

REPEAL OF SECTION 117 OF THE ENERGY AND WATER DEVELOPMENT ACT OF 2007

The Corps of Engineers has been addressing coastal and riverine erosion through a series of laws and authorities for many years now. One of the most significant section of law was Section 117 contained in Division C of the Energy and Water Development and Related Agencies Appropriations Act of 2005 (P.L. 108-447). This allowed the Corps to address erosion, ice and glacial damage, and the relocation of communities at 100% Federal cost if specific criteria were met.

For your knowledge, Section 117 as contained in Division C of the Omnibus Appropriations Act of 2009 (P.L. 111-8) repealed Section 117 of Division C of the Energy and Water Development and Related Agencies Appropriations Act of 2005. The Corps of Engineers is still assessing the effects of the repeal of Section 117. We believe that we may legally continue any construction contract that was awarded prior to the effective date of the Omnibus Appropriations Act of 2009 (11 March 2009) but that we no longer have the authority to award any new contracts under this authority. As for whether any ongoing studies or designs may continue, that is being assessed.

When further information is available, we will share it with the public.