

flood hazard. Surveys and guides will be made for States and political subdivisions thereof only upon the request of a State or a political subdivision thereof, and upon approval by the Chief of Engineers, and such information and advice provided them only upon such request and approval.

(b) Flood prevention coordination

The Secretary shall coordinate with the Administrator of the Federal Emergency Management Agency and the heads of other Federal agencies to ensure that flood control projects and plans are complementary and integrated to the extent practicable and appropriate.

(c) Fees

The Secretary of the Army is authorized to establish and collect fees from Federal agencies 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) 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.)

AMENDMENTS

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”.

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.

§ 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.)

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