

Pub. L. 113–121, § 3001(e)(3)(A), redesignated subsec. (e) as (f). Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 113–121, § 3001(e)(3)(A), redesignated subsec. (f) as (g).

2006—Subsec. (a)(1). Pub. L. 109–460, § 1(d)(1), substituted “\$6,500,000 for fiscal year 2007, \$7,100,000 for fiscal year 2008, \$7,600,000 for fiscal year 2009, \$8,300,000 for fiscal year 2010, and \$9,200,000 for fiscal year 2011” for “\$6,000,000 for each of fiscal years 2003 through 2006”.

Subsec. (b). Pub. L. 109–460, § 1(d)(2), substituted “\$650,000 for fiscal year 2007, \$700,000 for fiscal year 2008, \$750,000 for fiscal year 2009, \$800,000 for fiscal year 2010, and \$850,000 for fiscal year 2011” for “\$500,000 for each fiscal year”.

Subsec. (c). Pub. L. 109–460, § 1(d)(3), substituted “\$1,600,000 for fiscal year 2007, \$1,700,000 for fiscal year 2008, \$1,800,000 for fiscal year 2009, \$1,900,000 for fiscal year 2010, and \$2,000,000 for fiscal year 2011” for “\$1,500,000 for each of fiscal years 2003 through 2006”.

Subsec. (d). Pub. L. 109–460, § 1(d)(4), substituted “\$550,000 for fiscal year 2007, \$600,000 for fiscal year 2008, \$650,000 for fiscal year 2009, \$700,000 for fiscal year 2010, and \$750,000 for fiscal year 2011” for “\$500,000 for each of fiscal years 2003 through 2006”.

Subsec. (e). Pub. L. 109–460, § 1(d)(5), substituted “\$700,000 for fiscal year 2007, \$800,000 for fiscal year 2008, \$900,000 for fiscal year 2009, \$1,000,000 for fiscal year 2010, and \$1,100,000 for fiscal year 2011” for “\$600,000 for each of fiscal years 2003 through 2006”.

2002—Subsec. (a)(1). Pub. L. 107–310, § 7(a)(2), substituted “\$6,000,000 for each of fiscal years 2003 through 2006, to remain available until expended” for “\$1,000,000 for fiscal year 1998, \$2,000,000 for fiscal year 1999, \$4,000,000 for fiscal year 2000, \$4,000,000 for fiscal year 2001, and \$4,000,000 for fiscal year 2002”.

Pub. L. 107–310, § 7(a)(1), made technical amendment to reference in original act which appears in text as reference to section 467h of this title.

Subsec. (a)(2)(A)(i), (ii). Pub. L. 107–310, § 7(b)(1), substituted “section 467f(e)” for “section 467f(f)”.

Subsec. (a)(2)(C). Pub. L. 107–310, § 7(b)(2), struck out “needing primary assistance and States needing advanced assistance under section 467f(f) of this title” before period at end.

Subsecs. (c) to (e). Pub. L. 107–310, § 7(c), added subsecs. (c) to (e) and struck out former subsecs. (c) to (e) which authorized appropriations for fiscal years 1998 through 2002 for dam safety training, research, and staff.

#### TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Administrator of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### §§ 467k to 467m. Repealed. Pub. L. 104–303, title II, § 215(c)(2), Oct. 12, 1996, 110 Stat. 3685

Section 467k, Pub. L. 92–367, § 12, as added Pub. L. 99–662, title XII, § 1201(b), Nov. 17, 1986, 100 Stat. 4262; amended Pub. L. 100–418, title V, § 5115(c), Aug. 23, 1988, 102 Stat. 1433; Pub. L. 102–580, title II, § 209(c), Oct. 31, 1992, 106 Stat. 4830, related to development of improved dam inspection techniques.

Section 467l, Pub. L. 92–367, § 13, as added Pub. L. 99–662, title XII, § 1201(b), Nov. 17, 1986, 100 Stat. 4262;

amended Pub. L. 102–580, title II, § 209(d), Oct. 31, 1992, 106 Stat. 4830, related to dam inventory updates.

Section 467m, Pub. L. 92–367, § 14, as added Pub. L. 99–662, title XII, § 1201(b), Nov. 17, 1986, 100 Stat. 4263, provided that inspection funds were not to be used for repair or construction of any dam.

#### § 467n. Recovery of dam modification costs required for safety purposes

(a) After November 17, 1986, costs incurred in the modification by the Secretary of dams and related facilities constructed or operated by the Secretary, the cause of which results from new hydrologic or seismic data or changes in state-of-the-art design or construction criteria deemed necessary for safety purposes, shall be recovered in accordance with the provisions in this subsection:

(1) Fifteen percent of the modification costs shall be assigned to project purposes in accordance with the cost allocation in effect for the project at the time the work is initiated. Non-Federal interests shall share the costs assigned to each purpose in accord with the cost sharing in effect at the time of initial project construction: *Provided*, That the Secretary of the Interior shall recover costs assigned to irrigation in accordance with repayment provisions of Public Law 98–404.

(2) Repayment under this subsection, with the exception of costs assigned to irrigation, may be made, with interest, over a period of not more than thirty years from the date of completion of the work. The interest rate used shall be determined by the Secretary of the Treasury, taking into consideration average market yields on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the applicable reimbursable period during the month preceding the fiscal year in which the costs are incurred, plus a premium of one-eighth of one percentage point for transaction costs. To the extent that more than one interest rate is determined pursuant to the preceding sentence, the Secretary of the Treasury shall establish an interest rate at the weighted average of the rates so determined.

(b) Nothing in this section affects the authority of the Secretary to perform work pursuant to Public Law 84–99, as amended (33 U.S.C. 701n) or cost sharing for such work.

(Pub. L. 99–662, title XII, § 1203, Nov. 17, 1986, 100 Stat. 4263.)

#### REFERENCES IN TEXT

Public Law 98–404, referred to in subsec. (a)(1), is Pub. L. 98–404, Aug. 28, 1984, 98 Stat. 1481, known as The Reclamation Safety of Dams Act Amendments of 1984, which amended sections 508 and 509 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title of 1984 Amendment note set out under section 506 of Title 43 and Tables.

Public Law 84–99, referred to in subsec. (b), is act June 28, 1955, ch. 194, 69 Stat. 186, which amended section 701n of this title.

#### CODIFICATION

Section was enacted as part of the Dam Safety Act of 1986, and also as part of the Water Resources Development Act of 1986, and not as part of the National Dam Safety Program Act which comprises this subchapter.