

partnerships, consortia, public and private foundations, universities, and nonprofit organizations operating within the United States, territories or possessions of the United States, and the Commonwealths of Puerto Rico and the Northern Mariana Islands—

(1) if the entity furnishes in advance of fiscal obligation by the United States such funds as are necessary to cover any and all costs of such research and development assistance;

(2) if the Secretary determines that the research and development assistance to be provided is within the mission of the Corps of Engineers and is in the public interest;

(3) if the entity has certified to the Secretary that provision of such research and development assistance is not otherwise reasonably and expeditiously obtainable from the private sector; and

(4) if the entity has agreed to hold and save the United States free from any damages due to any such research and development assistance.

**(b) Contract**

The Secretary may provide research and development assistance under subsection (a) of this section, or any part thereof, by contract.

**(c) Omitted**

(Pub. L. 101-640, title III, §318, Nov. 28, 1990, 104 Stat. 4641.)

CODIFICATION

Section is comprised of section 318 of Pub. L. 101-640. Subsec. (c) of section 318 of Pub. L. 101-640 amended section 2314a of this title.

Section was enacted as part of the Water Resources Development Act of 1990, 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. 101-640, set out as a note under section 2201 of this title.

**§ 2323a. Interagency and international support authority**

**(a) In general**

The Secretary may engage in activities (including contracting) in support of Federal departments or agencies, nongovernmental organizations, international organizations, or foreign governments to address problems of national significance to the United States.

**(b) Consultation**

The Secretary may engage in activities in support of international organizations or foreign governments only after consulting with the Department of State.

**(c) Use of Corps’ expertise**

The Secretary may use the technical and managerial expertise of the Corps of Engineers to address domestic and international problems related to water resources, infrastructure development, and environmental protection and restoration.

**(d) Funding**

**(1) In general**

There is authorized to be appropriated to carry out this section \$1,000,000 for fiscal year 2008 and each fiscal year thereafter.

**(2) Acceptance of funds**

The Secretary may accept and expend additional funds from Federal departments or agencies, nongovernmental organizations, international organizations, or foreign governments to carry out this section.

(Pub. L. 104-303, title II, §234, Oct. 12, 1996, 110 Stat. 3704; Pub. L. 106-541, title II, §207, Dec. 11, 2000, 114 Stat. 2590; Pub. L. 110-114, title II, §2030, Nov. 8, 2007, 121 Stat. 1081; Pub. L. 113-121, title I, §1029, June 10, 2014, 128 Stat. 1230.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 1996, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-121, §1029(1), substituted “Federal departments or agencies, nongovernmental organizations,” for “other Federal agencies.”

Subsec. (b). Pub. L. 113-121, §1029(2), inserted “or foreign governments” after “organizations”.

Subsec. (c). Pub. L. 113-121, §1029(3), inserted “and restoration” after “protection”.

Subsec. (d). Pub. L. 113-121, §1029(4), designated first and second sentences as pars. (1) and (2), respectively, inserted headings, and substituted “Federal departments or agencies, nongovernmental organizations,” for “other Federal agencies,” in par. (2).

2007—Subsec. (a). Pub. L. 110-114, §2030(1), added subsec. (a) and struck out heading and text of former subsec. (a). Text read as follows: “The Secretary may engage in activities in support of other Federal agencies or international organizations to address problems of national significance to the United States.”

Subsec. (b). Pub. L. 110-114, §2030(2), substituted “Department of State” for “Secretary of State”.

Subsec. (d). Pub. L. 110-114, §2030(3), substituted “\$1,000,000 for fiscal year 2008” for “\$250,000 for fiscal year 2001” and “, international organizations, or foreign governments” for “or international organizations”.

2000—Subsec. (d). Pub. L. 106-541 substituted “There is authorized to be appropriated to carry out this section \$250,000 for fiscal year 2001 and each fiscal year thereafter.” for “There is authorized to be appropriated \$1,000,000 to carry out this section.” and inserted “out” after “carry” in second sentence.

NATIONAL RECREATION RESERVATION SERVICE

Pub. L. 106-541, title II, §206, Dec. 11, 2000, 114 Stat. 2590, provided that: “Notwithstanding section 611 of the Treasury and General Government Appropriations Act, 1999 (112 Stat. 2681-515), the Secretary [of the Army] may—

“(1) participate in the National Recreation Reservation Service on an interagency basis; and

“(2) pay the Department of the Army’s share of the activities required to implement, operate, and maintain the Service.”

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 104-303, set out as a note under section 2201 of this title.

**§ 2324. Reduced pricing for certain water supply storage**

**(a) Provision of storage space**

If a low income community requests the Secretary to provide water supply storage space in a water resources development project operated by the Secretary and if the amount of space re-

quested is available or could be made available through reallocation of water supply storage space in the project or through modifications to operation of the project, the Secretary may provide such space to the community at a price determined under subsection (c) of this section.

**(b) Maximum amount of storage space**

The maximum amount of water supply storage space which may be provided to a community under this section may not exceed an amount of water supply storage space sufficient to yield 2,000,000 gallons of water per day.

**(c) Price**

The Secretary shall provide water supply storage space under this section at a price which is the greater of—

- (1) the updated construction cost of the project allocated to provide such amount of water supply storage space or \$100 per acre foot of storage space, whichever is less; and
- (2) the value of the benefits which are lost as a result of providing such water supply storage space.

**(d) Determinations**

For purposes of subsection (c) of this section, the determinations of updated construction costs and value of benefits lost shall be made by the Secretary on the basis of the most recent information available.

**(e) Inflation adjustment of dollar amount**

The \$100 amount set forth in subsection (c) of this section shall be adjusted annually by the Secretary for changes in the Consumer Price Index of All Urban Consumers published by the Bureau of Labor Statistics.

**(f) Non-Federal responsibilities**

Nothing in this section shall be construed as affecting the responsibility of non-Federal interests to provide operation and maintenance costs assigned to water supply storage provided under this section.

**(g) “Low income community” defined**

The term “low income community” means a community with a population of less than 20,000 which is located in a county with a per capita income less than the per capita income of two-thirds of the counties in the United States.

(Pub. L. 101-640, title III, §322, Nov. 28, 1990, 104 Stat. 4643.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 1990, 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. 101-640, set out as a note under section 2201 of this title.

**§ 2325. Voluntary contributions for environmental and recreation projects**

**(a) Acceptance**

In connection with carrying out a water resources project for environmental protection and restoration or a water resources project for

recreation, the Secretary is authorized to accept contributions of cash, funds, materials, and services from persons, including governmental entities but excluding the project sponsor.

**(b) Deposit**

Any cash or funds received by the Secretary under subsection (a) of this section shall be deposited into the account in the Treasury of the United States entitled “Contributions and Advances, Rivers and Harbors, Corps of Engineers (8862)” and shall be available until expended to carry out water resources projects described in subsection (a) of this section.

(Pub. L. 102-580, title II, §203, Oct. 31, 1992, 106 Stat. 4826; Pub. L. 104-303, title II, §236(a), Oct. 12, 1996, 110 Stat. 3705.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 1992, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-303 substituted “(8862)” for “(8662)”.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 3 of Pub. L. 102-580, set out as a note under section 2201 of this title.

**§ 2325a. Authority to accept and use materials and services**

**(a) In general**

Subject to subsection (b), the Secretary is authorized to accept and use materials and services contributed by a non-Federal public entity, a nonprofit entity, or a private entity for the purpose of repairing, restoring, or replacing a water resources development project that has been damaged or destroyed as a result of an emergency if the Secretary determines that the acceptance and use of such materials and services is in the public interest.

**(b) Limitation**

Any entity that contributes materials or services under subsection (a) shall not be eligible for credit or reimbursement for the value of such materials or services.

**(c) Report**

Not later than 60 days after initiating an activity under this section, 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 a report that includes—

- (1) a description of the activities undertaken, including the costs associated with the activities; and
- (2) a comprehensive description of how the activities are necessary for maintaining a safe and reliable water resources project.

(Pub. L. 113-121, title I, §1024, June 10, 2014, 128 Stat. 1229.)

CODIFICATION

Section was enacted as part of the Water Resources Reform and Development Act of 2014, and not as part of