Secretary shall ensure, to the maximum extent practicable, that the use by a non-Federal interest of such authorities does not adversely affect—

(1) the process or timeline for development and implementation of other water resources development projects by other non-Federal entities that do not use such authorities; or

(2) the process for including such projects in the President's annual budget submission to Congress under section 1105(a) of title 31.

(Pub. L. 115–270, title I, § 1166(b), Oct. 23, 2018, 132 Stat. 3797.)

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.

§ 701h–3. State contribution of funds for certain operation and maintenance costs

In carrying out eligible operations and maintenance activities within the Great Lakes Navigation System pursuant to section 2238 of this title in a State that has implemented any additional State limitation on the disposal of dredged material in the open waters of such State, the Secretary may, pursuant to section 701h of this title, receive from such State, and expend, such funds as may be contributed by the State to cover the additional costs for operations and maintenance activities for a harbor or inland harbor within such State that result from such limitation.

(Pub. L. 116–260, div. AA, title I, § 107, Dec. 27, 2020, 134 Stat. 2623.)

Statutory Notes and Related Subsidiaries

''SECRETARY'' DEFINED

Secretary means the Secretary of the Army, see section 2 of div. AA of Pub. L. 116–260, set out as a note under section 2201 of this title.

§ 701h–4. Acceptance of funds for harbor dredging

The Secretary is authorized, in accordance with section 701h of this title, to accept and expend funds contributed by a State or other non-Federal interest—

(1) to dredge a non-Federal harbor or channel, or a marina or berthing area located adjacent to, or accessible by, such harbor or channel; or

(2) to provide technical assistance related to the planning and design of dredging activities described in paragraph (1).

(Pub. L. 116–260, div. AA, title I, § 144, Dec. 27, 2020, 134 Stat. 2653.)

Statutory Notes and Related Subsidiaries

''SECRETARY'' DEFINED

Secretary means the Secretary of the Army, see section 2 of div. AA of Pub. L. 116–260, set out as a note under section 2201 of this title.

§ 701i. Elimination from protection of areas subject to evacuation

In any case where the construction cost of levees or flood walls included in any authorized project can be substantially reduced by the evacuation of a portion or all of the area proposed to be protected and by the elimination of that portion or all of the area from the protection to be afforded by the project, the Chief of Engineers may modify the plan of said project so as to eliminate said portion or all of the area: *Provided*, That a sum not substantially exceeding the amount thus saved in construction cost may be expended by the Chief of Engineers, or in his discretion may be transferred to any other appropriate Federal agency for expenditure, toward the evacuation of the locality eliminated from protection and the rehabilitation of the persons so evacuated: *And provided further*, That the Chief of Engineers may, if he so desires, enter into agreement with States, local agencies, or the individuals concerned for the accomplishment by them, of such evacuation and rehabilitation and for their reimbursement from said sum for expenditures actually incurred by them for this purpose.

(June 28, 1938, ch. 795, § 3, 52 Stat. 1216.)

§ 701j. Installation in dams of facilities for future development of hydroelectric power

Penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of the Army upon the recommendation of the Chief of Engineers and of the Secretary of Energy.

(June 28, 1938, ch. 795, § 4, 52 Stat. 1216; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501; Pub. L. 95–91, title III, § 301(b), Aug. 4, 1977, 91 Stat. 578.)

Editorial Notes

REFERENCES IN TEXT

Herein, referred to in text, means act June 28, 1938, ch. 795, 52 Stat. 1215, popularly known as the Flood Control Act of June 28, 1938, which to the extent classified to the Code enacted sections 701b, 701b–1, 701b–2, 701c–1, 701f–1, 701i, 701j, 702a–1½, 702a–11, and 706 of this title. For complete classification of this Act to the Code, see Tables.

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.

TRANSFER OF FUNCTIONS

''Secretary of Energy'' substituted in text for ''Federal Power Commission'' on authority of Pub. L. 95–91, title III, § 301(b), which is classified to section 7151(b) of Title 42, The Public Health and Welfare.

SIMILAR PROVISIONS

Similar provisions with reference to dams authorized in such acts were contained in acts Aug. 18, 1941, ch.