

# Water Resources Development Act (WRDA) of 2022: House and Senate Action

Updated December 8, 2022

Recent Congresses have biennially considered omnibus legislation authorizing U.S. Army Corps of Engineers (USACE) civil works activities, typically called [Water Resources Development Acts \(WRDAs\)](#). Eligibility for USACE [annual](#) and [supplemental appropriations](#) generally requires activities to first be authorized. WRDAs add to or amend existing USACE authorizations and provide policy direction.

USACE authorization action in the 117<sup>th</sup> Congress began with H.R. 7776, the Water Resources Development Act of 2022. The House passed H.R. 7776 on June 8, 2022. The Senate passed its amendment to H.R. 7776 on July 28, 2022. Both versions would have primarily authorized USACE civil works activities.

A December 6, 2022, House Rules Committee Print ([H.Prt. 117-70](#)) contains the House amendment to the Senate amendment to H.R. 7776 (hereinafter the House Amendment to H.R. 7776). The title for the House Amendment to H.R. 7776 is the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023. It includes in Division H, a Title LXXXI, entitled the Water Resources Development Act of 2022, as well as titles on various other nondefense topics. That title combines elements from both the June 8, 2022, House-passed version of H.R. 7776 and the July 28, 2022, Senate-passed version of H.R. 7776. **Table 1** identifies selected provisions of Division H.

**Table 1. Selected Provisions from Title LXXXI of Division H  
of House Amendment to H.R. 7776**

(dollar amounts represent authorizations of appropriations; B = billion, M = million)

Provision Type	House Amendment to H.R. 7776
<b>Study, Project, and Program Authorizations</b>	
Authorize new project construction	§8401 would authorize 25 new projects at \$50.4B (\$30.0B federal, \$20.4B nonfederal). Among the projects authorized would be <a href="#">Coastal Texas project</a> at \$34.4B (\$21.4B federal, \$13.0B nonfederal).

Congressional Research Service

<https://crsreports.congress.gov>

IN11965

Provision Type	House Amendment to H.R. 7776
Authorize modifications to authorized projects that are unconstructed or under construction	§8401 would authorize modifications to 6 projects at a total cost of \$11.8B (\$8.3B federal, \$3.5B nonfederal).
Authorize feasibility and project modification studies	§8201 would authorize 106 studies, and §8307 would authorize feasibility studies for three reauthorized projects.
Expand feasibility study scope at nonfederal sponsor's request	§8106 would allow for study scopes to expand in two ways: (1) expand coastal storm and inland flood feasibility studies to incorporate other flood risk (e.g., due to erosion, tides, rainfall, subsidence, groundwater emergence), and (2) expand feasibility studies to include water supply, water conservation, and measures to reduce water resource impacts of extreme weather events, including drought.
Authorize aquifer recharge feasibility studies	§8108 would authorize USACE to perform up to 10 feasibility studies (at 90% federal cost) of managed aquifer recharge projects in areas that have recently experienced prolonged drought, aquifer depletion, or water supply scarcity.
Authorize <a href="#">environmental infrastructure (EI) assistance</a> for design and construction of water infrastructure in specified municipalities, counties, and states	Various provisions (e.g., §8144, §8145, §8353 §8359, §8373, §8374, §8375 and §8376 include multiple EI authorities) would amend and add new EI authorities of publicly owned and operated water infrastructure.
Increase <a href="#">continuing authorities program's</a> federal project cost limit for streambank and shoreline (erosion) projects	§8103 would increase project limit from \$5M to \$15M.
Deauthorize construction projects	§8301 would replace <a href="#">WRDA 2020's deauthorization</a> list for pre-WRDA 2007 inactive projects and would repeal WRDA 2020's automatic deauthorization provision.
<b>Sharing Costs of USACE Projects</b>	
Reduce percentage of inland waterway or intracoastal waterway construction project costs that are derived from the Inland Waterways Trust Fund (IWTF)	§8157 would convert a temporary change from 50% to 35% in the IWTF share of construction to a permanent change for all projects that are new or ongoing after October 1, 2022, thereby increasing the General Fund contribution to 65% for these projects.
Extend periodic sand nourishment for coastal storm damage reduction	§8129 would authorize USACE to extend for 15 years periodic renourishment for projects that have reached their maximum authorized renourishment period. It also would authorize USACE to study 50-year extensions of periodic renourishments. <sup>a</sup>
<b>Existing Infrastructure</b>	
Western infrastructure study	§8208 would direct that USACE conduct a study of additional measures to sustain operations, mitigate droughts and floods, increase water supply, and restore aquatic ecosystems at USACE <a href="#">South Pacific Division</a> reservoirs.
Assess and repair levees that are not federally maintained	§8387 would amend a nonfederal levee repair authority to increase USACE per-project assistance limit from \$10M to \$25M, and to prioritize assistance for economically disadvantaged communities.
<b>Other</b>	
Expand scope of work when repairing damaged nonfederal flood control works (levees, dunes/beaches, dams)	§8102 would expand authority to alter nonfederal flood control works to not only address damage but also enhance resilience and deficiencies (such as addressing sea level rise and erosion).

Establish a Tribal and Economically Disadvantaged Communities Advisory Committee (TEDCAC)	§8115 would require the Secretary of the Army to establish a TEDCAC to develop and make recommendations on actions to improve delivery of water resources projects and assistance to economically disadvantaged communities, including communities in rural and urban areas.
Authorize “called-upon” flood control operations in the Columbia River Basin <sup>b</sup>	§8309 would authorize the Secretary of the Army to expend funds for “called-upon” Canadian flood control operations to protect the U.S. portion of the Columbia River Basin after 2024, but only when such funds are appropriated by Congress for these purposes. It would require reporting to Congress on these expenditures, and would authorize the USACE to study options for U.S.-based flood control measures.

---

**Source:** CRS.

**Notes:** House Amendment to H.R. 7776 = a December 6, 2022, House Rules Committee Print ([H.Prt. 117-70](#)) that contains the text of the House amendment to the Senate amendment to H.R. 7776.

- a. Federal periodic nourishment at 50% cost is currently authorized generally for 50 years, and it may be extended for an additional 6 years. Studies for extension of renourishment currently are typically limited to 15-year extensions.
- b. If negotiations of the [Columbia River Treaty](#) do not result in termination or modification, most of the Treaty’s provisions would continue. The exception is that flood control operations would transition to “called-upon” operations. Under called-upon operations, the United States would be allowed to request alterations to Canadian dam operations as necessary for flood control. The United States would pay for Canada’s related operating costs and economic losses.

## Author Information

Nicole T. Carter  
Specialist in Natural Resources Policy

Anna E. Normand  
Analyst in Natural Resources Policy

---

## Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS’s institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.