

and private persons for the purpose of recovering the cost of providing services pursuant to this section. Funds collected pursuant to this section shall be deposited into the account of the Treasury of the United States entitled “Contributions and Advances, Rivers and Harbor, Corps of Engineers (8862)” and shall be available until expended to carry out this section. No fees shall be collected from State, regional, or local governments or other non-Federal public agencies for services provided pursuant to this section, but the Secretary of the Army may accept funds voluntarily contributed by such entities for the purpose of expanding the scope of the services requested by the entities.

(d) Institutions of higher education

Notwithstanding section 4141 of title 10, in carrying out this section, the Secretary may work with an institution of higher education, as determined appropriate by the Secretary.

(e) Fiscal year limitation on expenditures

The Secretary of the Army is authorized to expend not to exceed \$50,000,000 per fiscal year for the compilation and dissemination of information under this section.

(Pub. L. 86-645, title II, §206, July 14, 1960, 74 Stat. 500; Pub. L. 89-298, title II, §220, Oct. 27, 1965, 79 Stat. 1089; Pub. L. 89-789, title II, §206, Nov. 7, 1966, 80 Stat. 1422; Pub. L. 91-611, title II, §225, Dec. 31, 1970, 84 Stat. 1832; Pub. L. 93-251, title I, §64, Mar. 7, 1974, 88 Stat. 30; Pub. L. 101-640, title III, §321, Nov. 28, 1990, 104 Stat. 4643; Pub. L. 106-53, title II, §§202, 216, Aug. 17, 1999, 113 Stat. 285, 293; Pub. L. 109-295, title VI, §612(c), Oct. 4, 2006, 120 Stat. 1410; Pub. L. 113-121, title I, §1030(h), June 10, 2014, 128 Stat. 1232; Pub. L. 116-260, div. AA, title I, §111(a), Dec. 27, 2020, 134 Stat. 2625; Pub. L. 117-263, div. H, title LXXXI, §8104, Dec. 23, 2022, 136 Stat. 3698.)

Editorial Notes

AMENDMENTS

2022—Pub. L. 117-263, §8104(1), inserted section catchline.

Subsec. (a). Pub. L. 117-263, §8104(1), inserted heading.
 Subsec. (a)(1). Pub. L. 117-263, §8104(1), (2)(B), designated first sentence of subsec. (a) as par. (1), inserted heading, and inserted “identification of areas subject to floods due to accumulated snags and other debris,” after “inundation by floods of various magnitudes and frequencies.”

Subsec. (a)(2). Pub. L. 117-263, §8104(2)(A), designated second sentence of subsec. (a) as par. (2) and inserted heading.

Subsec. (a)(3). Pub. L. 117-263, §8104(2)(C), added par. (3).

Subsecs. (d), (e). Pub. L. 117-263, §8104(3), (4), added subsec. (d) and redesignated former subsec. (d) as (e).

2020—Subsec. (a). Pub. L. 116-260 inserted “, to avoid repetitive flooding impacts, to anticipate, prepare, and adapt to changing climatic conditions and extreme weather events, and to withstand, respond to, and recover rapidly from disruption due to the flood hazards” after “in planning to ameliorate the flood hazard”.

2014—Subsec. (d). Pub. L. 113-121 substituted “\$50,000,000” for “\$15,000,000”.

1999—Subsec. (b). Pub. L. 106-53, §216, added subsec. (b). Former subsec. (b) redesignated (c).

Pub. L. 106-53, §202, inserted before period at end of third sentence “, but the Secretary of the Army may accept funds voluntarily contributed by such entities

for the purpose of expanding the scope of the services requested by the entities”.

Subsecs. (c), (d). Pub. L. 106-53, §216(1), redesignated subsecs. (b) and (c) as (c) and (d), respectively.

1990—Pub. L. 101-640 added subsec. (b) and redesignated former subsec. (b) as (c).

1974—Subsec. (b). Pub. L. 93-251 substituted “\$15,000,000” for “\$11,000,000”.

1970—Subsec. (b). Pub. L. 91-611 substituted “\$11,000,000” for “\$7,000,000”.

1966—Subsec. (a). Pub. L. 89-789, in amending subsec. (a) generally, substituted “political subdivisions thereof” for “municipalities” and “advice” for “engineering advice”, inserted provision “to assure that Federal departments and agencies may take proper cognizance of flood hazards”, provided for guidance of Federal and non-Federal interests and agencies and advice to other Federal agencies, and for surveys and guides upon request of a State or political subdivision in lieu of surveys and studies for specific localities upon request of a State or responsible local governmental agency.

Subsec. (b). Pub. L. 89-789 substituted “expend not to exceed \$7,000,000 per fiscal year for the compilation and dissemination of information under this section” for “allot, from any appropriations hereafter made for flood control, sums not to exceed \$2,500,000 in any one fiscal year for the compilation and dissemination of such information”.

1965—Subsec. (b). Pub. L. 89-298 substituted “\$2,500,000” for “\$1,000,000”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Administrator of the Federal Emergency Management Agency” substituted for “Director of the Federal Emergency Management Agency” in subsec. (b) on authority of section 612(c) of Pub. L. 109-295, set out as a note under section 313 of Title 6, Domestic Security. Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109-295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109-295, set out as a note under section 313 of Title 6.

WATERSHED PLANNING AND TECHNICAL ASSISTANCE

Pub. L. 117-263, div. H, title LXXXI, §8119(b), Dec. 23, 2022, 136 Stat. 3711, provided that: “In providing assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16) or pursuant to section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a), the Secretary [of the Army] shall, upon request, provide such assistance at a watershed scale.”

PRIORITIZING FLOOD RISK RESILIENCY TECHNICAL ASSISTANCE

Pub. L. 116-260, div. AA, title I, §111(b), Dec. 27, 2020, 134 Stat. 2625, provided that: “In carrying out section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a), the Secretary [of the Army] shall prioritize the provision of technical assistance to support flood risk resiliency planning efforts of economically disadvantaged communities or communities subject to repetitive flooding.”

[For definition of “economically disadvantaged community” as used in section 111(b) of div. AA of Pub. L. 116-260, set out above, see section 160 of div. AA of Pub. L. 116-260, set out as a note under section 2201 of this title.]

§ 709b. Flood hazard information

The Secretary, the Administrator of the Federal Emergency Management Agency, and the Administrator of the Soil Conservation Service shall take necessary actions, including the posting and distribution of information and the

preparation and distribution of educational materials and programs, to ensure that information relating to flood hazard areas is generally available to the public.

(Pub. L. 99-662, title IX, § 944, Nov. 17, 1986, 100 Stat. 4200; Pub. L. 109-295, title VI, § 612(c), Oct. 4, 2006, 120 Stat. 1410.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Administrator of the Federal Emergency Management Agency” substituted for “Director of the Federal Emergency Management Agency” in text on authority of section 612(c) of Pub. L. 109-295, set out as a note under section 313 of Title 6, Domestic Security. Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109-295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109-295, set out as a note under section 313 of Title 6.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2201 of this title.

§ 709c. Emergency communication of risk

(a) Definitions

In this section:

(1) Affected government

The term “affected government” means a State, local, or tribal government with jurisdiction over an area that will be affected by a flood.

(2) Annual operating plan

The term “annual operating plan” means a plan prepared by the Secretary that describes potential water condition scenarios for a river basin for a year.

(b) Communication

In any river basin where the Secretary carries out flood risk management activities subject to an annual operating plan, the Secretary shall establish procedures for providing the public and affected governments, including Indian tribes, in the river basin with—

- (1) timely information regarding expected water levels;
- (2) advice regarding appropriate preparedness actions;
- (3) technical assistance; and
- (4) any other information or assistance determined appropriate by the Secretary.

(c) Public availability of information

To the maximum extent practicable, the Secretary, in coordination with the Administrator of the Federal Emergency Management Agency, shall make the information required under subsection (b) available to the public through widely used and readily available means, including on the Internet.

(d) Procedures

The Secretary shall use the procedures established under subsection (b) only when precipitation or runoff exceeds those calculations considered as the lowest risk to life and property contemplated by the annual operating plan.

(Pub. L. 113-121, title III, § 3027, June 10, 2014, 128 Stat. 1305.)

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.

CHAPTER 16—LIGHTHOUSES

Sec.

711 to 734. Repealed or Transferred.

735. Marking pierheads in certain lakes.

736 to 776. Repealed or Transferred.

§§ 711 to 713. Repealed. Pub. L. 117-263, div. K, title CXVIII, § 11808(a)(2)–(4), Dec. 23, 2022, 136 Stat. 4165

Section 711, acts June 17, 1910, ch. 301, § 4, 36 Stat. 537; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; June 5, 1920, ch. 264, § 2, 41 Stat. 1059; July 3, 1930, ch. 850, 46 Stat. 1003; Aug. 16, 1937, ch. 665, § 4, 50 Stat. 667, related to establishment of Bureau of Lighthouses, personnel, salaries, and annual reports.

Act June 5, 1920, ch. 264, § 2, 41 Stat. 1059, formerly classified to section 711 of this title, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 644.

Section 712, acts July 27, 1912, ch. 255, § 2, 37 Stat. 239; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736, authorized designation of acting commissioner.

Section 713, acts June 17, 1910, ch. 301, § 10, 36 Stat. 538; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736, related to regulations for Lighthouse Service.

§§ 714, 715. Repealed. Pub. L. 117-263, div. K, title CXVIII, § 11808(a)(5), (6), Dec. 23, 2022, 136 Stat. 4165

Section 714, acts June 17, 1910, ch. 301, § 6, 36 Stat. 538; acts Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736, transferred duties of Lighthouse Board to Commissioner of Lighthouses.

Section 715, act June 17, 1910, ch. 301, § 5, 36 Stat. 537, related to transfer of employees.

Statutory Notes and Related Subsidiaries

OPERATION OF REPEALS

Pub. L. 117-263, div. K, title CXVIII, § 11808(b), Dec. 23, 2022, 136 Stat. 4166, provided that: “The repeals under paragraphs (5) and (6) of subsection (a) [repealing sections 714 and 715 of this title] shall not affect the operation of section 103 of title 14, United States Code.”

§ 716. Repealed. Aug. 4, 1949, ch. 393, § 20, 63 Stat. 561

Section, acts June 17, 1910, ch. 301, § 9, 36 Stat. 538; July 27, 1939, ch. 388, § 1, 53 Stat. 1130, related to employment of temporary draftsmen. See section 902 of Title 14, Coast Guard.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective first day of third month after approval by President [Aug. 4, 1949], see section 19 of act Aug. 4, 1949, set out as an Effective Date note preceding chapter 1 of Title 14, Coast Guard.

§ 717. Repealed. Pub. L. 116-283, div. G, title LVXXXV [LXXXVI], § 8512(a)(5), Jan. 1, 2021, 134 Stat. 4759

Section, act June 17, 1910, ch. 301, § 11, 36 Stat. 539, related to detail of Army engineers as construction aids.