

§ 2220. Rivers and harbors and other waterways projects for benefit of navigation, flood control, hurricane protection, beach erosion control, and other purposes

(a) Congressional declaration of policy; purchase of indebtedness and loans to local interests to meet contribution requirements

In the prosecution of projects for rivers and harbors and other waterways for the benefit of navigation, the control of destructive flood waters, hurricane protection, beach erosion control, and for other purposes, authorized to be prosecuted under the direction of the Secretary of the Army under the supervision of the Chief of Engineers in accordance with plans adopted and authorized by the Congress, it is hereby declared to be the policy of the Congress, that whenever such projects are located wholly or partially within an area which is eligible for financial assistance under the Public Works and Economic Development Act of 1965 [42 U.S.C. 3121 et seq.], the Secretary of Commerce is authorized to purchase evidences of indebtedness and to make loans for a period not exceeding fifty years to enable responsible local interests to meet the requirements of local cooperation pertaining to contributions toward the cost of construction of such projects within such areas.

(b) Authorization of appropriations

There is hereby authorized to be appropriated to carry out this section, not to exceed \$10,000,000 per fiscal year for the fiscal year ending June 30, 1966, and for each fiscal year thereafter through and including the fiscal year ending June 30, 1970.

(Pub. L. 89-298, title II, §217, Oct. 27, 1965, 79 Stat. 1088.)

REFERENCES IN TEXT

The Public Works and Economic Development Act of 1965, referred to in subsec. (a), is Pub. L. 89-136, Aug. 26, 1965, 79 Stat. 552, as amended, which is classified generally to chapter 38 (§3121 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 3121 of Title 42 and Tables.

CODIFICATION

Section was formerly classified to section 3142a of Title 42, The Public Health and Welfare.

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

§ 2221. Cost limitations on projects

Beginning in fiscal year 2006 and thereafter, agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after November 19, 2005, pursuant to section 560 of this title; section 561 of this title; the Civil Functions Appropriations Act, 1936, Public Law 75-208¹; section 1962d-5a of title 42; sections 2214, 2231, and 2232 of this title; section 426i-1 of this title; section 701b-13 of this title; and any other specific project authority, shall be limited to total credits and reimbursements for all applica-

ble projects not to exceed \$100,000,000 in each fiscal year.

(Pub. L. 109-103, title I, §102, Nov. 19, 2005, 119 Stat. 2253.)

REFERENCES IN TEXT

The Civil Functions Appropriations Act, 1936, Public Law 75-208, referred to in text, may mean the War Department Civil Appropriation Act, 1938, act July 19, 1937, ch. 511, 50 Stat. 515, 518, which amended act June 22, 1936, ch. 688, §5, by adding the proviso classified to section 701h of this title.

CODIFICATION

Section was enacted as part of the Energy and Water Development Appropriations Act, 2006, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 108-447, div. C, title I, §101, Dec. 8, 2004, 118 Stat. 2941; Pub. L. 109-13, div. A, title VI, §6005, May 11, 2005, 119 Stat. 282.

Pub. L. 108-137, title I, §101, Dec. 1, 2003, 117 Stat. 1833.

Pub. L. 108-7, div. D, title I, §101, Feb. 20, 2003, 117 Stat. 138.

Pub. L. 107-66, title I, §103, Nov. 12, 2001, 115 Stat. 493.

Pub. L. 106-377, §1(a)(2) [title I, §102], Oct. 27, 2000, 114 Stat. 1441, 1441A-65.

Pub. L. 106-60, title I, §102, Sept. 29, 1999, 113 Stat. 487.

§ 2222. Use of other Federal funds

The non-Federal interest for a water resources study or project may use, and the Secretary shall accept, funds provided by a Federal agency under any other Federal program, to satisfy, in whole or in part, the non-Federal share of the cost of the study or project if the Federal agency that provides the funds determines that the funds are authorized to be used to carry out the study or project.

(Pub. L. 110-114, title II, §2007, Nov. 8, 2007, 121 Stat. 1073.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2007, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110-114, set out as a note under section 2201 of this title.

SUBCHAPTER II—HARBOR DEVELOPMENT

§ 2231. Studies of projects by non-Federal interests

(a) Submission to Secretary

A non-Federal interest may on its own undertake a feasibility study of a proposed harbor or inland harbor project and submit it to the Secretary. To assist non-Federal interests, the Secretary shall, as soon as practicable, promulgate guidelines for studies of harbors or inland harbors to provide sufficient information for the formulation of studies.

(b) Review by Secretary

The Secretary shall review each study submitted under subsection (a) of this section for the

¹ See References in Text note below.