

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
9304 .....	40:125 (words after semicolon).	May 21, 1932, ch. 200, §2 (words after semicolon), 47 Stat. 164.

**CHAPTER 95—WASHINGTON AQUEDUCT AND OTHER PUBLIC WORKS IN THE DISTRICT OF COLUMBIA**

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**§ 9501. Chief of Engineers**

(a) SUPERINTENDENCE DUTIES.—

(1) WASHINGTON AQUEDUCT AND OTHER PUBLIC WORKS AND IMPROVEMENTS IN THE DISTRICT OF COLUMBIA.—The Chief of Engineers has the immediate superintendence of—

(A) the Washington Aqueduct, together with all rights, appurtenances, and fixtures connected with the Aqueduct and belonging to the Federal Government; and

(B) all other public works and improvements in the District of Columbia in which the Government has an interest and which are not otherwise specially provided for by law.

(2) OBEYING REGULATIONS.—In carrying out paragraph (1), the Chief of Engineers shall obey regulations the President prescribes, through the Secretary of the Army.

(b) NO INCREASE IN COMPENSATION.—The Chief of Engineers shall not receive additional compensation for the services required under this chapter.

(c) OFFICE.—The Chief of Engineers shall be furnished an office in one of the public buildings in the District of Columbia, as the Administrator of General Services directs, and shall be supplied by the Federal Government with stationery, instruments, books, and furniture which may be required for the performance of the duties of the Chief of Engineers.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1233.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
9501(a)(1) ....	40:45.	R.S. §1800.
9501(a)(2) ....	40:48.	R.S. §1801.
9501(b) .....	40:46.	R.S. §1807.
9501(c) .....	40:47.	R.S. §1808.

In subsection (a)(2), the words “pursuant to law” are omitted as unnecessary. The words “Secretary of the Army” are substituted for “Department of War” [subsequently changed to “Department of the Army” because of section 205(a) of the National Security Act of 1947 (ch. 343, 61 Stat. 501)] because of 10:3013(a)(1).

In subsection (b), the word “additional” is substituted for “other than his regular pay as an officer of the Corps of Engineers” to eliminate unnecessary words. The words “of him” are omitted as unnecessary. The words “this chapter” are substituted for “title 21 of the Revised Statutes” because the only provisions of

title 21 related to the Chief of Engineers that have not been repealed are contained in the revised chapter.

In subsection (c), the words “an office” are substituted for “official apartments” for clarity. The words “District of Columbia” are substituted for “city of Washington” for consistency in the revised title and with other titles of the United States Code. The words “Administrator of General Services” are substituted for “President” [subsequently changed to “Public Buildings Commission” because of section 10 of the Act of March 1, 1919 (ch. 86, 40 Stat. 1269), “National Park Service” because of section 2 of Executive Order No. 6166 (eff. June 10, 1933) and the Act of March 2, 1934 (ch. 38, 48 Stat. 389), and “Public Buildings Administrator in the Federal Works Agency” because of sections 301 and 303 of Reorganization Plan No. I of 1939 (eff. July 1, 1939, 53 Stat. 1426, 1427)] because of section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title.

**Statutory Notes and Related Subsidiaries**

WASHINGTON AQUEDUCT

Pub. L. 117–263, div. H, title LXXXI, §8146, Dec. 23, 2022, 136 Stat. 3729, as amended by Pub. L. 118–272, div. A, title III, §1350, Jan. 4, 2025, 138 Stat. 3159, provided that:

“(a) CAPITAL IMPROVEMENT AUTHORITY.—The Secretary [of the Army] may carry out capital improvements for the Washington Aqueduct that the Secretary determines necessary for the safe, effective, and efficient operation of the Aqueduct.

“(b) BORROWING AUTHORITY.—

“(1) IN GENERAL.—Subject to paragraphs (2) through (4) and subsection (c), the Secretary is authorized to borrow from the Treasury of the United States such amounts as are sufficient to cover any obligations that will be incurred by the Secretary in carrying out capital improvements for the Washington Aqueduct under subsection (a).

“(2) LIMITATION.—The amount borrowed by the Secretary under paragraph (1) may not exceed \$40,000,000 in any fiscal year.

“(3) AGREEMENT.—Amounts borrowed under paragraph (1) may only be used to carry out capital improvements with respect to which the Secretary has entered into an agreement with each customer.

“(4) TERMS OF BORROWING.—

“(A) IN GENERAL.—Subject to subsection (c), the Secretary of the Treasury shall provide amounts borrowed under paragraph (1) under such terms and conditions as the Secretary of Treasury determines to be necessary and in the public interest.

“(B) TERM.—The term of any loan made under paragraph (1) shall be for a period of not less than 20 years.

“(C) PREPAYMENT.—There shall be no penalty for the prepayment of any amounts borrowed under paragraph (1).

“(c) CONTRACTS WITH CUSTOMERS.—

“(1) IN GENERAL.—The Secretary may not borrow any amounts under subsection (b) until such time as the Secretary has entered into a contract with each customer under which the customer commits to pay a pro rata share (based on water purchase) of the principal and interest owed to the Secretary of the Treasury under subsection (b).

“(2) PREPAYMENT.—Any customer may pay, in advance, the pro rata share of the principal and interest owed by the customer, or any portion thereof, without penalty.

“(3) RISK OF DEFAULT.—A customer that enters into a contract under this subsection shall, as a condition of the contract, commit to pay any additional amount necessary to fully offset the risk of default on the contract.

“(4) OBLIGATIONS.—Each contract entered into under paragraph (1) shall include such terms and con-

ditions as the Secretary of the Treasury may require so that the total value to the Government of all contracts entered into under paragraph (1) is estimated to be equal to the obligations of the Secretary for carrying out capital improvements for the Washington Aqueduct.

“(5) OTHER CONDITIONS.—Each contract entered into under paragraph (1) shall—

“(A) include other conditions consistent with this section that the Secretary and the Secretary of the Treasury determine to be appropriate; and

“(B) provide the United States priority in regard to income from fees assessed to operate and maintain the Washington Aqueduct.

“(d) CUSTOMER DEFINED.—In this section, the term ‘customer’ means—

“(1) the District of Columbia Water and Sewer Authority;

“(2) Arlington County, Virginia; and

“(3) the Fairfax County Water Authority, Virginia.”

§ 9502. Authority of Chief of Engineers

(a) IN GENERAL.—The Chief of Engineers and necessary assistants may use all lawful means to carry out their duties.

(b) SUPPLY OF WATER IN DISTRICT OF COLUMBIA.—

(1) PROVIDING WATER.—The Chief of Engineers has complete control over the Washington Aqueduct to regulate the manner in which the authorities of the District of Columbia may tap the supply of water to the inhabitants of the District of Columbia.

(2) STOPPAGE OF WATER FLOW.—The Chief of Engineers shall stop the authorities of the District of Columbia from tapping the supply of water when the supply is no more than adequate to the wants of the public buildings and grounds.

(3) APPEAL OF DECISION.—The decision of the Chief of Engineers on all questions concerning the supply of water under this subsection may be appealed only to the Secretary of the Army.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1234.)

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Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows include 9502(a), (b)(1), (2), 9502(b)(3) and their corresponding U.S. Code and Statutes at Large references.

In subsection (b)(3), the words ‘Secretary of the Army’ are substituted for ‘Department of War’ [subsequently changed to ‘Department of the Army’ because of section 205(a) of the National Security Act of 1947 (ch. 343, 61 Stat. 501)] because of 10:3013(a)(1).

§ 9503. Record of property

The Chief of Engineers shall keep in the office a complete record of all land and other property connected with or belonging to the Washington Aqueduct and other public works under the charge of the Chief of Engineers, together with accurate plans and surveys of the public grounds and reservations in the District of Columbia.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1234.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row includes 9503 and its corresponding U.S. Code and Statutes at Large references.

§ 9504. Reports

As superintendent of the Washington Aqueduct, the Chief of Engineers annually shall submit to the Secretary of the Army, within nine months after the end of the fiscal year, a report of the Chief of Engineers’ operations for that year and a report of the condition, progress, repairs, casualties, and expenditures of the Washington Aqueduct and other public works under the charge of the Chief of Engineers.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1234.)

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Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row includes 9504 and its corresponding U.S. Code and Statutes at Large references.

The provisions of section 1812 of the Revised Statutes [sic] which authorized the Chief of Engineers, as Superintendent of Public Buildings and Grounds, to report to the Secretary of War concerning the Chief of Engineers’ operations for the preceding year, including an account of the manner in which all appropriations for public buildings and grounds had been applied, are omitted because the Office of Public Buildings and Grounds under the Chief of Engineers was abolished and the functions of the Chief of Engineers and the Secretary of War with respect to the Superintendent of Public Buildings and Grounds were transferred to the Director of Public Buildings and Public Parks of the National Capital by section 3 of the Act of February 26, 1925 (ch. 339, 43 Stat. 983). Those functions subsequently were transferred to the National Park Service by section 2 of Executive Order No. 6166 (eff. June 10, 1933) and the Act of March 2, 1934 (ch. 38, 48 Stat. 389), the Public Buildings Administrator in the Federal Works Agency by sections 301 and 303 of Reorganization Plan No. 1 of 1939 (eff. July 1, 1939, 53 Stat. 1426, 1427), and the Administrator of General Services by section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title. The words ‘Secretary of the Army’ are substituted for ‘Department of War’ [subsequently changed to ‘Department of the Army’ because of section 205(a) of the National Security Act of 1947 (ch. 343, 61 Stat. 501)] because of 10:3013(a)(1).

§ 9505. Paying for main pipes

(a) FEDERAL GOVERNMENT.—The Federal Government shall only pay for the number of main pipes of the Washington Aqueduct needed to furnish public buildings, offices, and grounds with the necessary supply of water.

(b) DISTRICT OF COLUMBIA.—The District of Columbia shall pay the cost of any main pipe of the Washington Aqueduct which supplies water to the inhabitants of the District of Columbia, in the manner provided by law.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1234.)

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Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row includes 9505 and its corresponding U.S. Code and Statutes at Large references.

In subsection (b), the words ‘its inhabitants’ are substituted for ‘inhabitants of Washington and Georgetown’ in section 1805 of the Revised Statutes because of the Act of February 11, 1895 (ch. 79, 28 Stat. 650).