

Public Works of the Senate” for “Committee on Public Works of the House of Representatives or the Committee on Public Works of the Senate”.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Committee on Public Works and Transportation of House of Representatives treated as referring to Committee on Transportation and Infrastructure of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

#### § 701b-8. Submission of report by Chief of Engineers

It is declared to be the policy of the Congress that the following provisions shall be observed:

No project or any modification not authorized, of a project for flood control or rivers and harbors, shall be authorized by the Congress unless a report for such project or modification has been previously submitted by the Chief of Engineers, United States Army, in conformity with existing law.

(Sept. 3, 1954, ch. 1264, title II, §202, 68 Stat. 1256.)

##### Editorial Notes

###### CODIFICATION

Section comprises last two paragraphs of section 202 of act Sept. 3, 1954. First paragraph of section 202 is set out as a note under section 701-1 of this title.

###### PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior acts:

- May 17, 1950, ch. 188, title II, §202, 64 Stat. 170.
- June 30, 1948, ch. 771, title II, §202, 62 Stat. 1175.
- July 24, 1946, ch. 596, §2, 60 Stat. 641.

#### § 701b-8a. Discontinuance of preliminary examination reports

For preliminary examinations and surveys authorized in previous river and harbor and flood control Acts, the Secretary of the Army is directed to cause investigations and reports for flood control and allied purposes, to be prepared under the supervision of the Chief of Engineers in the form of survey reports, and that preliminary examination reports shall no longer be required to be prepared.

(Pub. L. 85-500, title II, §208, July 3, 1958, 72 Stat. 319.)

##### Editorial Notes

###### REFERENCES IN TEXT

Previous river and harbor and flood-control Acts, referred to in text, means those acts prior to the River and Harbor Act of 1958 and the Flood Control Act of 1958, titles I and II of Pub. L. 85-500.

#### § 701b-9. Availability of appropriations for expenses incident to operation of power boats or vessels; expenses defined; certification of expenditures

On and after July 31, 1947, no appropriation under the Corps of Engineers shall be available for any expenses incident to operating any

power-driven boat or vessel on other than Government business, and that Government business shall be construed to include transportation, lodging, and subsistence on inspection trips of Federal and State officials, having a public interest in authorized or proposed improvements for river and harbor and flood control, and any expenses incurred therefor shall be chargeable to river and harbor and flood control appropriations heretofore or hereafter made under rules and regulations to be prescribed by the Chief of Engineers: *Provided*, That such expenditures shall be certified by the Division Engineer as necessary and proper expenditures.

(July 31, 1947, ch. 411, §1, 61 Stat. 688.)

##### Editorial Notes

###### CODIFICATION

Section is also set out as section 575 of this title.

Section was formerly classified to sections 190a and 199 of Title 10 prior to the general revision and enactment of Title 10, Armed Forces, by act Aug. 10, 1956, ch. 1041, 70A Stat. 1.

#### § 701b-10. Omitted

##### Editorial Notes

###### CODIFICATION

Section, act July 27, 1953, ch. 245, §101, 67 Stat. 199; Pub. L. 114-322, title I, §1160, Dec. 16, 2016, 130 Stat. 1667, related to a revolving fund for expenses of the Corps of Engineers.

Section is set out as section 576 of this title.

#### § 701b-11. Flood protection projects

##### (a) General considerations; nonstructural alternatives

In the survey, planning, or design by any Federal agency of any project involving flood protection, consideration shall be given to nonstructural alternatives to prevent or reduce flood damages, with a view toward formulating the most economically, socially, and environmentally acceptable means of reducing or preventing flood damage, including—

- (1) floodproofing of structures, including through elevation;
- (2) floodplain regulation;
- (3) acquisition of floodplain land for recreational, fish and wildlife, and other public purposes;
- (4) relocation; and
- (5) the use of a feature described in section 2289a(a) of this title.

##### (b) Non-Federal participation through nonstructural alternatives; limitation

Where a nonstructural alternative is recommended, non-Federal participation shall be comparable to the value of lands, easements, and rights-of-way which would have been required of non-Federal interests under section 701c of this title, for structural protection measures, but in no event shall exceed 20 per centum of the project costs.

(Pub. L. 93-251, title I, §73, Mar. 7, 1974, 88 Stat. 32; Pub. L. 116-260, div. AA, title I, §115(a), Dec. 27, 2020, 134 Stat. 2627.)