A) IN GENERAL.—The Secretary, once every 2 years, shall compile and publish—

(i) a complete list of all projects and separable elements of projects of the Corps of Engineers that are authorized for construction but have not been completed;

(ii) a complete list of all feasibility studies of the Corps of Engineers that Congress has authorized the Secretary to carry out for which a Report of the Chief of Engineers has not been issued;

(iii) a complete list of all environmental infrastructure projects authorized by Congress under section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835); and

(iv) a list of major Federal operation and maintenance needs of projects and properties under the control of the Corps of Engineers.

(B) REQUIRED INFORMATION.—The Secretary shall include on each list developed under