



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

CECW-CO

16 January 2026

MEMORANDUM FOR COMMANDERS, MAJOR SUBORDINATE COMMANDS AND
DISTRICT COMMANDS, CHIEFS, OPERATIONS DIVISIONS

SUBJECT: Memorandum on Section 1112, Services of Volunteers, and Section 1153, Challenge Cost-Sharing Program for the Management of Recreation Facilities, of the Water Resources Development Act of 2024

1. Purpose. The purpose of this memorandum is to provide guidance for Sections 1112 and 1153 of the Water Resources Development Act of 2024 (WRDA 2024). Section 1112 authorizes the Secretary to recognize volunteers' service through awards. Section 1153 authorizes the Secretary to enter into agreements with private nonprofit entities to collect and retain user fees for the use of developed recreation sites and facilities and reinvest collected fees at the civil works project where collected. A copy of WRDA 2024 Sections 1112 and 1153 are enclosed (Enclosures 1 and 2).
2. Applicability. This memorandum applies to all USACE commands having responsibilities for civil works functions.
3. The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or departmental policies.
4. References.
 - a. 33 U.S.C. 569c.
 - b. Water Resources Development Act of 2024, Sections 1112 and 1153, P.L. 118-272.
 - c. Water Resources and Development Act of 2016, Section 1155, P.L. 114-322.
 - d. Water Resources Development Act of 1992, Section 225, P.L. 102-580, as amended (33 U.S.C. 2328).
5. Overview. This update to the Partnership and Volunteer Programs is effective immediately and will be incorporated into ER 1130-2-500, "Project Operations – Partners and Support" Chapters 10 -14 when revised.
 - a. Section 1112 provides the authority for the U.S. Army Corps of Engineers (USACE) to spend appropriated funds to purchase recognition items for volunteer service.

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b. Section 1153 expands the authority provided by Section 1155 of WRDA 2016 to allow private nonprofit entities to enter into challenge cost-sharing cooperative management agreements for recreation fee areas. It also fully allows partners in jointly managed areas to use the visitor reservation service provided for by contract or interagency agreement and allows the transfer of user fees received by the reservation service to the non-Federal public or private nonprofit entity pursuant to the challenge cost-sharing cooperative management agreement.

6. Additional Resources. The following appendices provide detailed guidance updates to Chapters 8, 9, 10, 11 and 14 of ER 1130-2-500, dated 10 April 2025.

a. Appendix A: Revised Chapter 8, Cooperating Associations Program

b. Appendix B: Revised Chapter 9, Volunteer Program

c. Appendix C: Revised Chapter 10, Contributions Program

d. Appendix D: Revised Chapter 11, Challenge Partnership Program

e. Appendix E: Revised Chapter 14, Challenge Cost-Sharing Cooperative Management Agreements

7. Point of Contact. My point of contact is Ms. Heather Burke, National Partnership Program Manager, who may be reached at (678) 972-3824.

Encls

STEPHEN. L. HILL, PMP, SES
Director, Operations and Regulatory Programs

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ENCLOSURE 1

WRDA 2024 Section 1112

SEC. 1112. SERVICES OF VOLUNTEERS.

(a) **IN GENERAL.**—The Secretary may recognize a volunteer providing services under the heading “Department of Defense—Civil—Department of the Army—Corps of Engineers—Civil—General Provisions” in chapter IV of title I of the Supplemental Appropriations Act, 1983 (33 U.S.C. 569c) through an award or other appropriate means, except that such award may not be in the form of a cash award.

(b) **PROCESS.**—The Secretary shall establish a process to carry out subsection (a).

ENCLOSURE 2

WRDA 2024 Section 1153

SEC. 1153. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

(1) in subsection (b)—

(A) by striking “To implement” and inserting the following:

“(1) IN GENERAL.—To implement”.

(B) in paragraph (1) (as so designated), by striking “non-Federal public and private entities” and inserting “non-Federal public entities and private nonprofit entities”; and

(C) by adding at the end the following:

“(2) REQUIREMENTS.—Before entering into an agreement under paragraph (1), the Secretary shall ensure that the non-Federal public entity or private nonprofit entity has the authority and capability—

“(A) to carry out the terms of the agreement; and

“(B) to pay damages, if necessary, in the event of a failure to perform.”;

(2) by striking subsection (c) and inserting the following:

“(c) USER FEES.—

“(1) COLLECTION OF FEES.—

“(A) IN GENERAL.—The Secretary may allow a non-Federal public entity or private nonprofit entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by the non-Federal public entity or private nonprofit entity or the Department of the Army.

“(B) USE OF VISITOR RESERVATION SERVICES.—

“(i) IN GENERAL.—A non-Federal public entity or a private nonprofit entity described in subparagraph (A) may use, to manage fee collections and reservations under this section, any visitor reservation service that the Secretary has provided for by contract or inter-agency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

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“(ii) TRANSFER.—The Secretary may transfer, or cause to be transferred by another Federal agency, to a non-Federal public entity or a private nonprofit entity described in subparagraph (A) user fees received by the Secretary or other Federal agency under a visitor reservation service described in clause (i) for recreation facilities and natural resources managed by the non-Federal public entity or private nonprofit entity pursuant to a cooperative agreement entered into under subsection (b).

“(2) USE OF FEES.—

“(A) IN GENERAL.—A non-Federal public entity or private nonprofit entity that collects a user fee under paragraph (1)—

“(i) may retain up to 100 percent of the fees collected, as determined by the Secretary; and

“(ii) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), shall use any retained amounts for operation, maintenance, and management activities relating to recreation and natural resources at recreation site at which the fee is collected.

“(B) REQUIREMENTS.—The use by a non-Federal public entity or private nonprofit entity of user fees collected under paragraph (1)—

“(i) shall remain subject to the direction and oversight of the Secretary; and

“(ii) shall not affect any existing third-party property interest, lease, or agreement with the Secretary.

“(3) TERMS AND CONDITIONS.—The authority of a non-Federal public entity or private nonprofit entity under this subsection shall be subject to such terms and conditions as the Secretary determines to be necessary to protect the interests of the United States.”; and

(3) in subsection (d)—

(A) by striking “For purposes” and inserting the following:

“(1) IN GENERAL.—For purposes”; and

(B) by striking “non-Federal public and private entities. Any funds received by the Secretary under this section” and inserting the following: “non-Federal public entities, private nonprofit entities, and other private entities.

“(2) DEPOSIT OF FUNDS.—Any funds received by the Secretary under this subsection”; and

(4) by adding at the end the following:

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“(e) DEFINITIONS.—In this section:

“(1) NON-FEDERAL PUBLIC ENTITY.—The term ‘non-Federal public entity’ means a non-Federal public entity as defined in the memorandum issued by the Corp of Engineers on April 4, 2018, and titled ‘Implementation Guidance for Section 1155, Management of Recreation Facilities, of the Water Resources Development Act (WRDA) of 2016, Public Law 114–322’.

“(2) PRIVATE NONPROFIT ENTITY.—The term ‘private non-profit entity’ means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.”.

APPENDIX A: REVISED CHAPTER 8 Cooperating Associations Program

Chapter 8 Cooperating Associations Program

8-1. Purpose

This chapter establishes the policy and procedures for the Cooperating Associations Program, as authorized by Section 225 of the Water Resources Development Act of 1992, as amended (33 USC 2328), to share the cost with private nonprofit entities of managing recreation facilities and natural resources at USACE water resource development projects. This chapter includes roles and responsibilities of USACE employees and criteria for determining when and with what entities cooperating association agreements may be used.

8-2. Policy

a. Cooperating association agreements are encouraged at CW water resource projects, fee-owned lands, and other areas for which USACE has administrative and management responsibilities to accomplish such broad goals as natural resource management, interpretation, and visitor services activities.

b. Cooperating associations are nonprofit, tax-exempt, 501(c) entities that enter into a cooperating association agreement with USACE resulting in the enhancement of and contributions to the USACE mission, particularly regarding natural resources management. Associations will follow all appropriate state and federal laws and regulations to establish and maintain their nonprofit and tax-exempt status, such as developing articles of incorporation and by-laws.

c. A Cooperating Association Agreement is required for each cooperating association working with a USACE CW project. District Commanders are the approval authority for cooperating association agreements in their respective Districts and may further delegate such authority, in writing, to District Operations Chiefs. A cooperating association agreement example is available on the Natural Resources Management (NRM) Gateway; however, agreements should be designed to reflect the specific nature of the activities and/or programs for each association. All agreements will include descriptions of insurance; use of facilities and equipment; services provided; staffing (USACE and non-USACE personnel); management responsibilities; nonprofit status; prohibitions on selling artifacts; and contain provisions for termination, should an association fail to acquire or maintain its nonprofit, tax-exempt status, or to fulfill its purpose as stated in the agreement.

(1) Cooperating association agreements are NOT cooperative agreements as that term is used in the Federal Grant and Cooperative Agreements Act (FGCAA) of 1977 (31 USC 6301-308) and are not otherwise subject to the FGCAA, nor are they subject to

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the DoD Grant and Agreement Regulations (DoDGARs) published in Chapter I, 32 CFR Subchapter C, including the requirement for execution by a certified grants officer. Although 33 USC 2328 uses the term “cooperative agreement,” the principal purpose of the agreements authorized under that section is not to transfer a thing of value from USACE to a non-federal entity and the agreements do not otherwise involve a type of transaction covered by the FGCAA or the DoDGARs.

(2) Under 33 USC 2328, there is no fixed rate of cost share. Percentages are determined by mutual agreement between USACE and the partners. The roles of each entity are also flexible, and agreements may involve multiple partners.

(3) Cooperating Association Agreements are different from Project Partnership Agreements or PCAs.

d. Cooperating associations encompass nonprofit organizations that have a wide variety of objectives. Therefore, at any one location, USACE may determine that multiple cooperating association agreements with an assortment of suitable organizations is in the public interest.

e. Cooperating associations will carry appropriate liability insurance that indemnifies, saves, holds harmless, and defends the United States against all fines, claims, damages, losses, judgements, and expenses arising out of or from any omission or activity of the association, its employees, or volunteers in connection with their agreement with USACE. The association will exercise reasonable care to prevent damage to any government property used or occupied during its operation and will, as far as possible, protect all such property.

f. Background investigations (BI) for cooperating association paid employees or volunteers are required according to the same guidelines described in Chapter 9. Services from persons who have been convicted of a violent crime, sexual crime, arson, crime with a weapon, sale or intent to distribute illegal drugs, or are an organized crime figure will not be accepted.

g. Principal and alternate points of contact for USACE and the cooperating association at each location will be established, identified, and maintained. The principal point(s) of contact for USACE should be the individual(s) most directly involved with coordinating the association’s activities. For example, at a field project, the operations project manager, park manager, or park ranger who coordinates with the association may be the principal point of contact.

(1) USACE personnel may not serve in a voting capacity on a cooperating association’s governing board or as treasurer for an association. USACE personnel may not act as the official representative of an association in any matter relating to USACE or the terms of the cooperating association agreement.

(2) USACE personnel may serve in an advisory capacity on a cooperating

association's governing board or committees. If the association has a membership program, USACE personnel may join and participate in membership activities.

(3) USACE personnel, during their normal work, may assist cooperating associations by performing minor duties, including bookstore sales (if applicable). Activities to be performed or assistance to be provided by USACE personnel will be described in writing and submitted to the District Commander or Operations Chief, if delegated, for approval on implementation of the agreement.

h. Partner personnel may be authorized to operate, for official use only, government-owned or leased vehicles, vessels, or other equipment if deemed appropriate and beneficial. Partner personnel must have the proper training, license, and experience, according to USACE operator permit policies, before operating a government-owned or leased vehicle, vessel, or equipment. Partner personnel who are assigned to operate machinery or equipment (such as chain saws, power shop tools, or specialized equipment) must also demonstrate proficiency in the operation of that equipment and an understanding of safety requirements to the satisfaction of USACE employees overseeing such work.

i. USACE will provide the information, support, and training necessary to ensure that all cooperating association activities follow USACE safety standards in EM 385-1-1. The association is responsible for conducting its activities in compliance with this manual and ensuring that its personnel otherwise comply with all USACE safety requirements.

j. Cooperating associations aid USACE through a variety of activities and programs that may include, but are not limited to, the following:

(1) Providing educational programs and materials that further public understanding of USACE and/or project mission and its relationship to archeological, natural, historical, cultural, environmental, and recreational resources;

(2) Supporting or conducting special events, interpretive, educational, or scientific activities, exhibits, and programs, including presentations and demonstrations that further public understanding and appreciation of the USACE mission, and/or a particular water resources development project;

(3) Supporting natural resource management and/or public programs at or near USACE projects through conservation and educational activities and special events, and by providing scientific, logistical, maintenance, and other support;

(4) Acquiring display materials, historical objects, equipment, supplies, materials, goods, or other items or services appropriate for management, operation, interpretive, educational, and visitor service functions;

(5) Providing services to visitors through the sale, production, publication, and/or distribution of appropriate interpretive and educational items such as publications,

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maps, visual aids, audio tapes, pamphlets, handicrafts, and other objects directly related to the recreation, scientific, interpretive, and educational goals and mission of a project, a group of projects, and/or USACE as a whole; and.

(6) Acting as a principal distribution medium for those educational and scientific publications of the government and trade that relate to USACE and/or project mission, mandate, or management efforts and provide the public with inexpensive and technically accurate materials.

k. Cooperating associations will not sell any original artifacts, sacred items, or antiquities to which the Archeological Resources Protection Act of 1979, as amended (16 USC 470aa-470mm), applies regardless of whether such items were discovered on lands owned or controlled by the United States.

l. Cooperating association agreements will designate where the cooperating association may conduct its activities. The association will not be charged for use of areas, facilities, utilities, janitorial services, routine, or general maintenance when such use is incidental to the usual operation of the project, area, or facility by the government. If the association's use of a USACE facility is over and above normal USACE operation costs for the facility, USACE may be reimbursed at an agreed-on cost in recognition of the services that the association is contributing to the public. Any necessary real estate instruments will be executed as separate documents from the cooperating association agreement. The association may be granted a license, easement, or lease, as appropriate, and in accordance with ER 405-1-12 or other applicable regulation regarding the use of government-owned property.

m. Cooperating association employees and volunteers may be authorized to sell USACE passes or permits and collect USACE fees from the public at campgrounds, day-use facilities, visitor centers, administration offices, and other locations where fee collection is normally performed as a government function.

(1) The USACE principal point of contact will ensure that association employees and volunteers are properly trained and provided a security awareness briefing prior to assignment of fee collection responsibilities according to ER 1130-2-550 (Recreation Operations and Maintenance Policies) or superseding guidance.

(2) Any association employee or volunteer handling fees must sign a statement that will be attached to the cooperating association agreement and states the person accepts the risk and liability of handling government funds. Under no circumstances will a cooperating association be authorized to retain revenues from USACE passes, permits, or fees. Cooperating association employees or volunteers must remit all such revenues to USACE for proper disposition.

n. If any revenues are collected from a cooperating association's own activities (those activities that are separate and distinct from USACE fee collections),

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memberships, or sales of the association's publications and materials as part of their agreement with USACE, the association will use such revenues to support the continued operation of the association in fulfilling its management efforts in support of project activities as detailed in the Cooperating Association Agreement.

o. Cooperating associations will conduct their fiscal operations according to accepted business practices. This includes the appropriate use of a funds accountability system, purchase orders, receipts, invoices, and inventory records. USACE may review and audit any and all fiscal records at any time during the term of the agreement.

p. As applicable, all activities, special events, programs, hours of operation, logistics, prices, standards of service, and merchandise to be sold are subject to prior approval by the District Commander or OPM, if delegated by the District Commander in writing. Approval should be based on maximum benefit and service to the public, and if appropriate, quality, suitability, and fair market value of the merchandise.

q. Cooperating association paid employees or volunteers will not wear the USACE NRM Park Ranger/Manager uniform, nor items of clothing that resemble the uniform. Association employees or volunteers are not considered USACE volunteers under 33 USC 569c and may not be provided with official USACE volunteer uniform clothing items from the USACE uniform contract provider. Association employees and volunteers, when working at duties that bring them into contact with the public, will wear visible identification that identifies them as an association employee or volunteer.

r. All salaries, benefits, and liability coverage for cooperating association employees or volunteers is the responsibility of the cooperating association.

s. Recognition consistent with standards of ethical conduct is encouraged to express appreciation to partners and publicly acknowledge support that has been received. Partners should be advised to keep USACE apprised of any publicity that they initiate. All publicity will be a joint effort by the partner and USACE, to include mutual agreement of any publicity materials. Procedures for appropriate types of recognition and publicity are provided in Chapter 10.