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Water Resources Development Acts: Primer and Action in the 119th Congress

The U.S. Army Corps of Engineers (USACE) is an agency that develops water resource projects, among other civil and military missions. Congress often considers omnibus legislation to authorize USACE water resource activities on a biennial schedule. Congress regularly refers to such legislation as a *Water Resources Development Act* (WRDA); WRDAs are distinguished from each other by the year of enactment (e.g., WRDA 1986).

Through WRDAs, Congress has established a general framework and guidelines for implementing USACE water resource projects and activities (e.g., setting standard federal and nonfederal cost shares). WRDAs also authorize USACE to perform studies and projects; these authorizations commonly are geographically specific (e.g., a flood risk reduction project for a specific community along a river). A WRDA typically includes provisions that both provide USACE with new authorizations and amend existing USACE authorizations enacted in earlier WRDAs and similar legislation. Drivers for WRDA enactment often include congressional and nonfederal interest in authorizing new USACE activities and refining the agency's policy direction. Authorization is regularly a precondition for USACE activities' eligibility for federal appropriations.

The 119th Congress may consider a Water Resources Development Act of 2026 (WRDA 2026). To develop WRDAs, the authorizing committees for USACE civil works—the House Committee on Transportation and Infrastructure (T&I) and the Senate Committee on Environment and Public Works (EPW)—typically solicit input from Members; hold hearings to receive testimony from stakeholders and USACE representatives; and review reports transmitted by USACE, the Administration, the Government Accountability Office, and others. The T&I's Water Resources and Environment Subcommittee held a hearing on September 10, 2025, on implementation of provisions from enacted WRDAs. On September 17, 2025, the EPW held a USACE oversight hearing.

Enactment of WRDAs

Congress typically consolidates USACE authorization proposals into a WRDA rather than deliberating on multiple bills of smaller scope. Historically, WRDA provisions have focused on USACE's water resource activities. On some occasions, provisions have addressed the agency's other responsibilities (e.g., its regulatory responsibilities) or other agencies' water resources activities (e.g., Federal Emergency Management Agency dam safety programs).

WRDAs have been enacted as stand-alone bills (e.g., in 2000, 2007, and 2014) and as part of broader bills (e.g., in 2016, 2018, 2020, and 2022). For example, WRDA 2022

was enacted in Title LXXXI, Division H, of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (P.L. 117-263). WRDA 2024 was enacted in Division A of the Thomas R. Carper Water Resources Development Act of 2024 (P.L. 118-272); Division B of P.L. 118-272 addressed other matters (e.g., adjustment to a Department of Transportation credit assistance program, public building reforms). Similar to past WRDAs, WRDA 2024 authorized new construction projects, project modifications, and studies. No WRDA was enacted between WRDA 2007 and the omnibus USACE authorization act in 2014, the Water Resources Reform and Development Act of 2014 (WRRDA 2014; P.L. 113-121).

USACE Activities and WRDA Authorizations

USACE typically directly engages in the planning and construction of water resource projects. The three primary purposes of USACE studies and projects historically have been (1) improving navigation, (2) reducing flood risk, and (3) restoring aquatic ecosystems. In addition to one or more of these purposes, many USACE projects support water supply storage, recreation, and hydropower, among other benefits. For example, WRDA 2024 encouraged USACE to support water supply, water conservation, and drought resiliency through its projects.

Most USACE water resource projects require two types of congressional authorization, which are provided at different points in time: (1) authority to study the feasibility of the project and (2) authority to construct (and operate and maintain, as applicable) the project. WRDAs also may authorize USACE to provide specific financial assistance. For example, Congress has authorized USACE to assist nonfederal public entities with *environmental infrastructure* (e.g., design and construction assistance for municipal drinking water and wastewater infrastructure) in designated communities, counties, and states. For more information, see CRS Report R47162, *Overview of U.S. Army Corps of Engineers Environmental Infrastructure (EI) Assistance*.

Authorization for a study, project, or other activity (e.g., research, pilot program) on its own is not sufficient for USACE to proceed. Once Congress authorizes an activity, USACE still must receive funding for that activity (e.g., Investigation account funding to initiate an authorized study). Most USACE appropriations are directed toward specific USACE studies and projects authorized by Congress. Congress provides appropriations for USACE through the annual Energy and Water Development appropriations process and, at times, through supplemental appropriations.

Although most USACE authorizations do not expire, Congress has limited the duration of some WRDA provisions (e.g., a 10-year pilot program). For a primer and resources on USACE activities and appropriations, see CRS Insight IN11810, *U.S. Army Corps of Engineers Civil Works: Primer and Resources*.

Nonfederal Responsibilities and Roles

Although USACE projects authorized in WRDAs are federal projects, nonfederal sponsors generally are required to provide land and other real estate interests needed for a project and to share study and construction costs. For studies, Congress has set the standard cost share at 50% federal and 50% nonfederal. For construction, Congress has set standard cost shares for various USACE project purposes. For instance, Congress set the construction cost share for aquatic ecosystem restoration projects at a fixed 65% federal and 35% nonfederal, unless otherwise specified. Congress has determined that operation, maintenance, and rehabilitation of most flood control and restoration projects are a 100% nonfederal responsibility. For more information on nonfederal responsibilities and related statutory provisions, see CRS Report R47946, *Process for U.S. Army Corps of Engineers (USACE) Projects*.

In Section 7001 of WRRDA 2014, Congress established a process to help authorizing committees identify USACE studies, projects, and project modifications for authorization. The process allows nonfederal sponsors to submit project-related proposals for potential congressional authorization. For more information on the process, see CRS Insight IN11118, *U.S. Army Corps of Engineers: Section 7001 Report on Future Studies and Projects*.

Congressional Considerations

Efficiency and Management

Broader government efficiency concerns may contribute to efforts in the 119th Congress to enhance the timeliness and constrain the cost of USACE studies and projects. The 119th Congress's consideration of USACE authorization legislation may be shaped by questions about how the Administration is using available appropriations, particularly under the FY2025 full-year continuing resolution, and USACE-related trust funds (e.g., the Harbor Maintenance Trust Fund for coastal channel and harbor maintenance). Updating USACE's aging infrastructure (e.g., through dam safety and hydropower improvements) could be part of the 119th Congress's deliberations on the agency's approach and strategy for asset management.

Congress may evaluate how agency staffing levels, federal environmental statute compliance, and USACE real estate requirements influence the delivery and operations of USACE projects. For example, USACE dredging activities are required to comply with various resource protection statutes that may shape when and how the agency can dredge navigation channels. The 119th Congress may be interested in USACE recreation responsibilities. Summer 2025 closures or partial closures of selected recreation sites

at USACE projects associated with lower agency staffing and contracting may inform congressional deliberations. For more information on USACE organization and efficiency, see CRS Report R48322, *U.S. Army Corps of Engineers Civil Works: FAQs on Organization and Efficiency Reviews*.

Evolving Missions and Practices

The 119th Congress may face decisions on the extent to which it approves geographically specific water supply and conservation study and project authorizations, following related policy changes made in WRDA 2024. Oversight on USACE's use of forecast-informed reservoir operations and implementation of USACE's credit assistance also could play a role in shaping USACE authorization deliberations. Congress also may assess how USACE direction in 2025 related to USACE planning and implementation of nonstructural measures (e.g., property elevation to reduce flood damages) may affect USACE flood risk reduction studies and projects, particularly in coastal areas.

The 119th Congress's deliberations may reflect uncertainties about the contents and pace of USACE rulemakings (e.g., rulemakings related to practices for determining nonfederal sponsors' ability to pay and adjusting the agency's natural disaster response practices).

USACE Backlogged Work

Congress previously authorized but did not appropriate funding for numerous USACE studies and construction projects. A challenge for federal policymakers is whether—and, if so, how—to advance these “backlogged” studies and projects. One option may be expanding authorized opportunities for greater nonfederal roles in development, construction, and financing. In earlier WRDAs, Congress allowed interested nonfederal entities to lead work on studies and projects that typically would be performed by USACE. Under these authorities, nonfederal sponsors have completed multiple studies and projects and have advanced a limited number of projects using private-public partnerships. The 119th Congress may evaluate the experiences of nonfederal sponsors using these authorities and decide whether to make adjustments to improve how the authorities are implemented and support efficient project delivery.

Other potential approaches to reduce the backlog of USACE work include deauthorizing unconstructed projects; increasing federal funding for USACE infrastructure; and transferring some infrastructure projects or responsibilities (e.g., management of USACE recreation sites) to nonfederal entities. The 119th Congress may consider these options as it assesses how to shape the future portfolio of USACE assets and responsibilities through a WRDA 2026 or other legislation.

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