



Army Corps of Engineers: Section 7001 Report on Future Studies and Projects

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Congress specifically authorizes most of the water resource development studies, projects, and other assistance activities performed by the U.S. Army Corps of Engineers (USACE), typically through [Water Resources Development Acts](#) (WRDAs). In Section 7001 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014; P.L. 113-121, 33 U.S.C. §2282d), Congress established an annual process for identifying proposals for authorizing site-specific studies and projects within USACE's water resource mission and authorities. The Section 7001 process initiates with a USACE call for nonfederal proposals and concludes with a report that the Assistant Secretary of the Army for Civil Works (ASACW) transmits to USACE's congressional authorizing committees. In turn, these reports inform the congressional development and consideration of subsequent WRDAs. Congress last enacted a WRDA referencing prior Section 7001 reports in December 2022. The nonfederal proposal submission period for the 2024 Section 7001 report [opened](#) on May 5, 2023, with an August 28, 2023, deadline. As of mid-May 2023, USACE had not published its 2023 report, which was due to committees in February 2023.

Congress established the Section 7001 process amid [congressional earmark moratorium policies](#) that applied to authorizations and appropriations during the 112th-116th Congresses. Although these policies changed in the 117th and 118th Congresses, the Section 7001 process remains active. For example, in developing WRDA 2022 (Title LXXXI of Division H of P.L. 117-263), the House Transportation and Infrastructure (T&I) Committee and the Senate Environment and Public Works (EPW) Committee considered not only the Section 7001 reports but also requests by Members of Congress.

Congressional Authorization and Section 7001 Reports

Most project-specific authorizations in WRDAs fall into one of three categories: feasibility studies, construction projects, or modifications to existing authorizations. Inclusion of a proposal in a Section 7001 report does not provide congressional authorization or appropriation; rather, inclusion facilitates congressional consideration of the proposal's authorization. For example, Congress used Section 7001 reports when developing WRDA 2016 (Title I of P.L. 114-322), WRDA 2018 (Title I of P.L. 115-270), WRDA 2020 (Division AA of P.L. 116-260), and WRDA 2022.

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Section 7001 Report

Section 7001 of WRRDA 2014, as amended, directs the ASACW to submit an annual report to the House T&I Committee and the Senate EPW Committee. The report may include

- completed feasibility reports;
- proposed feasibility studies;
- proposed modifications to authorized studies and projects; and
- proposed modifications to [environmental infrastructure \(EI\) assistance authorities](#).

For proposals to be included, Section 7001 requires that they

(i) are related to the missions and authorities of the Corps of Engineers; (ii) require specific congressional authorization, including by an Act of Congress; (iii) have not been congressionally authorized; (iv) have not been included in any previous annual report; and (v) if authorized, could be carried out by the USACE.

Section 7001 reports include only those proposals that the ASACW determines meet all five criteria. Proposals that do not meet all five criteria are placed in the report's appendix.

For most proposals listed in the appendices of reports transmitted in 2015-2022, an authority already existed to perform the requested activity or the proposal did not fit within the USACE's missions and authorities. USACE adjusted the 2021 and 2022 solicitations pursuant to congressional direction to expand eligibility for inclusion in the report to include

- proposals whose primary purpose is municipal or agricultural water supply (per direction from §127 of WRDA 2020), and
- proposals for recreation or hydropower, if undertaken in conjunction with a project or effort within a USACE mission.

Nonfederal Proposals

The annual report is based, in large part, on proposals submitted by nonfederal interests. The Section 7001 process begins with the publication of a [notice](#) in the *Federal Register* requesting proposals from nonfederal interests. Nonfederal proposals are to include a description of the proposed activity and its relation to USACE missions and authorities, a statement of support and financial ability from sponsoring nonfederal interests, and federal and nonfederal shares of the proposed activity's estimated cost, among other requirements. According to USACE, nonfederal interests do not need to submit completed feasibility reports through the Section 7001 proposal process before pursuing construction authorization.

In WRDA 2020, Congress directed the ASACW to provide assistance to nonfederal interests for future Section 7001 report submissions (§204). USACE hosted webinars on the proposal process in 2023, plans to also do so in 2024, and encourages nonfederal interests to [request](#) technical support through their USACE districts to prepare submissions.

Transmitted Reports and WRDA Authorization

The ASACW transmitted Section 7001 reports entitled [Report to Congress on Future Water Resources Development](#) to the authorizing committees annually from 2015 through 2022. The Section 7001 reports for 2021 and 2022 were transmitted to Congress after enactment of WRDA 2020. They included 17 reports by the Chief of Engineers (i.e., *Chief's reports*) and 30 nonfederal proposals (13 new studies, 1 modification of a study authority, 6 modifications of project authorities, and 10 modifications to EI authorities) in the bodies of the reports. The appendixes included 38 nonfederal proposals that did not

meet the aforementioned five criteria. Congress used those reports, among other input (e.g., Member requests), in developing WRDA 2022. For example, WRDA 2022

- authorized construction for 17 studies with Chief’s reports (§8401) listed in the 2021 and 2022 reports;
- authorized 6 studies (§8201) listed in the 2021 and 2022 reports;
- authorized modifications for 2 study authorities (§8203) listed in the 2021 and 2022 reports;
- authorized modifications for 5 project authorities (§8336, §8367, §8382, and §8401 for 2 projects) listed in the 2021 and 2022 reports and their appendixes; and
- amended 11 EI authorities (§8375 and §8376) and added 2 new authorities (§8375) listed in the 2021 and 2022 reports and their appendixes.

Congress did not authorize all proposals in the main body of the 2021 and 2022 reports or authorize in WRDA 2022 the proposals in the exact way they were presented in the Section 7001 reports. Congress may consider the contents of future Section 7001 reports (e.g., reports for 2023 and 2024) and any past [Section 7001 reports](#), among other resources, in developing future WRDAs (e.g., a WRDA 2024).

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