

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

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.)

“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 716. Omitted or Repealed.

717. Detail of Army engineers as construction aids.

717a to 724. Repealed or Omitted.

725. Prohibition against officers and employees being interested in contracts for materials, etc.

726. Repealed.

727. Lighthouse and other sites; necessity for cession by State of jurisdiction.

728. Sufficiency of cession by State; service of State process in lands ceded.

729, 730. Repealed.

730a. Sites for pierhead beacons.

731 to 734. Repealed or Transferred.

735. Marking pierheads in certain lakes.

736 to 742. Repealed or Omitted.

743. Lighthouse districts.

744, 745. Omitted or Repealed.

745a. Traveling expenses of new appointees to isolated posts outside United States.

746 to 747a. Repealed.

747b. Lighthouse keepers; traveling expenses incurred in obtaining medical attention.

748. Teachers for children of lighthouse keepers.

748a. Transportation expenses for school children.

749 to 754. Repealed or Omitted.

754a. Purchase of commissary and quartermaster supplies.

755 to 762. Repealed.

763. Retirement for age of officers and employees generally; retirement pay; waiver of retirement pay.

Sec.

763–1. Increase of retired pay.

763–2. Additional increase of retired pay.

763a. Repealed.

763a–1. Retirement, exceptions for age and period of service.

763a–2. Application to persons of Coast Guard.

763b to 764. Repealed or Omitted.

765. Retirement for disability.

766. Restoration to active duty after retirement for disability.

767 to 769. Repealed.

770. Regulations for expenditure of moneys accruing from commutation of rations and provisions.

771. Benefits for surviving spouses of Lighthouse Service employees; death of employee during retirement; amount of payment.

772. Death of employee due to non-service-connected causes after 15 years' service; amount of payment.

773. Application for benefits.

774. Rules and regulations.

775. Payments nonassignable and exempt from process.

776. Payment out of Civil Service Retirement and Disability Fund.

§§ 711 to 715. Omitted

CODIFICATION

Sections related to the establishment of the Bureau of Lighthouses in the Department of Commerce. The Bureau of Lighthouses and its functions were transferred to and consolidated with the Coast Guard in the Department of the Treasury to be administered as a part thereof by Reorg. Plan No. II of 1939, §2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432, set out in the Appendix to Title 5, Government Organization and Employees. Further provision to perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment, and enlistment in the Coast Guard, of certain officers and employees of the Lighthouse Service, was made by act Aug. 5, 1939, ch. 477, 53 Stat. 1216.

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.

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.

§ 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 653 of Title 14, Coast Guard.

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.