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U.S. Army Corps of Engineers Civil Works: FAQs on Organization and Efficiency Reviews

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SUMMARY

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January 7, 2025

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U.S. Army Corps of Engineers Civil Works: FAQs on Organization and Efficiency Reviews

The U.S. Army Corps of Engineers (USACE), within the Department of Defense (DOD), is a public engineering organization with both civil works and military functions.

What Are USACE's Civil Works Roles?

USACE's principal civil works responsibilities are

- studying and constructing water resource projects;
- managing an estimated $259 billion in water resource assets;
- leading emergency response activities for public works and engineering under a National Response Framework, which guides the national response to all types of disasters and emergencies by describing principal roles and responsibilities;
- administering certain water-related regulatory authorities; and
- operating a credit assistance program for selected nonfederal water resource infrastructure.

USACE's water resource activities, while multifaceted, focus on improving coastal and inland commercial navigation, reducing riverine flood and coastal storm damage, and restoring aquatic ecosystems. USACE contracts civilian companies for most of its design work and project construction.

Who Leads USACE Civil Works?

Chief of Engineers. The Chief of Engineers (who is also the Commanding General of USACE) leads both USACE's civil works and its military program. The Chief is often a three-star Army general and is assigned to serve in this role for approximately four years.

Assistant Secretary of the Army for Civil Works (ASACW). The Secretary of the Army typically has delegated civil works responsibilities to the ASACW. The ASACW provides civil works policy direction and supervision; the ASACW position, established in law at 10 U.S.C. §7016, is presidentially appointed and Senate confirmed. The Chief of Engineers is responsible for executing civil works policies established by the ASACW, consistent with federal law and congressional direction.

Division and District Commanders. USACE divisions and their subordinate districts execute the day-to-day civil works program. Military officers command these districts and divisions.

Where Are USACE's Divisions, Districts, and Employees?

The figure below shows USACE's civil works division and district locations and boundaries, which are shaped in part by watershed boundaries. USACE has an estimated 37,000 full-time-equivalent employees (FTEs, approximately 98% of which are civilians and an estimated 810 of which are military professionals). As of FY2024, 26,000 civilian FTEs work on civil works activities. Approximately 95% of the civil works FTEs report to district offices, USACE centers and their laboratories and field offices, or USACE field operating entities.

U.S. Army Corps of Engineers Division and District Locations and Boundaries

Source: CRS using U.S. Army Corps of Engineers (USACE), "Where We Are," https://www.usace.army.mil/Missions/Locations/.

Have There Been Proposals to Transfer USACE Civil Works?

Proposals to transfer USACE's civil works authorities to other federal agencies have been raised multiple times over many decades. Efforts to reorganize or transfer civil works responsibilities may require legislation, depending on the proposed actions.

What Are Some Reviews of USACE's Efficiency and Effectiveness?

Congress has requested various reports from the Government Accountability Office, National Academy of Sciences, and National Academy of Public Administration related to USACE efficiency and effectiveness. Some of these reports are available; others are in development. Various committees also have held hearings related to the agency's efficiency and effectiveness.

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The U.S. Army Corps of Engineers (USACE), within the Department of Defense (DOD), is a public engineering organization with civil works and military functions. This report focuses on USACE's civil works mission and provides information on the agency's military responsibilities for context.

Civil Works Roles

What Are USACE's Civil Works and Military Roles?

USACE's principal civil works responsibilities are

- studying and constructing water resource projects;
- managing an estimated $259 billion in water resource assets;[1]
- operating a credit assistance program for selected nonfederal water resource infrastructure;[2] and
- administering water-related regulatory authorities (i.e., issuing permits and permissions).[3]

USACE's water resource activities focus principally on improving coastal and inland commercial navigation, reducing riverine flood and coastal storm damage, and restoring aquatic ecosystems.[4] USACE contracts civilian companies for most of its design work and civil works construction (i.e., USACE often acts as a project and contract manager).

USACE civil works also leads emergency response activities for public works and engineering under the National Response Framework, which guides the national response to all types of disasters and emergencies. Much of this work is performed under the Stafford Act (42 U.S.C. §§5121 et seq.), as assigned to USACE by the Department of Homeland Security's (DHS's) Federal Emergency Management Agency (FEMA). This reimbursable work for USACE is typically funded out of the Disaster Relief Fund.

Additionally, USACE offers its civil works engineering expertise and services typically on a reimbursable basis to other federal agencies and other entities under various authorities. Among

[1] U.S. Army Corps of Engineers (USACE), *Fiscal Year 2024 United States Army Corps of Engineers Agency Financial Report*, p. 32, https://www.publications.usace.army.mil/Portals/76/FY%2024%20Civil%20Works%20Annual%20Financial%20Report.pdf (hereinafter referred to as USACE, *FY2024 Financial Report*).

[2] In September 2023, USACE completed a rulemaking for the program—the Corps Water Infrastructure Financing Program. In September 2024, USACE invited selected applicants to complete their loan applications. For more information, see CRS Insight IN12021, *Corps Water Infrastructure Financing Program (CWIFP)*, by Nicole T. Carter.

[3] Section 404 of the Clean Water Act (33 U.S.C. §1344) permits are related to the discharge of dredged or fill material into waters of the United States. Section 10 Rivers and Harbors Act of 1899 permits are related to the obstruction or alteration of navigable waters. Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended (33 U.S.C. §1413), relates to permits for the transportation of dredged material for dumping in ocean waters. If a nonfederal entity is interested in altering a USACE civil works project after construction, the entity generally must obtain permission from USACE. USACE's authority to allow alterations to its projects derives from Section 14 of the Rivers and Harbors Act of 1899, also known as Section 408 (based on its codification at 33 U.S.C. §408). USACE also administers the Formerly Utilized Sites Remedial Action Program (FUSRAP). Through FUSRAP, USACE remediates radiological contamination at nonfederal sites used during the early years of the U.S. nuclear weapons program. Neither FUSRAP nor USACE regulatory activities are addressed in this report.

[4] For more on USACE civil works activities and projects, see CRS Insight IN11810, *U.S. Army Corps of Engineers Civil Works: Primer and Resources*, by Anna E. Normand and Nicole T. Carter, and CRS Report R47946, *Process for U.S. Army Corps of Engineers (USACE) Projects*, by Nicole T. Carter and Anna E. Normand.

the other federal agencies that have entered into reimbursable agreements for USACE services are the DHS, Department of Veterans Affairs, and U.S. Environmental Protection Agency. Most of this work is executed by USACE's military programs rather than its civil works structure.

For the military, USACE is an element of the Army's Engineer Regiment, also known as the engineer branch. The engineer branch includes soldiers assigned to combat engineer, rescue, construction, and other specialty units that may be attached to combat units.[5] USACE also supports military construction for the Army, Air Force, and other DOD agencies by providing engineering, construction, real estate, stability operations, and environmental management products and services. USACE's military program also performs reimbursable work through its International and Interagency Services (IIS). Through IIS, USACE assists foreign governments and international organizations; state, local, and tribal governments; and other federal agencies.[6]

What Is the Authorization for USACE's Civil Works Mission?

USACE has roots as far back as 1775, when the Continental Congress organized an army with a chief of engineers. The United States Congress first legislatively authorized the President to establish a separate corps of engineers in 1802 (§26 of the Military Peace Establishment Act, March 16, 1802; 2 Stat. 137).

The legislative basis of USACE civil works activities has evolved since the mid-1820s, when legislative references to using the military corps of engineers for public surveys and improvements first appeared in statute. For example, USACE's civil works activities began following the General Survey Act of 1824 (April 30, 1824; 4 Stat. 23), which authorized the President "to cause the necessary surveys, plans, and estimates to be made of the routes of such roads and canals as he may deem of national importance, in a commercial or military point of view, or necessary for the transportation of the public mail," and to employ USACE officers in these efforts.[7]

USACE has no principal law or organic act establishing and defining its suite of civil works responsibilities; instead, a lengthy set of statutory provisions, which typically reference the Secretary of the Army, authorizes general or project-specific water resource activities.[8] The Secretary of the Army typically has delegated the civil works responsibilities to an Assistant Secretary of the Army for Civil Works (ASACW).

[5] The two reserve commands provide technical and tactical engineer support to U.S. forces. For more on the 412th Theater Engineer Command, see Army, "Army Reserve, 412th Theater Engineer Command," https://www.usar.army.mil/Commands/Functional/412th-TEC/About-Us/. For more on the 416th Theater Engineer Command, see Army, "Army Reserve, 416th Theater Engineer Command," https://www.usar.army.mil/Commands/Functional/416th-TEC/About-Us/.

[6] For more on International and Interagency Services, see USACE, "Interagency & International Services," https://www.usace.army.mil/Missions/Military-Missions/Interagency-International-Support/.

[7] The Government Accountability Office (GAO) identified selected statutes that have shaped USACE civil works missions; see GAO, *Army Corps of Engineers: Organizational Realignment Could Enhance Effectiveness, But Several Challenges Would Have to Be Overcome*, GAO-1-819, October 2010, Appendix III, https://www.gao.gov/assets/320/310469.pdf (hereinafter referred to as GAO-1-819).

[8] For more on recent authorization acts, see CRS In Focus IF11322, *Water Resources Development Acts: Primer and Action in the 118th Congress*, by Nicole T. Carter and Anna E. Normand.

Leadership and Organization

Who Leads USACE Civil Works?

Chief of Engineers. The Chief of Engineers (who is also the Commanding General of USACE) leads both USACE's civil works and its military activities. The Chief is often a three-star Army general and is assigned to serve in this role for roughly four years. The Chief of Engineers is stationed at USACE headquarters in Washington, DC. The Chief of Engineers delegates some responsibilities to the Deputy Commanding General for Civil and Emergency Operations and to the Director of Civil Works.[9]

Assistant Secretary of the Army for Civil Works. The ASACW, established in law at 10 U.S.C. §7016, is a presidentially appointed, Senate-confirmed position.[10] The ASACW establishes policy direction and provides supervision over Department of the Army functions relating to all aspects of USACE's civil works program.[11] The Chief of Engineers is responsible for executing the civil works policies established by the ASACW, consistent with federal law and congressional directives.[12]

Division and District Commanders. Divisions are regional offices that supervise and manage subordinate districts. The district offices are responsible for the day-to-day execution of the civil works program. Military officers command USACE districts and divisions; these assignments are often for two to three years.[13]

Where Are USACE's Divisions, Districts, and Employees?

USACE had an estimated 37,000 full-time-equivalent employees (FTEs) in FY2024.[14] Approximately 98% are civilians, and an estimated 810 are military professionals. About 26,000 civilian FTEs are working on civil works activities.[15] Approximately 95% of the civil works FTEs

[9] For more on other USACE leadership positions, see USACE, "Leadership," https://www.sac.usace.army.mil/Media/Images/igphoto/2001853112/.

[10] The Assistant Secretary of the Army for Civil Works (ASACW) position was created by Section 211 of the Flood Control Act of 1970 (P.L. 91-611). The position was reaffirmed in 1986 in Section 501 of P.L. 99-422 (10 U.S.C. §7016), which states that the ASACW "shall have as his principal duty the overall supervision of the functions of the Department of the Army relating to programs for conservation and development of the national water resources, including flood control, navigation, shore protection, and related purposes." For more on the Office of the ASACW, see ASACW, "Leaders," https://www.army.mil/asacw#org-about.

[11] A 1965 report recommended replacing the Secretary of the Army's Special Assistant for Civil Works with the ASACW position with primary responsibilities for the civil works mission, while maintaining cognizance of interrelated aspects of the agency's civil works and military missions (Civil Works Study Board, *A Report to the Secretary of the Army on the Civil Works Program of the Corps of Engineers*, January 1965, p. 18). As part of the ASACW's civil works responsibilities, the ASACW provides oversight over interagency and international technical and managerial assistance agreements pursuant to 33 U.S.C. §2323a for work on problems related to water resources, infrastructure development, and environmental protection provided typically on a reimbursable basis.

[12] The Chief of Engineers reports to the Chief of Staff of the Army on Engineer Regiment matters, and follows the policy guidance and is under the supervision of the Assistant Secretary of Defense for Energy, Installations, and Environment on many military construction matters.

[13] Most USACE districts have a colonel as the commander, although a few have a lieutenant colonel as the commander.

[14] USACE does not track how many of the 37,000 employees work on both military and civil works activities (email to CRS from USACE, December 20, 2024).

[15] USACE, *FY2024 Financial Report*, p. 12. Earlier financial reports indicate the number of civil works civilian employees as 25,000 in FY2023; 24,000 in FY2022; and 24,000 in FY2016 and FY2015. Military professionals (continued...)

report to USACE districts,[16] USACE centers and their laboratories and field offices, and USACE field operating entities. **Figure 1** shows the boundaries of the divisions and districts, and the locations of the location of the division and district offices. USACE's civil works district and division boundaries are shaped in part by watershed boundaries.

The majority of USACE's nine divisions (also referred to as *major subordinate commands*) and 44 districts serve both civil and military functions.

- For civil works, USACE has authority to work in U.S. states and selected territories. This work is managed by USACE headquarters, eight divisions, and 39 districts (including a Caribbean District in San Juan, PR, established in 2024).[17]
- USACE's military work is supported by eight divisions, including the Transatlantic division, and more than half of the 44 districts.

estimate is from USACE, *Fiscal Year 2019 United States Army Corps of Engineers Agency Financial Report*, p. 5, https://www.publications.usace.army.mil/Portals/76/Users/182/86/2486/FY%2019%20CW%20Audit%20Opinion%20and%20Financials.pdf.

[16] In GAO-1-819 (pp. 49-50), Table 5 provides information on the distribution of USACE's staff from FY2000 through FY2009 by division and district. According to USACE, there are 207 civil work full-time-equivalent employees at the headquarters office (email to CRS from USACE, December 20, 2024).

[17] Of the 39 districts, 20 are dedicated to civil works (i.e., no military role) and 19 are reported by USACE as having civil or military roles (email to CRS from USACE, December 20, 2024). There is USACE information indicating that the Caribbean district is only civil works, and other USACE sources that indicate the district also may support military programs, as well (e.g., interagency support). According to USACE, the Europe district conducts military program activities and offers international and interagency services; it is not included in the 39 districts that support civil works.

Figure 1. U.S. Army Corps of Engineers Division and District Locations and Boundaries

Source: CRS using U.S. Army Corps of Engineers (USACE), "Where We Are," https://www.usace.army.mil/Missions/Locations/.

Notes: USACE uses three types of district designations: civil works, regulatory, and military. The boundaries for the three may vary. To see a map of all three types of district boundaries, and to find which district is associated with a specific location, see the searchable USACE International Boundary Map at https://usace.maps.arcgis.com/apps/webappviewer/index.html?id=7344e624326941 99af7790aa47a32fdd.

What Parts of USACE Serve Both Civil Works and Military Roles?

Seven of the nine divisions and more than half of the 44 districts serve both civil and military purposes. **Figure 2** provides an organizational chart for USACE; the figure shows which districts serve both civil works and military programs.

The following USACE entities also are dual-purpose:

- the active duty 249th Prime Power Battalion (Fort Belvoir, VA),[18]
- Engineer Research and Development Center (Vicksburg, MS),[19]
- Army Geospatial Center (Alexandria, VA),[20] and
- Engineer and Support Center (Huntsville, AL).[21]

Field operating entities, with the exception of the civil works-focused Institute for Water Resources (Alexandria, VA),[22] support both civil and military activities; these entities are as follows:

- USACE Logistics Activity (Millington, TN),[23]
- USACE Finance Center (Millington, TN),[24]
- Marine Design Center (Philadelphia, PA),[25] and
- Humphreys Engineer Center Support Activity (Alexandria, VA).[26]

[18] For more on the battalion, see USACE, "249th Engineer Battalion, Prime Power," https://www.usace.army.mil/249th-engineer-battalion/.

[19] Engineer Research and Development Center's (ERDC) expertise includes cold regions science and engineering; civil and military engineering; coastal, river, and environmental engineering; blast and weapons effects; battlespace terrain mapping; computational prototyping for military platforms; and military installations and infrastructure. ERDC includes seven laboratories and field offices. For a map of these locations, see ERDC, "About Us," https://poweroferdcpodcast.org/about-us/. The website also indicates that ERDC has 1,989 employees, of which more than 1,200 are engineers and scientists.

[20] U.S. Army and USACE, "Army Geospatial Center," https://www.agc.army.mil/.

[21] For more on the center; its staff of 1,000; and its three locations (Huntsville, AL; Omaha, NE; and Alexandria, VA), see USACE, "U.S. Army Engineering and Support Center, Huntsville," fact sheet, https://www.hnc.usace.army.mil/Media/Fact-Sheets/Fact-Sheet-Article-View/Article/482073/us-army-engineering-and-support-center-huntsville/.

[22] For more on the institute, see USACE, "Welcome to the Institute for Water Resources Website," https://www.iwr.usace.army.mil/.

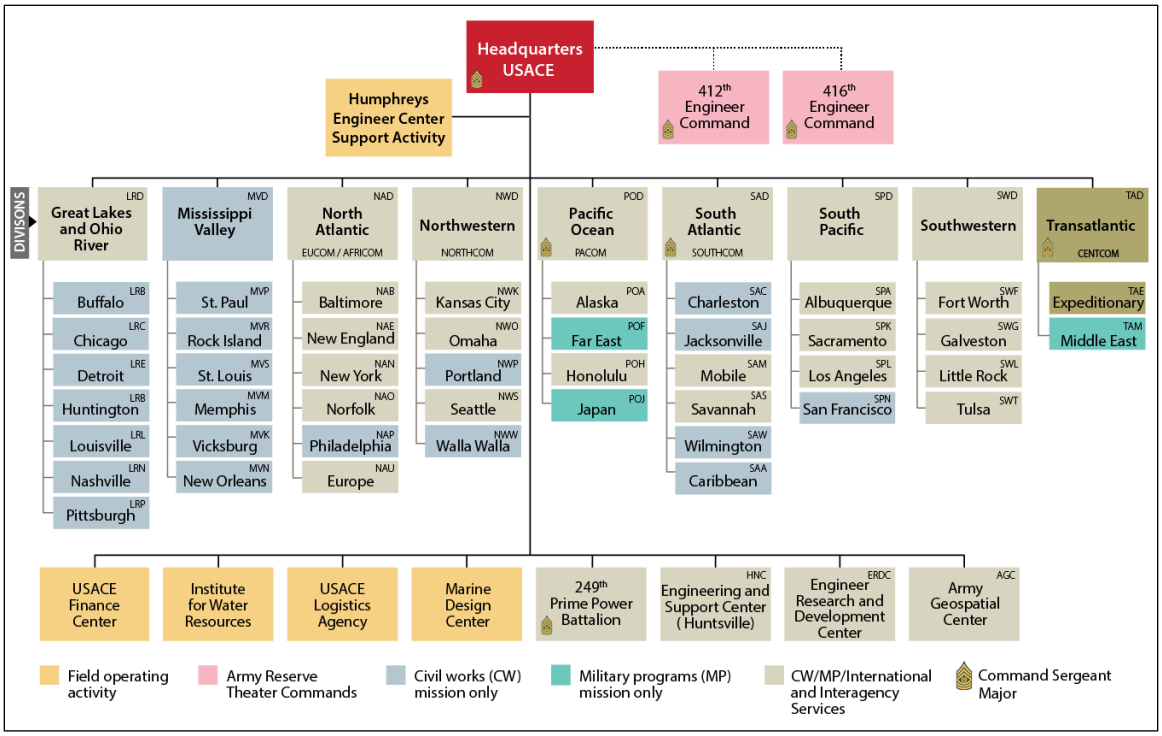
[23] For more on this activity, see USACE, "USACE Logistics Activity," https://www.usace.army.mil/Logistics/Logistics-Activity/.

[24] For more on the center, see USACE, "USACE Finance Center," https://www.usace.army.mil/Finance-Center/.

[25] For more on this center, see USACE, "Marine Design Center," https://www.nap.usace.army.mil/Missions/Marine-Design-Center/.

[26] For more on this activity, see USACE, "Humphreys Engineer Center Support Activity," https://www.usace.army.mil/HECSA/.

Figure 2. U.S. Army Corps of Engineers Organizational Structure



Source: CRS using information from email to CRS from USACE, December 19, 2024.

Note: The Europe district has no civil works; it conducts military program activities and offers international and interagency services.

Asset Management and Emergency Response Responsibilities

What Are USACE's Civil Works Assets?

USACE is responsible for nearly $250 billion dollars (in replacement value) of civil works infrastructure.[27] These assets reflect the agency's main operational responsibilities, as shown in **Table 1**.

Table 1. Overview of Selected U.S. Army Corps of Engineers (USACE) Civil Works Assets

USACE Business Line	Asset Types and Counts
Navigation	25,000 miles of navigable waterways, channels, and harbors 1,067 coastal structures (e.g., breakwaters) 93 inland navigation lock and dam sites More than 40,000 channel training dikes on the inland navigation system 3,145 floating vessels

[27] USACE, *FY2024 Financial Report*, p. 32. Replacement value is the cost to replace an existing asset.

USACE Business Line	Asset Types and Counts
	716 dams
Flood Risk Management	2,200 levee systems
	3 hurricane barriers
Hydropower	75 hydropower plants
Recreation	3,000 miles of trails; 91,000 campsites, bathrooms, boat ramps, and other improvements and equipment at 402 water resource projects
Environmental Stewardship	12 million acres of land at 400 water resource projects
Water Supply Storage	136 reservoirs providing water supply storage

Source: CRS using USACE, *Strategic Asset Management Plan*, August 2022, pp. 10-11, https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll6/id/2358.

Notes: The levee count appears to include all the levee systems in the USACE levee portfolio, consisting of both levees that USACE maintains and nonfederally maintained levees that participate in the agency's Rehabilitation Program, which supports the repair of damaged levees. For more, see USACE, *U.S. Army Corps of Engineers Levee Portfolio Report*, March 2018.

What Is USACE's Role in Domestic Emergency Response?

The National Response Framework guides the national response to all types of disasters and emergencies by describing principal roles and responsibilities. Under the National Response Framework, USACE is the lead for public works and engineering in responding to domestic emergencies and disasters. In this role, USACE provides technical assistance, engineering support, and construction management, as well as emergency contracting and emergency power and repair for critical facilities. The agency also assists in monitoring, stabilizing, or demolishing damaged structures and provides technical assistance in clearing, removing, and disposing of debris and in establishing overland and water routes into affected areas. Often FEMA gives USACE public works and engineering mission assignments, pursuant to the Stafford Act. At times, emergency response assignments have called on both USACE military (e.g., 249th Prime Power Battalion and military contracting authorities) and civil works authorities, personnel, and expertise.[28]

Additionally, Congress has provided the Secretary of the Army and the Chief of Engineers some emergency authorities for natural disasters (33 U.S.C. §701n, including for flood-fighting and emergency water supplies in certain circumstances).

According to USACE, the agency responded to 21 events with 1,500 personnel in FY2023.[29] In FY2024, USACE responded to 27 floods and coastal storms with 2,000 personnel.[30] Responses

[28] For example, the Federal Emergency Management Agency tasked USACE with performing initial electric power repairs in Puerto Rico following Hurricane Maria in 2017, which illustrates how USACE at times has been tasked with significant engineering assignments as part of federal emergency response activities. For another example, as part of urban search and rescue efforts, USACE may deploy various specialized civil and military teams and general-purpose troops during structural collapse incidents and other disaster response missions. For more information, see USACE, "Urban Search and Rescue Program," https://www.usace.army.mil/Missions/Emergency-Operations/National-Response-Framework/Urban-Search-and-Rescue/.

[29] USACE, *Fiscal Year 2023 United States Army Corps of Engineers Agency Financial Report*, p. 22, https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll6/id/2437 (hereinafter referred to as USACE, *FY2023 Financial Report*).

[30] USACE, *FY2024 Financial Report*, p. 22.

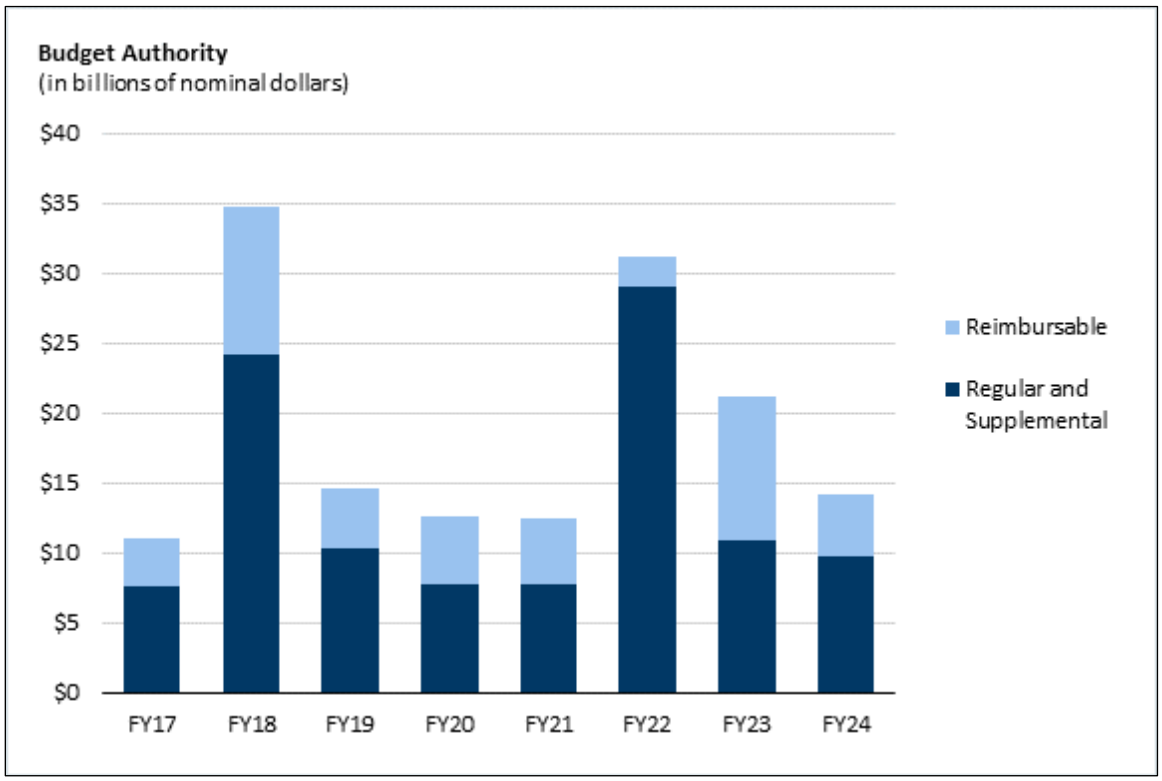
under USACE authorities have included recent hurricane events (e.g., Hurricane Helene) as well as wildfires in Hawaii in 2023 and Francis Scott Key Bridge navigation channel wreckage removal in 2024. USACE indicates that its FEMA mission-assigned tasks totaled 215 in FY2023 at a cost of $684 million and 74 in FY2024 at a cost of $824 million.[31]

Funding and Projects

What Has Been USACE's Recent Civil Works Funding?

USACE reports on its annual and supplemental funding and its reimbursable funding for each fiscal year in its annual financial reports. **Figure 3** shows reported funding for FY2017 through FY2024.

Figure 3. U.S. Army Corps of Engineers (USACE) Civil Works Funding by Source, FY2017-FY2024



Source: CRS, using USACE Civil Works Annual Financial Reports for FY2017-FY2024, which are available at https://www.publications.usace.army.mil/USACE-Publications/Miscellaneous/.

Note: For the reported amounts for FY2024 shown in **Figure 3** , the USACE financial report did not include unobligated prior year appropriations repurposed in FY2024; it did include the recission of $22 million in prior year funds.

[31] Ibid, and USACE, *FY2023 Financial Report*, p. 22.

How Many Civil Works Projects Does USACE Plan and Construct?

For civil works, Congress has authorized USACE to produce studies and other planning documents (e.g., preconstruction engineering and designs, reevaluations) and to conduct construction projects. The cost of the authorized activities exceed the funds Congress has appropriated the agency to perform these activities.[32] Therefore, USACE's federal appropriations are often the factor limiting which plans and construction activities are performed.

In FY2023 and FY2024, USACE had annual, supplemental, and reprogrammed supplemental appropriations available to accomplish work on civil works plans and construction projects.[33] According to USACE financial reports, in FY2023 the agency had $10.890 billion in annual ($8.660 billion) and supplemental appropriations ($2.230 billion).[34] In FY2024, it had $9.731 billion in annual appropriation ($8.681 billion) and supplemental appropriation ($1.050 billion; $1.000 billion of which was for operation and maintenance and $50 million of which was for construction of shore protection projects); in FY2024, it also had repurposed prior year supplemental appropriations ($1.439 billion).[35]

Figure 4 shows the number of USACE planning and construction activities that were underway in FY2023 and FY2024 using annual appropriations, based on information provided in USACE financial reports. The figure also includes information on construction projects funded with supplemental appropriations in both fiscal years. **Figure 4** illustrates that USACE is studying more projects than it is constructing with annual appropriations and shows the role supplemental funds have played in advancing construction projects. The counts shown in **Figure 4** do not include agency projects of limited scope and cost performed under USACE's continuing authorities programs (CAP),[36] periodic nourishments of sand for certain coastal storm damage reduction and erosion projects, assistance for nonfederal environmental infrastructure,[37] or operation and maintenance activities (including repairs and minor rehabilitation) of its civil work assets. Because the $50 million in supplemental construction funds provided in FY2024 for shore

[32] For more on the USACE authorization process, see CRS Report R47946, *Process for U.S. Army Corps of Engineers (USACE) Projects*, by Nicole T. Carter and Anna E. Normand.

[33] For more on USACE appropriations, see CRS Report R46320, *U.S. Army Corps of Engineers: Annual Appropriations Process*, by Anna E. Normand and Nicole T. Carter. For more on FY2023 and FY2024 USACE appropriations, see CRS In Focus IF12090, *U.S. Army Corps of Engineers: FY2023 Appropriations*, by Anna E. Normand and Nicole T. Carter, and CRS In Focus IF12370, *U.S. Army Corps of Engineers: FY2024 Appropriations*, by Anna E. Normand and Nicole T. Carter.

[34] USACE, *FY2024 Financial Report*, indicated it was accounting for all the funds ($8,660 million) provided to USACE in P.L. 117-328 as regular (i.e., annual) appropriations, and it considered $2,230 in funds from three other bills as supplemental funding. For a CRS discussion of USACE's funding provided in FY2023 funding, see CRS In Focus IF12090, *U.S. Army Corps of Engineers: FY2023 Appropriations*, by Anna E. Normand and Nicole T. Carter.

[35] In addition to repurposing prior year supplemental appropriations, the explanatory statement accompanying the Consolidated Appropriations Act, 2024 (P.L. 118-42), repurposed $34.75 million in prior year appropriations for USACE continuing authorities programs (U.S. Congress, House Committee on Appropriations, *Explanatory Statement for Consolidated Appropriations Act, 2024*, committee print, 118th Cong., 2nd sess., p. 625, https://www.govinfo.gov/content/pkg/CPRT-118HPRT56550/pdf/CPRT-118HPRT56550.pdf#page=634). This repurposing is not referenced in USACE, *FY2024 Financial Report*, and therefore is not included in the amount shown here. For a CRS discussion of USACE's FY2024 appropriations, see CRS In Focus IF12370, *U.S. Army Corps of Engineers: FY2024 Appropriations*, by Anna E. Normand and Nicole T. Carter.

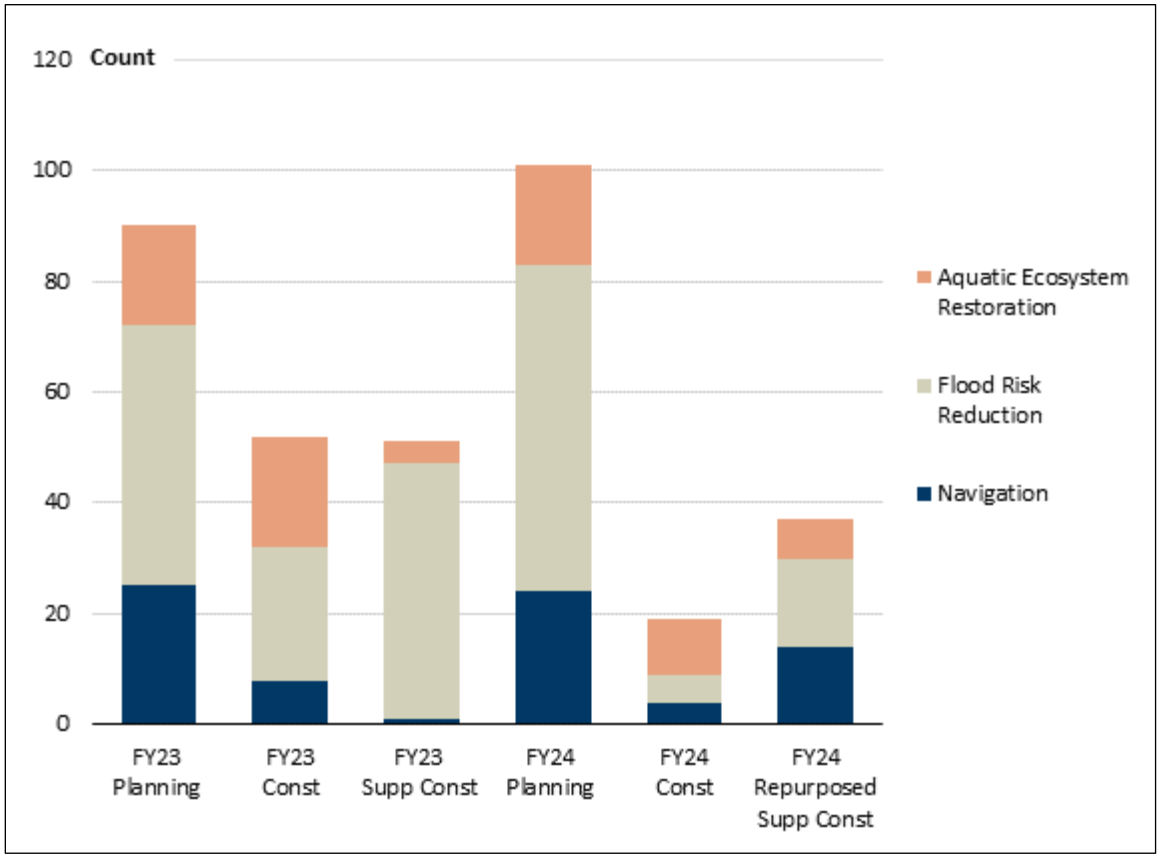
[36] For more on these authorities and their projects, see CRS In Focus IF12635, *Continuing Authorities Programs (CAPs) of the U.S. Army Corps of Engineers*, by Nicole T. Carter and Anna E. Normand.

[37] For more on environmental infrastructure assistance, see CRS Report R47162, *Overview of U.S. Army Corps of Engineers Environmental Infrastructure (EI) Assistance*, by Anna E. Normand.

protection projects has been used for periodic nourishments and CAP projects, the number of projects associated with the $50 million are not shown in **Figure 4**.

Figure 4. Count of USACE Civil Works Planning and Construction Projects Underway in FY2023 and FY2024, by Funding Source

(activities funded using annual appropriations, unless otherwise specified)



Sources: CRS, using U.S. Army Corps of Engineers (USACE), *Fiscal Year 2023 United States Army Corps of Engineers Agency Financial Report*, pp. 14-27; USACE, *Fiscal Year 2024 United States Army Corps of Engineers Agency Financial Report*, pp. 16-27; and USACE, *Army Civil Works Program – FY2024 Work Plan Construction*, https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll6/id/2487 (data for projects' funding source is derived from FY2024 work plan).

Notes: Const = Construction; Supp = Supplemental funding. Planning includes USACE feasibility studies, development of other decision documents (e.g., reevaluations), and preconstruction engineering and design; planning counts do not include watershed studies, validation studies, and USACE assessments of nonfederal studies. The financial reports do not appear to include reporting on accomplishments related to the agency's projects of limited cost and scope performed pursuant to USACE's continuing authorities programs (CAP). Construction accounts do not include surveys, periodic nourishments, and beneficial use of dredged material pilot programs. The $50 million in supplemental construction funds provided in FY2024 for shore protection projects has been used for nourishments or for CAP projects and is not shown in the figure. Supplemental construction counts include those projects initiated, funded, or completed with supplemental funding in FY2023 and repurposed prior year supplemental funds in FY2024. In FY2023, six of the construction projects were funded by both annual and supplemental appropriations. In FY2024, four of the construction projects were funded by both annual and repurposed supplemental appropriations. Counts may differ if other source materials are used (e.g., agency work plans). Not shown in the figure are repurposed funds that were used for one ecosystem restoration study in FY2024.

Proposals to Transfer Authority

Have There Been Proposals to Transfer USACE Civil Works Authorities?

Proposals to transfer USACE's civil works authorities to other federal agencies have been raised multiple times over many decades. Efforts to transfer USACE civil works responsibilities and other reorganization efforts may require legislation, depending on the proposed actions.

Previous proposals to transfer USACE civil works activities (e.g., to the Department of the Interior) have focused on the potential efficiencies of having USACE water resource activities within the same organization as other water, natural resource, transportation, or land management activities. In 2018, the Trump Administration proposed moving USACE's civil works navigation activities from DOD to the Department of Transportation;[38] the proposal indicated that all other USACE civil works activities would be transferred to the Department of the Interior.[39]

Some proposals have focused on studying the potential effects of a transferring USACE civil works authorities. For example, in Section 1102 of the Water Resources Development Act of 2018 (WRDA 2018; Title I of P.L. 115-270), Congress directed the Secretary of the Army to enter into an agreement with the National Academy of Sciences to convene an expert committee to study (1) USACE's ability to carry out its statutory missions and responsibilities, (2) the potential effects of transferring functions from DOD, and (3) USACE's project delivery processes.[40]

For several years after 2018, enacted Energy and Water Development appropriations acts prohibited the use of USACE civil works funds for the reorganization or transfer of the agency's civil works functions or authorities to another department or agency.[41]

For more on the responses and concerns raised in the context of past proposals to transfer USACE civil works authorities, see box "Responses to Previous Authority-Transfer Proposals and the 2018 President Trump Proposal."

Responses to Previous Authority-Transfer Proposals and the 2018 President Trump Proposal

Various past proposals to transfer U.S. Army Corps of Engineers (USACE) civil works authorities to other federal agencies focused on the potential efficiencies of consolidating federal water, natural resource, transportation, and land management activities. Part of the opposition to previous proposals, especially in the late 1940s, included that USACE's water resource projects and flood-fighting and disaster response functioned as peacetime training and

[38] U.S. Executive Office of the President, Office of Management and Budget (OMB), *Delivering Government Solutions in the 21st Century: Reform Plan and Reorganization Recommendations*, June 21, 2018. A 2012 GAO study that examined the roles of USACE and the Department of Transportation for port-related infrastructure found limited coordination and concluded that national freight and maritime system-wide investments would benefit from greater USACE involvement (GAO, *Maritime Infrastructure: Opportunities Exist to Improve the Effectiveness of Federal Efforts to Support the Marine Transportation System*, GAO-13-80, November 13, 2012).

[39] Separate House and Senate authorizing committees have jurisdiction over USACE civil works and DOI water resource development activities in the U.S. West managed by the Bureau of Reclamation.

[40] The study authority specified that the Secretary may not implement the study's finding unless expressly authorized by Congress.

[41] For example, see Section 107 of Division D, P.L. 117-328, which stated, "None of the funds made available by this Act or any other Act may be used to reorganize or to transfer the Civil Works functions or authority of the Corps of Engineers or the Secretary of the Army to another department or agency." Similar language was not part of FY2024 enacted appropriations for USACE civil works.

work for military engineers. A mid-1980s proposal by the Office of Management and Budget to merge the Bureau of Reclamation and USACE was not supported by the Secretaries of the Interior and Defense, reportedly because the two agencies' programs had little overlap and insufficient savings from merging the agencies.

In 2018, the Trump Administration proposed moving USACE's civil works navigation activities from the Department of Defense to the Department of Transportation (DOT). The 2018 Trump Administration proposal raised uncertainties about what entities would be responsible for maintaining existing navigation infrastructure and managing new investments, especially for waterways that traverse multiple states. At present, DOT primarily funds transportation through grants and loans to states, local governments, and public-private partnerships and generally does not own and operate transportation infrastructure (with the exception of the Federal Aviation Administration's ownership of air traffic facilities and equipment). When DOT was created in the mid-1960s, the Lyndon B. Johnson Administration specifically chose not to propose moving USACE navigation functions to DOT because of the multipurpose nature of water resource projects. The 2018 Trump Administration proposal indicated that all USACE civil works activities other than navigation would be transferred to the Department of the Interior (DOI). Transfer of much of USACE to DOI could have shifted DOI to become a department with water resource assets across the country, multiple water-related regulatory authorities, and a significant emergency response role. Congress did not adopt the 2018 Trump Administration's proposal for transferring USACE's civil works responsibilities, and the FY2023 appropriations act prohibited funding of a transfer or reorganization of these responsibilities.

Sources: U.S. Congress, House Committee on Appropriations, Subcommittee on Energy and Water Development, *Energy and Water Development Appropriations for 1986*, 99th Cong., 1st sess., February 20, 1985, pp. 136-137; Daniel McCool, *Command of the Water: Iron Triangles, Federal Water Development, and Indian Water* (Tucson, AZ: Univ. of Arizona Press, 1994), p. 199; Message from the President, *A Proposal for a Cabinet-Level Department of Transportation Consolidating Various Existing Transportation Agencies*, H.Doc. No. 399, 89th Congress, 2nd Sess., March 2, 1966; Gerald E. Galloway, *Civil Works in the Army?*, U.S. Army War College, AD-783 891, June 1, 1974, https://apps.dtic.mil/sti/tr/pdf/AD0783891.pdf.

Efficiency and Effectiveness Reviews

What Are Some Examples of Reviews of USACE's Efficiency and Effectiveness?

In 2012, CRS produced a report on USACE's fiscal challenges that described recommendations from various expert and government sources on how to improve the agency's civil works activities.[42] Other government agencies have produced various reports on the topic since then. Some of the published reports that broadly cover USACE's efficiency and effectiveness include the following:

- U.S. Government Accountability Office (GAO), *Army Corps of Engineers: Additional Steps Needed to Implement Acceleration Reforms*, 2024[43]
- GAO, *Federal Construction: Army Corps of Engineers and GSA Need to Improve Data on Contract Changes*, 2019[44]

[42] CRS Report R41961, *Army Corps Fiscal Challenges: Frequently Asked Questions*, by Nicole T. Carter and Charles V. Stern.

[43] GAO, *Army Corps of Engineers: Additional Steps Needed to Implement Acceleration Reforms*, GAO-24-107072, July 17, 2024, https://www.gao.gov/assets/gao-24-107072.pdf.

[44] GAO, *Federal Construction: Army Corps of Engineers and GSA Need to Improve Data on Contract Changes*, GAO -19-500, 2019, https://www.gao.gov/assets/gao-19-500.pdf.

- National Academy of Public Administration, *The U.S. Army Corps of Engineers: An Evaluation of the Project Partnership Agreement Process*, 2018[45]
- National Academy of Sciences, *Corps of Engineers Water Resources Infrastructure: Deterioration, Investment, or Divestment?,* 2013[46]

The Army's Engineer Inspector General also conducts audits and investigations related to USACE activities.[47] The Chief of Engineers, as the Commanding General of USACE, reportedly directs the Engineer Inspector General's office to conduct investigations on specific topics (e.g., logistics, teleworking).[48]

In addition, Congress has regularly held hearings on USACE where some committee members have raised questions of efficiency and effectiveness. Examples include the Senate Committee on Environment and Public Works' November 29, 2023, hearing on *Stakeholder Feedback on USACE Project Partnership Agreements* and its October 6, 2021, hearing on *The U.S. Army Corps of Engineers Emergency Response to Hurricane Ida*.[49] Other related hearings have included the then-Subcommittee on the Interior, Energy, and Environment of the House Committee on Oversight and Government Reform hearing on March 6, 2018, *Examining the U.S. Army Corps of Engineers*, and the Subcommittee on Water Resources and Environment of the House Transportation and Infrastructure Committee hearing on January 18, 2018, *America's Water Resources Infrastructure: Approaches to Enhanced Project Delivery*.[50]

What Are Some Reviews of USACE's Efficiency and Effectiveness Requested by the 117th and Earlier Congresses?

Previous Congresses have requested reviews of USACE civil works efficiency and effectiveness, including in the Water Resources Development Act of 2022 (WRDA 2022; Title LXXXI of Division H of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, P.L. 117-263). In WRDA 2022, Congress

- directed GAO to analyze the geographic distribution of USACE's annual and supplemental funding for the preceding five fiscal years and the factors contributing to such distribution (§8236(a));

[45] National Academy of Public Administration, *The U.S. Army Corps of Engineers: An Evaluation of the Project Partnership Agreement Process*, November 2018, https://napawash.org/academy-studies/us-army-corps-of-engineers-project-partnership-agreement-process-evaluati.

[46] National Academy of Sciences, *Corps of Engineers Water Resources Infrastructure: Deterioration, Investment, or Divestment?*, 2013, https://nap.nationalacademies.org/read/13508/chapter/1#x.

[47] More information on the Engineer Inspector General is available at USACE, "Engineer Inspector General," https://www.usace.army.mil/About/Offices-and-Units/Engineer-Inspector-General/.

[48] Michel Sauret, "More Than Just Inspections: IG Office Provides Oversight, Assistance Across Army Corps of Engineers," U.S. Army Corps of Engineers, Pittsburgh District, July 12, 2022, https://www.dvidshub.net/news/424787/more-than-just-inspections-ig-office-provides-oversight-assistance-across-army-corps-engineers.

[49] U.S. Congress, Senate Committee on Environment and Public Works, *WRDA: Stakeholder Feedback on USACE Project Partnership Agreements*, hearings, 118th Cong., 1st sess., November 29, 2023, https://www.epw.senate.gov/public/index.cfm/2023/11/wrda-2024-stakeholder-feedback-on-usace-project-partnership-agreements; U.S. Congress, Senate Committee on Environment and Public Works, *The U.S. Army Corps of Engineers Emergency Response to Hurricane Ida*, hearings, 117th Cong., 1st sess., October 6, 2021, S. Hrg. 117-217, https://www.govinfo.gov/content/pkg/CHRG-117shrg47096/html/CHRG-117shrg47096.htm.

[50] Videos of the two hearings are available at https://oversight.house.gov/hearing/examining-u-s-army-corps-engineers/ and https://transportation.house.gov/calendar/eventsingle.aspx?EventID=402108, respectively.

- directed GAO to audit USACE projects that are over budget and behind schedule, including the contributing factors and conditions (§8236(b));
- directed the establishment of a Non-Federal Interest Advisory Committee to develop recommendations for effective, efficient delivery of USACE water resource activities (§8150); and
- directed the establishment of a Tribal and Economically Disadvantaged Communities Advisory Committee to develop recommendations for effective, efficient delivery of USACE water resource activities to tribes and economically disadvantaged communities (§8115).

GAO indicates it also has an assignment underway to review USACE's efforts to reduce federal fiscal exposure to flooding associated with federally funded flood risk management infrastructure.[51]

As noted, in Section 1102 of WRDA 2018, Congress directed the Secretary of the Army to have the National Academy of Sciences study USACE's project delivery processes and ability to carry out its statutory missions and responsibilities. This study has not proceeded. As noted, for several years after 2018, enacted Energy and Water Development appropriations acts prohibited the use of USACE civil works funds for the reorganization or transfer of the agency's civil works functions or authorities to another department or agency.

What Are Some Reviews of USACE's Efficiency and Effectiveness Requested by the 118th Congress?

In the Water Resources Development Act of 2024 (Division A of S. 4367, Thomas R. Carper Water Resources Development Act of 2024, signed by President Biden on January 4, 2025), Congress requested various reviews associated with USACE civil works efficiency and effectiveness. In Section 1244 of WRDA 2022, Congress requested several GAO studies related to USACE civil works activities, including the following:

- a review of the accuracy of project cost estimates;
- an analysis of opportunities to modernize the USACE civil works program through the use of technology and best available engineering practice;
- a review of the efforts of USACE to facilitate improved environmental reviews associated with USACE studies;
- an analysis of USACE's disaster preparedness and response activities, including its use of disaster-related supplemental appropriations provided to USACE accounts and the assistance provided pursuant to its disaster response authority (33 U.S.C. §701n); and
- a review of USACE's emergency response role in supporting FEMA.

[51] GAO, "1.8 Stewardship of Natural Resources and Environment," https://watchdog.gao.gov/activeasn/issues.php?process=individual&item=107635.

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