

equipment of the civil works functions of the Corps of Engineers. The fund shall be credited with reimbursements or advances for the cost of equipment, facilities, and services furnished, at rates which shall include charges for overhead and related expenses, depreciation of plant and equipment, and accrued leave: *Provided*, That on July 1, 1953, (1) the fund shall assume the assets, liabilities, and obligations of the Plant accounts, as carried on the records of the Corps of Engineers as of June 30, 1953, under the appropriations for "Maintenance and improvement of existing river and harbor works", "Flood control, general", and "Flood control, Mississippi River and tributaries", and (2) there shall be transferred from said appropriations to the fund amounts equivalent to the unexpended cash balances of the Plant accounts on June 30, 1953: *Provided further*, That the total capital of said fund shall not exceed \$140,000,000.

**(b) Prohibition**

**(1) In general**

No funds may be expended or obligated from the revolving fund described in subsection (a) to newly construct, or perform a major renovation on, a building for use by the Corps of Engineers unless specifically authorized by law.

**(2) Statutory construction**

Nothing in this subsection may be construed to—

- (A) change any authority provided under subchapter I of chapter 169 of title 10;<sup>1</sup> or
- (B) change the use of funds under subsection (a) for purposes other than those described in paragraph (1).

**(c) Transmission to Congress of prospectus**

To secure consideration for an authorization under subsection (b), the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representative and the Committee on Environment and Public Works of the Senate a prospectus of the proposed construction or major renovation of a building that includes—

- (1) a brief description of the building;
- (2) the location of the building;
- (3) an estimate of the maximum cost to be provided by the revolving fund for the building to be constructed or renovated;
- (4) the total size of the building after the proposed construction or major renovation;
- (5) the number of personnel proposed to be housed in the building after the construction or major renovation;
- (6) a statement that other suitable space owned by the Federal Government is not available;
- (7) a statement of rents and other housing costs currently being paid for the tenants proposed to be housed in the building; and
- (8) the size of the building currently housing the tenants proposed to be housed in the building.

**(d) Provision of building project surveys**

**(1) In general**

If requested by resolution by the Committee on Environment and Public Works of the Sen-

ate or the Committee on Transportation and Infrastructure of the House of Representatives, the Secretary shall create a building project survey for the construction or major renovation of a building described in subsection (b).

**(2) Report**

Within a reasonable time after creating a building project survey under paragraph (1), the Secretary shall submit to Congress a report on the survey that includes the information required to be included in a prospectus under subsection (c).

**(e) Major renovation defined**

In this section, the term "major renovation" means a renovation or alteration of a building for use by the Corps of Engineers with a total expenditure of more than \$20,000,000.

(July 27, 1953, ch. 245, §101, 67 Stat. 199; Pub. L. 114-322, title I, §1160, Dec. 16, 2016, 130 Stat. 1667.)

REFERENCES IN TEXT

Subchapter I of chapter 169 of title 10, referred to in subsec. (b)(2)(A), probably means subchapter I (§2801 et seq.) of chapter 169 of Title 10, Armed Forces.

CODIFICATION

Section was formerly classified to section 190b of Title 10 prior to the general revision and enactment of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, §1, 70A Stat. 1.

AMENDMENTS

2016—Pub. L. 114-322 designated existing provisions as subsec. (a), inserted heading, and added subsecs. (b) to (e).

HEADQUARTERS AIRCRAFT; TRANSFER AND REASSIGNMENT OF PROPERTY ACCOUNTABILITY TO ARMY MILITARY ACTIVITY

Pub. L. 101-101, title I, §105, Sept. 29, 1989, 103 Stat. 649, provided that: "Notwithstanding section 110 of the Energy and Water Development Appropriation Act, 1988, Public Law 100-202 [set out below], the Secretary of the Army is authorized to transfer and reassign property accountability for the headquarters aircraft of the Corps of Engineers, Serial Number 045, from the assets of the civil works revolving fund, to the military activity of the Army that the Secretary determines is appropriate, except that the aircraft shall be made available on a priority basis as necessary for activities in support of the Army's civil works mission."

RETENTION OF THREE OPERATIONAL AIRCRAFT; NOTICE OF INTENDED USE OUTSIDE UNITED STATES

Pub. L. 100-202, §101(d) [title I, §110], Dec. 22, 1987, 101 Stat. 1329-104, 1329-112, provided that: "The Chief of Engineers is directed to retain three operational aircraft authorized pursuant to section 101 of the Act of July 27, 1953, 67 Stat. 199 [33 U.S.C. 576], together with their attendant crews, and may only dispose of any of these aircraft if authorized to do so by a future congressional enactment for that purpose. The Chief of Engineers shall provide at least thirty days advance written notification to the Appropriations Committees of the Senate and House of Representatives of any intended use of any of these aircraft for a trip destined outside the United States or its territories or possessions."

**§576a. Purchase of passenger motor vehicles by Corps of Engineers**

On and after March 4, 1933, the provisions of section 1343 of title 31 shall be construed as ap-

<sup>1</sup> See References in Text note below.

plying to the Corps of Engineers as to the purchase of motor-propelled passenger-carrying vehicles.

(Mar. 4, 1933, ch. 281, title II, § 1, 47 Stat. 1599.)

#### CODIFICATION

“Section 1343 of title 31” substituted in text for “section 5 of the Act of July 16, 1914 (U.S.C., title 5, sec. 78)” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was formerly classified to section 638b of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 877.

Section was also formerly classified to section 78a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

#### § 576b. Lease authority

Notwithstanding any other provision of law, the Secretary may lease space available in buildings for which funding for construction or purchase was provided from the revolving fund established by the 1st section of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576; 67 Stat. 199), under such terms and conditions as are acceptable to the Secretary. The proceeds from such leases shall be credited to the revolving fund for the purposes set forth in such Act. (Pub. L. 104-303, title II, § 213, Oct. 12, 1996, 110 Stat. 3684.)

#### REFERENCES IN TEXT

The Civil Functions Appropriations Act, 1954, referred to in text, is act July 27, 1953, ch. 245, 67 Stat. 197. For complete classification of this Act to the Code, see Tables.

#### § 576c. Corps of Engineers operation of unmanned aircraft systems

##### (a) In general

The Secretary shall designate an individual, within the headquarters office of the Corps of Engineers, who shall serve as the coordinator and principal approving official for developing the process and procedures by which the Corps of Engineers—

(1) operates and maintains small unmanned aircraft (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)) systems in support of civil works and emergency response missions of the Corps of Engineers; and

(2) acquires, applies for, and receives any necessary Federal Aviation Administration authorizations for such operations and systems.

##### (b) Requirements

A small unmanned aircraft system acquired, operated, or maintained for carrying out the missions specified in subsection (a) shall be operated in accordance with regulations of the Federal Aviation Administration as a civil aircraft or public aircraft, at the discretion of the Secretary, and shall be exempt from regulations of the Department of Defense, including the Department of the Army, governing such system.

##### (c) Limitation

A small unmanned aircraft system acquired, operated, or maintained by the Corps of Engi-

neers is excluded from use by the Department of Defense, including the Department of the Army, for any mission of the Department of Defense other than a mission specified in subsection (a).

(Pub. L. 114-322, title I, § 1124, Dec. 16, 2016, 130 Stat. 1647.)

#### REFERENCES IN TEXT

Section 331 of the FAA Modernization and Reform Act of 2012, referred to in subsec. (a)(1), is section 331 of Pub. L. 112-95, which is set out in a note under section 40101 of Title 49, Transportation.

#### “SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

#### § 577. Small river and harbor improvement projects

##### (a) Allotment from appropriations for construction

The Secretary of the Army is authorized to allot from any appropriations hereafter made for rivers and harbors not to exceed \$50,000,000 for any one fiscal year for the construction of small river and harbor improvement projects not specifically authorized by Congress which will result in substantial benefits to navigation and which can be operated consistently with appropriate and economic use of the waters of the Nation for other purposes, when in the opinion of the Chief of Engineers such work is advisable, if benefits are in excess of the cost.

##### (b) Limitation on allotment

Not more than \$10,000,000 shall be allotted for the construction of a project under this section at any single locality and the amount allotted shall be sufficient to complete the Federal participation in the project under this section.

##### (c) Lands, easements, and rights-of-way; indemnification; assurances of local cooperation

Local interests shall provide without cost to the United States all necessary lands, easements and rights-of-way for all projects to be constructed under the authority of this section. In addition, local interests may be required to hold and save the United States free from damages that may result from the construction and maintenance of the project and may be required to provide such additional local cooperation as the Chief of Engineers deems appropriate. A State, county, municipality or other responsible local entity shall give assurance satisfactory to the Chief of Engineers that such conditions of cooperation as are required will be accomplished.

##### (d) Sharing of costs by non-Federal interests

Non-Federal interests may be required to share in the cost of the project to the extent that the Chief of Engineers deems that such cost should not be borne by the Federal Government in view of the recreational or otherwise special or local nature of the project benefits.

##### (e) Completeness of project

Each project for which money is allotted under this section shall be complete in itself and not commit the United States to any additional