DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

CECW-PF

11 FEB 2000

MEMORANDUM FOR MAJOR SUBORDINATE COMMANDS

SUBJECT: Implementation of Section 202 of the Water Resources Development Act of 1999.

1. Section 202 of the Water Resources Development Act of 1999 amends the Flood Plain Management Services (FPMS) Program authority (33 U.S.C. 709a) to allow for voluntary contributions by states, local governments, and Indian tribes for the purpose of obtaining services under the program. Previously, acceptance of funds from these entities under the FPMS Program was expressly prohibited.

2. Within personnel and funding capabilities, technical and planning assistance under the FPMS Program will continue to be provided to state, regional, or local governments or other non-Federal public agencies and Indian tribes without charge. However, the requesting entity may provide voluntary contributions of funds as follows:

a. The services or assistance must fall within the scope of the FPMS Program authority;

b. A "Letter Agreement" similar to the agreements used for FPMS cost-recovery procedures must be executed with the requesting entity. Other types of agreements may be substituted for the "Letter Agreement" if both parties concur;

c. Funds received as voluntary contributions must be handled in a similar fashion as those collected for FPMS cost-recovery purposes, as detailed in ER 1105-2-100.

3. Approval authority for the expanded services and the "Letter Agreement" is delegated to the MSC.

1 3 FEB 2000

CECW-PF
SUBJECT: Implementation of Section 202 of the Water Resources Development Act of 1999.

4. If you have any questions concerning these instructions, contact Mr. Ken Zwickl of my staff at (202) 761-1855.

FOR THE COMMANDER:

JAMES F. JOHNSON
Chief, Planning Division
Office of Deputy Commanding General
For Civil Works

DISTRIBUTION:
Chief, Planning Division, North Atlantic Division
Chief, Planning Division, Ohio River & Great Lakes Division
Chief, Planning Division, Southwestern Division
Chief, Planning Division, Northwestern Division
Chief, Planning Division, South Atlantic Division
Chief, Planning Division, Pacific Ocean Division
Chief, Planning Division, South Pacific Division
Chief, Planning Programs and Project Management Division, Mississippi Valley Division