

2007—Subsec. (b). Pub. L. 110-114 substituted “\$7,000,000” for “\$4,000,000”.

1986—Subsec. (a). Pub. L. 99-662 substituted “\$35,000,000” for “\$25,000,000”.

Subsec. (b). Pub. L. 99-662 substituted “\$4,000,000” for “\$2,000,000”.

1976—Subsec. (b). Pub. L. 94-587 substituted “\$2,000,000” for “\$1,000,000”.

1970—Subsec. (a). Pub. L. 91-611 substituted “\$25,000,000” for “\$10,000,000”.

Subsec. (b). Pub. L. 91-611 substituted “\$1,000,000” for “\$500,000”.

1965—Subsec. (a). Pub. L. 89-298, §310(a)(1), substituted “\$10,000,000” for “\$2,000,000”.

Subsec. (b). Pub. L. 89-298, §310(a)(2), substituted “\$500,000” for “\$200,000”.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-662 not applicable to any project under contract for construction on Nov. 17, 1986, see section 915(i) of Pub. L. 99-662, set out as a note under section 426g of this title.

EFFECTIVE DATE OF 1976 AMENDMENT

Pub. L. 94-587, §133(c), Oct. 22, 1976, 90 Stat. 2928, provided that: “The amendments made by this section [amending this section and section 701s of this title] shall not apply to any project under contract for construction on the date of enactment of the Water Resources Development Act of 1976 [Oct. 22, 1976].”

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-611 not applicable to any project under contract for construction on Dec. 31, 1970, see section 112(c) of Pub. L. 91-611, set out as a note under section 426g of this title.

§ 577a. Small-boat navigation projects; charter fishing craft

The Chief of Engineers, for the purpose of determining Federal and non-Federal cost sharing, relating to proposed construction of small-boat navigation projects, shall consider charter fishing craft as commercial vessels.

(Pub. L. 91-611, title I, §119, Dec. 31, 1970, 84 Stat. 1822.)

§ 577b. Cost of operation and maintenance of general navigation features of small boat harbor projects; applicable projects

The cost of operation and maintenance of the general navigation features of small boat harbor projects shall be borne by the United States. This section shall apply to any such project authorized (A) under section 201 of the Flood Control Act of 1965 [42 U.S.C. 1962d-5], (B) under section 107 of the River and Harbor Act of 1960 [33 U.S.C. 577], (C) between January 1, 1970, and December 31, 1970, under authority of this Act, and to projects heretofore authorized in accordance with the policy set forth in the preceding sentence and to such projects authorized in this Act or which are hereafter authorized.

(Pub. L. 91-611, title I, §103, Dec. 31, 1970, 84 Stat. 1819; Pub. L. 93-251, §6, Mar. 7, 1974, 88 Stat. 15.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 91-611, Dec. 31, 1970, 84 Stat. 1818, as amended. For complete classification of this Act to the Code, see Tables.

Hereafter, referred to in text, probably means after Dec. 31, 1970.

AMENDMENTS

1974—Pub. L. 93-251 amended section generally. Prior to amendment, section read as follows: “The costs of

operation and maintenance of the general navigation features of small boat harbor projects authorized between January 1, 1970, and December 31, 1970, under the authority of this Act, section 201 of the Flood Control Act of 1965 [42 U.S.C. 1962d-5], or section 107 of the River and Harbor Act of 1960 [33 U.S.C. 577], shall be borne by the United States.”

§ 578. Disposal of surplus property for development of public port or industrial facilities

(a) Conveyance by Secretary of the Army

Whenever the Secretary of the Army, upon the recommendation of the Chief of Engineers, determines that notwithstanding the provisions of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, with respect to disposal of surplus real property, (1) the development of public port or industrial facilities on land which is part of a water resource development project under his jurisdiction will be in the public interest; (2) that such development will not interfere with the operation and maintenance of the project; and (3) that disposition of the property for these purposes under this section will serve the objectives of the project within which the land is located, he may convey the land by quitclaim deed to a State, political subdivision thereof, port district, port authority, or other body created by the State or through a compact between two or more States for the purpose of developing or encouraging the development of such facilities. In any case, where two or more political subdivisions thereof, or bodies created by, a State or group of States, seek to obtain the same land, the Secretary of the Army shall give preference to that political subdivision or body whose intended use of land will, in his opinion, best promote the purposes for which the project involved was authorized.

(b) Purchase price; conditions, reservations or restrictions

Any conveyance authorized by this section shall be made at the fair market value of the land, as determined by the Secretary of the Army, upon condition that the property shall be used for one of the purposes stated in the subsection (a) of this section only, and subject to such other conditions, reservations or restrictions as the Secretary may determine to be necessary for the development, maintenance, or operation of the project or otherwise in the public interest.

(c) Notice of proposed conveyance

Prior to the conveyance of any land under the provisions of this section, the Secretary of the Army shall, in the manner he deems reasonable, give public notice of the proposed conveyance and afford an opportunity to interested eligible bodies in the general vicinity of the land to apply for its purchase.

(d) Delegation of authority

The Secretary of the Army may delegate any authority conferred upon him by this section to any officer or employee of the Department of the Army. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

(e) Deposit of proceeds

The proceeds from any conveyance made under the provisions of this section shall be covered into the Treasury as miscellaneous receipts.

(Pub. L. 86-645, title I, § 108, July 14, 1960, 74 Stat. 486.)

CODIFICATION

In subsec. (a), “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended” on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

§ 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. Project deauthorizations**(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) Notwithstanding section 3003 of Public Law 104-66 (31 U.S.C. 1113 note; 109 Stat. 734), every year after the transmittal of the list under paragraph (1), the Secretary shall transmit to Congress a list of projects or separable elements of projects which have been authorized, but have received no obligations during the 5 full fiscal years preceding the transmittal of such list. Upon submission of such list to Congress, the Secretary shall notify each Senator in whose State, and each Member of the House of Representatives in whose district, a project (including any part thereof) on such list would be located. A project or separable element included

in such list is not authorized after the date which is the last date of the fiscal year following the fiscal year in which the list is so transmitted if funds have not been obligated for the planning, design, or construction of such project or element during such period.

(3) **MINIMUM FUNDING LIST.**—At the end of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, and make available on a publicly accessible Internet site in a manner that is downloadable, searchable, and sortable, a list of—

(A) projects or separable elements of projects authorized for construction for which funding has been obligated during the current fiscal year or any of the 6 preceding fiscal years;

(B) the amount of funding obligated for each such project or separable element per fiscal year;

(C) the current phase of each such project or separable element of a project; and

(D) the amount required to complete the current phase of each such project or separable element.

(4) **COMPREHENSIVE BACKLOG REPORT.**—

(A) **IN GENERAL.**—The Secretary shall compile and publish 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.

(B) **REQUIRED INFORMATION.**—The Secretary shall include on the list developed under subparagraph (A) for each project and separable element on that list—

(i) the date of authorization of the project or separable element, including any subsequent modifications to the original authorization;

(ii) the original budget authority for the project or separable element;

(iii) a brief description of the project or separable element;

(iv) the estimated date of completion of the project or separable element;

(v) the estimated cost of completion of the project or separable element; and

(vi) any amounts appropriated for the project or separable element that remain unobligated.

(C) **PUBLICATION.**—

(i) **IN GENERAL.**—Not later than 1 year after June 10, 2014, the Secretary shall submit a copy of the list developed under subparagraph (A) to—

(I) the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(II) the Director of the Office of Management and Budget.

(ii) **PUBLIC AVAILABILITY.**—Beginning on the date the Secretary submits the report to Congress under clause (i), the Secretary shall make a copy of the list available on a publicly accessible Internet site in a manner that is downloadable, searchable, and sortable.