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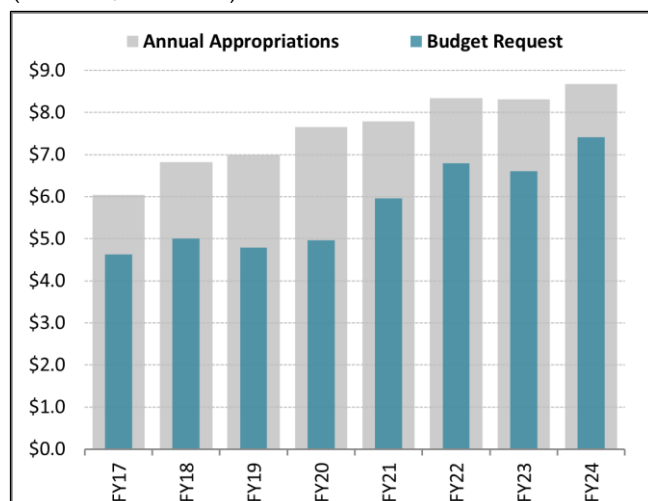
U.S. Army Corps of Engineers: FY2024 Appropriations

Congress generally funds the 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 the operation and maintenance (O&M) of infrastructure and navigation improvements managed by USACE. USACE 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 USACE annual appropriations in general, see CRS Report R46320, *U.S. Army Corps of Engineers: Annual Appropriations Process*.

For FY2024 annual appropriations, Congress provided \$8.68 billion for USACE civil works (after accounting for \$22 million in rescissions) in Title I of the Energy and Water Development and Related Agencies Appropriations Act, 2024 (Division D of P.L. 118-42). This total is 17% above the FY2024 President's budget request (see **Figure 1**). Congress included an explanatory statement providing further direction to USACE. The act directed \$1.46 billion of unobligated Construction account funding from prior appropriations to fund FY2024 Construction account activities. That is, the act provided for \$8.68 billion in new appropriations (**Figure 1**) and redirected the use of \$1.46 billion in previous unobligated appropriations (not shown in **Figure 1** and **Figure 2**).

Figure 1. Annual USACE Budget Requests and Appropriations, FY2017-FY2024

(nominal \$, in billions)



Source: Congressional Research Service (CRS), based on appropriations laws from FY2017-FY2024.

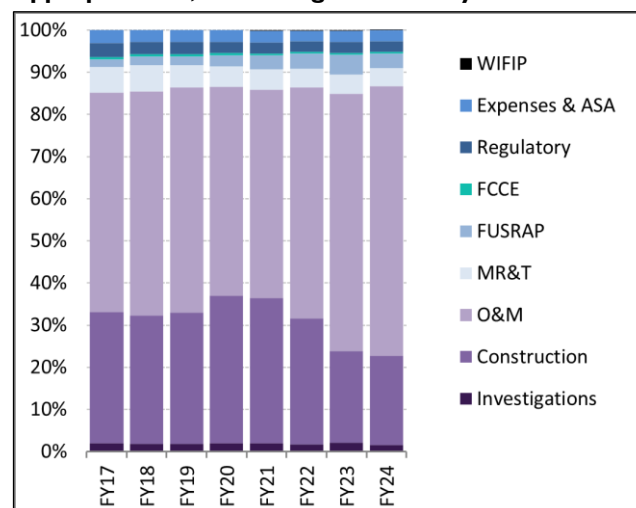
Notes: Does not reflect supplemental appropriations and redirection of prior year appropriations.

In addition, the Infrastructure Investment and Jobs Act (IIJA; P.L. 117-58) provided \$1.05 billion in advance appropriations for FY2024—\$1.00 billion for O&M activities and \$50 million for coastal flood damage reduction construction. (See CRS Insight IN11723, *Infrastructure Investment and Jobs Act Funding for U.S. Army Corps of Engineers (USACE) Civil Works*.) The Administration allocated these supplemental funds toward eligible USACE activities in FY2024 IIJA spend plans.

USACE FY2024 Annual Appropriations

The O&M account, which funds maintenance of existing USACE infrastructure, accounted for 64% of USACE's \$8.68 billion in FY2024 annual appropriations (**Figure 2**). Some accounts decreased in funding compared with FY2023 annual appropriations, including the Formerly Utilized Sites Remedial Action Program (-\$100 million) and Investigations (-\$40 million). The explanatory statement listed Investigations appropriations, which fund studies and design work to contemplate USACE projects, in two categories: (1) Feasibility and (2) Preconstruction, Engineering, and Design (PED).

Figure 2. USACE FY2017-FY2024 Annual Appropriations, Percentage of Total by Account



Source: CRS, based on appropriations laws from FY2017-FY2024.

Notes: ASA = Assistant Secretary of the Army; FCCE = Flood Control and Coastal Emergencies; FUSRAP = Formerly Utilized Sites Remedial Action Program; MR&T = Mississippi River and Tributaries; O&M = Operation and Maintenance; Regulatory = Regulatory Program; WIFIP = Water Infrastructure Finance and Innovation Program. Does not reflect supplemental appropriations or redirection of prior year funds.

For the Construction account, the act directs \$3.32 billion for projects and activities funded under the account. This total includes \$1.85 billion in annual appropriations and, as

mentioned previously, directs prior unobligated appropriations to fund FY2024 Construction account activities. The appropriations are

- \$1.43 billion from unobligated and unallocated prior year IJA Construction appropriations, and
- \$35 million from unobligated and unallocated prior year Continuing Authorities Program (CAP) appropriations.

The act directs that USACE use the prior year IJA appropriations to fund projects listed in the explanatory statement and that the projects receiving these appropriations “shall be subject to the terms and conditions” of IJA Construction funding. For instance, based on a provision of the IJA, FY2024 projects receiving IJA funds are not limited in how much a project’s total costs can exceed its authorization of appropriations without being required to obtain additional congressional authorization (i.e., 33 U.S.C. §2280 would not apply).

Community Project Funding and Congressional Directed Spending

The 112th through the 116th Congresses limited congressionally directed funding of site-specific studies and projects, which are sometimes referred to as *earmarks*. The 117th and 118th Congresses, in enacted FY2022, FY2023, and FY2024 annual appropriations, included *community project funding* (CPF) and *congressionally directed spending* (CDS) requested by Representatives and Senators, respectively, for site-specific studies and projects. Congress also enacted funding for broad categories (referred to as *additional funding*), such as navigation and flood and storm damage reduction.

In the FY2024 explanatory statement, Congress funded \$1.49 billion for CPF/CDS items and provided \$1.12 billion in additional funding. The act directs USACE to develop work plans within 60 days of enactment that distribute the additional funding to individual studies and projects. In addition, in the Construction work plan, USACE is to allocate the IJA Construction appropriations to projects listed in the explanatory statement.

New Starts

New start is a term to describe USACE studies or projects receiving appropriations for the first time. The explanatory statement named most of the new starts allowed for FY2024: the Administration’s request for five new studies and the first construction funds for Cape Cod Canal bridges, MA, and new studies and construction projects from CPF/CDS requests. The explanatory statement also directed USACE to select four additional new starts to receive additional funding: one new construction project for flood and storm damage reduction and three new studies for flood and storm damage reduction authorized in the Water Resources Development Act of 2022 (Title LXXXI of Division H of P.L. 117-263) and in states that had a Federal Disaster Emergency declared in 2022.

Continuing Authorities Programs

USACE plans and constructs projects of limited scope and cost without project-specific authorizations through its CAPs. (See CRS In Focus IF11106, *Army Corps of*

Engineers: Continuing Authorities Programs.) President Biden’s FY2024 request included \$4.5 million for four of the nine authorized CAPs. FY2024 annual appropriations funded nine CAPs at \$54.9 million total, including \$2.1 million for CPF/CDS projects. As previously stated, the act assigned \$34.8 million from unobligated and unallocated CAP appropriations to the FY2024 Construction account.

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*.) Until FY2024, no Administration had requested funding for EI assistance. The Biden Administration requested \$5.0 million for FY2024. Congress provided appropriations that funded CPF/CDS requests for specific EI assistance authorities and \$17.9 million in additional funding for these authorities for USACE to allocate in its Construction work plan.

Corps Water Infrastructure Financing Program

In 2014, Congress authorized USACE to provide credit assistance (i.e., direct loans or loan guarantees) for a range of water projects (Water Infrastructure Finance and Innovation Act, or WIFIA; 33 U.S.C. §§3901-3914, as amended). USACE’s program is referred to as the Corps Water Infrastructure Financing Program (CWIFP) and is funded from the Water Infrastructure Finance and Innovation Program account. (See CRS Insight IN12021, *Corps Water Infrastructure Financing Program (CWIFP)*.) From FY2021 through FY2023, Congress limited CWIFP’s lending to nonfederal dam safety projects. Of the program’s \$7.2 million enacted for FY2024, \$5.0 million is for program administration and \$2.2 million is for credit assistance for nonfederal dam safety and levee projects.

Direction Relating to Prior Supplemental Appropriations

Congress in Division D of P.L. 118-42 included general provisions related to funding USACE studies and projects that have previously received supplemental appropriations. Congress directed that certain appropriations—specific prior supplemental and emergency appropriations and appropriations from the act and future acts—may be used for certain studies and projects that have received funding from the following accounts:

- the USACE Construction account in P.L. 113-2;
- the USACE Investigations and Construction accounts in P.L. 115-123; and
- the USACE Investigations account in P.L. 117-58.

Further, Congress directed that “any additional funds for such studies and projects shall be subject to the same terms and conditions applicable to the headings of those acts” as listed above.

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