

**Editorial Notes**

## REFERENCES IN TEXT

Section 903(c) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4184), referred to in subsec. (d)(2), is not classified to the Code.

## CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2007, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

## AMENDMENTS

2016—Subsec. (a)(3). Pub. L. 114-322, §1105(1), inserted “in which the project is located, or the long-term viability of a community that is located in the region that is served by the project and that will rely on the project,” after “the community”.

Subsec. (b)(1). Pub. L. 114-322, §1105(2)(A), inserted “and communities that are located in the region to be served by the project and that will rely on the project” after “local community”.

Subsec. (b)(4). Pub. L. 114-322, §1105(2)(B), substituted “regional population to be served by the project” for “local population”.

Subsec. (b)(5). Pub. L. 114-322, §1105(2)(C), substituted “local community and communities that are located in the region to be served by the project and that will rely on the project” for “community”.

2014—Subsec. (a)(1)(B). Pub. L. 113-121, §2104(1)(A), inserted “or Alaska” after “Hawaii”.

Subsec. (a)(2). Pub. L. 113-121, §2104(1)(B), substituted “region” for “community” and inserted “, as determined by the Secretary, including consideration of information provided by the non-Federal interest” after “improvement”.

Subsecs. (c) to (e). Pub. L. 113-121, §2104(2), added subsecs. (c) to (e).

**Statutory Notes and Related Subsidiaries**

## “SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110-114, set out as a note under section 2201 of this title.

**§ 2243. Arctic deep draft port development partnerships****(a) In general**

The Secretary may provide technical assistance to non-Federal public entities, including Indian tribes (as defined in section 5304 of title 25) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 1602 of title 43<sup>1</sup>, for the development, construction, operation, and maintenance of channels, harbors, and related infrastructure associated with deep draft ports for purposes of dealing with Arctic development and security needs.

**(b) Acceptance of funds**

The Secretary is authorized to accept and expend funds provided by non-Federal public entities, including Indian tribes (as defined in section 5304 of title 25) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 1602 of title 43<sup>1</sup>, to carry out the technical assistance activities described in subsection (a).

**(c) Limitation**

No assistance may be provided under this section until after the date on which the entity to

<sup>1</sup> So in original. Probably should be followed by a closing parenthesis.

which that assistance is to be provided enters into a written agreement with the Secretary that includes such terms and conditions as the Secretary determines to be appropriate and in the public interest.

**(d) Prioritization**

The Secretary shall prioritize technical assistance provided under this section for Arctic deep draft ports identified by the Secretary, the Secretary of the department in which the Coast Guard is operating, and the Secretary of Defense as important for Arctic development and security.

**(e) Consideration of national security interests**

In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

(1) shall consult with the Secretary of the department in which the Coast Guard is operating to identify benefits in carrying out the missions specified in section 468 of title 6 associated with an Arctic deep draft port;

(2) shall consult with the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

(3) may consider such benefits in determining whether an Arctic deep draft port is feasible.

(Pub. L. 113-121, title II, §2105, June 10, 2014, 128 Stat. 1279; Pub. L. 114-322, title I, §1202(c), Dec. 16, 2016, 130 Stat. 1684.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of the Water Resources Reform and Development Act of 2014, and not as part of the Water Resources Development Act of 1986 which comprises this chapter.

## AMENDMENTS

2016—Subsecs. (a), (b). Pub. L. 114-322, §1202(c)(1), inserted “and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 1602 of title 43” after “title 25)” and made technical amendment to reference in original act which appears in text as reference to section 5304 of title 25.

Subsec. (d). Pub. L. 114-322, §1202(c)(2), substituted “the Secretary of the department in which the Coast Guard is operating” for “the Secretary of Homeland Security”.

Subsec. (e). Pub. L. 114-322, §1202(c)(3), added subsec. (e).

**Statutory Notes and Related Subsidiaries**

## “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.

**SUBCHAPTER III—INLAND WATERWAY TRANSPORTATION SYSTEM****Statutory Notes and Related Subsidiaries**

## INLAND WATERWAYS PILOT PROGRAM

Pub. L. 116-260, div. AA, title I, §159, Dec. 27, 2020, 134 Stat. 2663, provided that:

“(a) DEFINITIONS.—In this section:

“(1) AUTHORIZED PROJECT.—The term ‘authorized project’ means a federally authorized water resources development project for navigation on the inland waterways.