

2014—Subsec. (a)(1), (2). Pub. L. 113-121, §1006(1)(A), (B), substituted “Funding to process permits” for “In general” in subsec. heading, added par. (1), redesignated text of subsec. (a) as par. (2), inserted heading, and inserted “or a public-utility company or natural gas company” after “non-Federal public entity” and “or company” after “that entity”.

Subsec. (a)(3) to (5). Pub. L. 113-121, §1006(1)(C), added pars. (3) to (5).

Subsecs. (d), (e). Pub. L. 113-121, §1006(2), added subsecs. (d) and (e) and struck out former subsecs. (d) and (e) which read as follows:

“(d) PUBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.

“(e) DURATION OF AUTHORITY.—The authority provided under this section shall be in effect from October 1, 2000, through December 31, 2016.”

2010—Subsec. (a). Pub. L. 111-315, §1(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “The Secretary, after public notice, may accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits under the jurisdiction of the Department of the Army.”

Subsec. (b). Pub. L. 111-315, §1(3), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decision-making with respect to permits, either substantively or procedurally.”

Subsecs. (c) to (e). Pub. L. 111-315, §1(2)-(4), added subsecs. (c) and (d), redesignated former subsec. (c) as (e), and, in subsec. (e), substituted “2016” for “2010”.

2009—Subsec. (c). Pub. L. 111-120 substituted “2010” for “2009”.

2007—Subsec. (c). Pub. L. 110-114 substituted “2009” for “2008”.

2006—Subsec. (c). Pub. L. 109-434 substituted “December 31, 2008” for “December 31, 2006”.

Pub. L. 109-209 substituted “December 31, 2006” for “March 31, 2006”.

2005—Subsec. (a). Pub. L. 109-99, §1(1), substituted “The” for “In fiscal years 2001 through 2005, the”.

Subsec. (c). Pub. L. 109-99, §1(2), added subsec. (c).

2003—Subsec. (a). Pub. L. 108-137 substituted “2005” for “2003”.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 106-541, set out as a note under section 2201 of this title.

§ 2353. Structural health monitoring

(a) In general

The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for—

- (1) response to flood and earthquake events;
- (2) predisaster mitigation measures;
- (3) lengthening the useful life of the infrastructure; and
- (4) identifying risks due to sea level rise.

(b) Consultation and considerations

In developing the program under subsection (a), the Secretary shall—

- (1) consult with academic and other experts; and
- (2) consider models for maintenance and repair information, the development of degrada-

tion models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

(Pub. L. 114-322, title I, §1151, Dec. 16, 2016, 130 Stat. 1661.)

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2016, and also as part of the Water Infrastructure Improvements for the Nation Act, also known as the WIIN Act, 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 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

§ 2354. Easements for electric, telephone, or broadband service facilities

(a) Definition of water resources development project

In this section, the term “water resources development project” means a project under the administrative jurisdiction of the Corps of Engineers that is subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

(b) No consideration for easements

The Secretary may not collect consideration for an easement across water resources development project land for the electric, telephone, or broadband service facilities of nonprofit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

(c) Administrative expenses

Nothing in this section affects the authority of the Secretary under section 2695 of title 10 or under section 9701 of title 31 to collect funds to cover reasonable administrative expenses incurred by the Secretary.

(Pub. L. 114-322, title I, §1172, Dec. 16, 2016, 130 Stat. 1671.)

REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in subsec. (b), is act May 20, 1936, ch. 432, 49 Stat. 1363, which is classified generally to chapter 31 (§901 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see section 901 of Title 7 and Tables.

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2016, and also as part of the Water Infrastructure Improvements for the Nation Act, also known as the WIIN Act, 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 1002 of Pub. L. 114-322, set out as a note under section 2201 of this title.

CHAPTER 37—ORGANOTIN ANTIFOULING PAINT CONTROL

§§ 2401 to 2410. Repealed. Pub. L. 111-281, title X, § 1048, Oct. 15, 2010, 124 Stat. 3032

Section 2401, Pub. L. 100-333, §2, June 16, 1988, 102 Stat. 605, provided findings and purposes for chapter.