

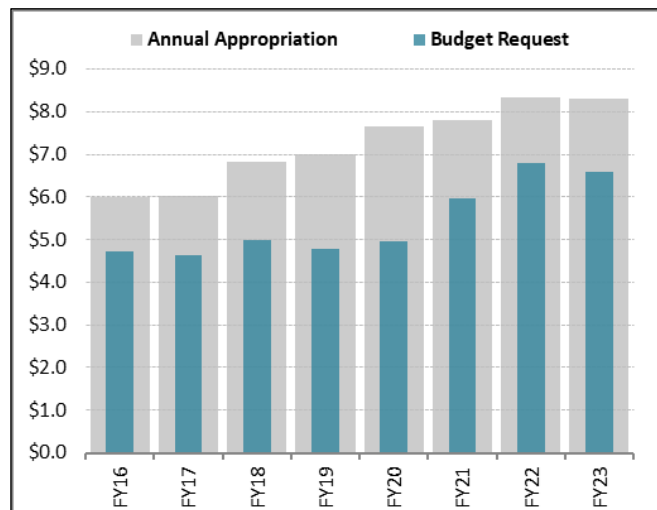
Updated April 20, 2023

## U.S. Army Corps of Engineers: FY2023 Appropriations

Congress generally funds civil works activities of the U.S. Army Corps of Engineers (USACE) in annual Energy and Water Development appropriations acts. These activities include the planning and construction of authorized water resource projects and operation and maintenance (O&M) of infrastructure and navigation improvements managed by USACE. USACE directly commits funds for project planning and construction. It uses most of its appropriations for work on specific studies and projects authorized by Congress. Nonfederal project sponsors or users often share in project construction costs. For more on the USACE appropriations process, see CRS Report R46320, *U.S. Army Corps of Engineers: Annual Appropriations Process*.

For FY2023 annual appropriations, Congress provided \$8.31 billion (26% above the FY2023 President's budget request; see **Figure 1**) in the Energy and Water Development and Related Agencies Appropriations Act, 2023 (Division D, Title I, Consolidated Appropriations Act, 2023; P.L. 117-328).

**Figure 1. Annual USACE Budget Requests and Annual Appropriations, FY2016-FY2023**  
(nominal \$, in billions)



**Source:** Congressional Research Service (CRS), based on USACE budget request press books and enacted appropriations laws.

**Note:** Does not reflect supplemental appropriations, including those provided by Division N of P.L. 117-328.

In addition to annual appropriations, Congress provided supplemental appropriations to USACE for FY2023 in the same act (outlined in **Table 1**). Of the \$1.48 billion in emergency supplemental funds provided by the Disaster Relief Supplemental Appropriations Act, 2023 (Division N of P.L. 117-328), \$350 million was made available for USACE to allocate in a work plan to construction and

O&M of certain categories of projects (i.e., similar to additional funding provided through annual appropriations in FY2014-FY2022). Other supplemental appropriations acts with FY2023 funding for USACE included P.L. 117-180, which designated \$20 million for USACE *environmental infrastructure assistance*, and the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58). Of IIJA's \$17.10 billion for USACE, \$1.08 billion was made available in FY2023 (e.g., \$1.00 billion for navigation O&M activities). For more information, see CRS In Focus IF11945, *U.S. Army Corps of Engineers: Supplemental Appropriations*.

**Table 1. USACE Appropriations in P.L. 117-328**

Appropriations	Amount to Be Assigned by Administration	Administration Document
<i>Energy and Water Development and Related Agencies Appropriations Act, 2023 (Title I of Division D, P.L. 117-328)</i>		
\$8.31 B annual appropriations	\$0.56 B in additional funding	FY2023 Work Plans
<i>Disaster Relief Supplemental Appropriations Act, 2023 (Title IV of Division N, P.L. 117-328)</i>		
\$1.48 B supplemental appropriations	\$0.35 B similar to additional funding	FY2023 Work Plans
	\$1.13 B for natural disaster-related activities	FY2023 Disaster Relief Spend Plans

**Source:** CRS using appropriations acts and USACE budget website.

**Note:** B= billion; \$5 million from Division N for disaster-related activities was for expenses, which USACE did not assign to specific studies or projects in its spend plans. Does not reflect other FY2023 supplemental appropriations from P.L. 117-58 and P.L. 117-180.

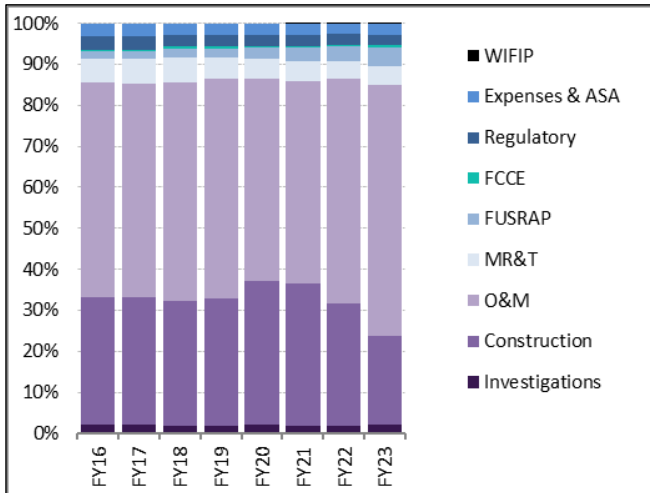
### USACE FY2023 Annual Appropriations

The O&M account, which funds maintenance of existing USACE infrastructure, accounted for 61% of USACE's FY2023 annual appropriations (see **Figure 2**). In Division D, Congress provided \$684 million less for the Construction account and \$100 million more for the Formerly Utilized Sites Remedial Action Program account in FY2023 than in FY2022. Division N and other acts provided supplemental appropriations for various accounts in FY2023, including the Construction and O&M accounts.

Newly funded USACE studies and projects are commonly referred to as *new starts*. Pursuant to direction in the joint explanatory statement accompanying P.L. 117-328, Congress funded a "limited number" of new starts; these included the Administration's request for 3 new studies and

12 requests for studies from Members (see below). Division N funded four new construction starts and one new study.

**Figure 2. USACE FY2016-FY2023 Annual Appropriations, Percentage of Total by Account**



**Source:** CRS, based on enacted appropriations laws.

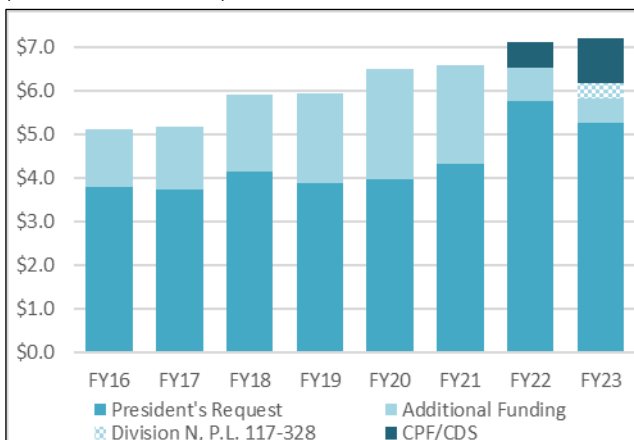
**Notes:** ASA = Assistant Secretary of the Army; FUSRAP = Formerly Utilized Sites Remedial Action Program; Regulatory = Regulatory Program; WIFIP = Water Infrastructure Finance and Innovation Program. Does not reflect supplemental appropriations, including those provided by Division N of P.L. 117-328.

### Congressionally Directed Funding and Work Plans

From the 112<sup>th</sup> to the 116<sup>th</sup> Congresses, moratorium policies limited congressionally directed funding of site-specific studies and projects, sometimes referred to as *earmarks*. The 117<sup>th</sup> Congress included funding in annual appropriations for geographically specific studies and projects that were requested by Members of Congress (i.e., *community project funding/congressionally directed spending items*, *CPF/CDS items*; see **Figure 3**).

**Figure 3. USACE Annual Appropriations for Individual Studies and Projects, FY2016-FY2023**

(nominal \$, in billions)



**Source:** CRS, using enacted appropriations laws and reports.

**Notes:** CPF/CDS = community project funding/congressionally directed spending. Continuing Authorities Programs and the Tribal Partnership Program are not included. The bar for FY2023 includes \$350 million provided by Division N of P.L. 117-328 (hashed amount)

that USACE allocated in FY2023 work plans along with additional funding from annual appropriations. Other supplemental appropriations are not included.

For FY2023 appropriations, in addition to providing funds for the President's requested studies and projects, Congress in the joint explanatory statement (1) funded \$1.02 billion for CDP/CDS items and (2) provided \$562 million in additional funding, with direction to USACE to develop work plans to distribute funds to individual studies and projects. As stated above, Division N of P.L. 117-328 provided an additional \$350 million in emergency funding for categories of construction and O&M activities for USACE to also allocate to specific projects in work plans. USACE allocated the \$350 million from Division N along with additional funding provided by Division D in its FY2023 work plans.

### Continuing Authorities Programs

USACE plans and constructs projects of limited scope and cost without project-specific authorizations through its Continuing Authorities Programs (CAPs; see CRS In Focus IF11106, *Army Corps of Engineers: Continuing Authorities Programs*). President Biden's FY2023 request included \$4.5 million for four of the nine authorized CAPs. FY2023 annual appropriations funded nine CAPs at \$72.3 million total, including \$1.6 million for CPF/CDS projects.

### Environmental Infrastructure Assistance

Since 1992, Congress has authorized and funded USACE to provide environmental infrastructure (EI) assistance (e.g., design and construction of municipal drinking water and wastewater infrastructure projects in specified locations). (See CRS Report R47162, *Overview of U.S. Army Corps of Engineers Environmental Infrastructure (EI) Assistance*.) For FY2023, the Administration did not request funding for EI assistance. FY2023 annual appropriations under Division D provided \$130.5 million for specific EI assistance authorities as CPF/CDS. Division N provided \$18.0 million in emergency funding for these authorities, which USACE allocated in a work plan.

### Corps Water Infrastructure Financing Program

In 2014, Congress authorized USACE to provide credit assistance, in the form of secured or direct loans, for a range of water resource projects (33 U.S.C. §§3901-3914). In FY2021, Congress created a new USACE account (the Water Infrastructure Finance and Innovation Program account) to fund this credit assistance through a new Corps Water Infrastructure Financing Program. Program funds provided in FY2021 and FY2022 covered subsidy and administrative costs for financial assistance for nonfederal dam safety projects. FY2023 annual appropriations provided an additional \$7.2 million for administrative costs. (See CRS Insight IN12021, *Corps Water Infrastructure Financing Program (CWIFP)* for information on efforts to stand up the program.)

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