

April 25, 2023

The Honorable Chuck Fleishmann, Chairman  
The Honorable Marcy Kaptur, Ranking Member  
U.S. House of Representatives Committee on Appropriations  
Subcommittee on Energy and Water Development, and Related Agencies  
2362-B Rayburn House Office Building  
Washington, D.C. 20515

25 Massachusetts Ave NW, Suite 500  
Washington D.C., 20001  
(202) 789.7850 main ■ www.ASCE.org

Dear Chairman Fleishmann and Ranking Member Kaptur:

As you draft Fiscal Year (FY) 2024 legislation for the House Appropriations Subcommittee on Energy and Water Development and Related Agencies, we urge you to provide robust funding for the programs that play a vital role in maintaining our nation's inland waterways, protecting communities and property from flood risk, and preserving and enhancing our environmental resources. Reliable and long-term funding for the maintenance and modernization of our water resources infrastructure system is vital to our nation's economic competitiveness and national security.

#### **U.S. Army Corps of Engineers – Civil Works**

**We urge the Subcommittee to dedicate at least \$2.7 billion in FY24 to the U.S. Army Corps of Civil Engineers (USACE) Civil Works Construction account** to help offset the growing backlog and to get our nation's water resources infrastructure systems modernized to meet the needs of a 21<sup>st</sup> century economy.

The USACE operates and maintains a vast network of 25,000 miles of inland waterways and 241 locks that support half a million jobs, move nearly 830 million tons of cargo annually, and form the nation's connection to inland and ocean ports and international markets. The USACE also manages flood control, dam safety, water supply, recreation, shoreline protection, disaster response and recovery, hydropower, and environmental restoration and protection across the nation. USACE's construction account is chronically underfunded and received only \$1.8 billion in the FY23 omnibus package to address the estimated project backlog of \$109 billion.

ASCE was pleased that progress has been made in implementing the USACE's Water Infrastructure Financing Program (CWIFP), to provide Water Infrastructure Finance and Innovation Act (WIFIA) in support of non-federal dam safety projects. While the Environmental Protection Agency's (EPA) portion of the WIFIA program has been implemented with much success, the USACE portion of the program has only in recent years received funding, and ongoing support is necessary to address the rising cost of rehabilitating the nation's non-federal dams. **We urge the Subcommittee to fund the USACE's WIFIA program in FY24 at no less than the FY 23 enacted level of \$7.2 million.**

#### **Dams and Levees**

Our nation's 91,468 dams and 30,000 miles of levees are critical components of risk reduction and protect communities, critical infrastructure, and trillions of dollars in property. However, it is estimated that \$80 billion is needed in the next 10 years to maintain and improve the nation's levees, while the

Association of State Dam Safety Officials estimates the cost of rehabilitating our nation's non-federal dams to exceed \$157 billion. In addition, USACE estimates that more than \$21 billion will be required to address dam deficiencies for Corps-owned dams; at the current rate of investment, these repairs would take over 50 years to complete. As such, *ASCE's 2021 Report Card for America's Infrastructure* gave our nation's dams and levees each a grade of "D." Therefore, we urge the Subcommittee to fund these three programs at their fully authorized FY21 levels:

- **National Dam Safety Program (PL 115 – 270, Sec. 1163) at \$500,000 for the National Inventory of Dams;**
- **National Low-Head Dam Inventory (PL 117—263, Sec. 8122) at \$30 million; and the**
- **National Levee Safety Program (PL 117 – 263 Sec. 8387) at \$54 million.**

Investment is needed to rehabilitate deficient dams and to complete the national inventory of levees. ASCE was pleased that the National Defense Authorization Act (NDAA) for Fiscal Year 2023 (PL 117—263, Sec. 8387) reauthorized the National Levee Safety Program through FY 2028.

The National Levee Safety Program has created an inventory of our nation's levees, which did not exist before Hurricane Katrina. In fact, we now know the location and condition of nearly 30,000 miles of levees thanks to this program; however, there is much work to be done to further inventory the thousands of miles of levees not yet in the database. Despite this program's successes, the National Levee Safety Program has yet to receive any funding other than for the levee inventory.

The National Dam Safety Program, first authorized in 1996 and last reauthorized in 2018, is the primary source of federal support for dam safety programs at the state level. The program supports state programs with resources for training, staffing needs, emergency planning, and dam inspection and monitoring activity. The National Dam Safety Program is set to expire on September 30, 2023. It is critical that the National Dam Safety Program be reauthorized at a funding level that will adequately support the safety of dams nationwide.

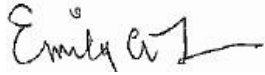
Additionally, the Water Resources Development Act of 2022, which was included in the NDAA, authorized the creation of a National Low Head Dam Inventory. Low-head dams are man-made structures which stretch across an entire river or stream and can create dangerous currents which are difficult to see with the naked eye. These structures have been known to pose safety hazards and have resulted in the loss of life. In many cases nationwide, these low-head dams are not properly marked so it is difficult to be able to assess the danger they pose. A new national inventory will significantly help in addressing those risks. We urge the committee to support the full authorized funding level of \$30 million for the National Low-Head Dam Inventory.

### **Harbor Maintenance Trust Fund (HMTF)**

The Water Resources Development Act of 2020 included full utilization of the \$10 billion balance in the Harbor Maintenance Trust Fund (HMTF) by allowing \$500 million to be appropriated in FY 2021, with an increase of \$100 million annually to \$1.5 billion for FY 2030 and thereafter. Ports, which earned a "B-" in ASCE's 2021 report card, face a funding gap of over \$12 billion for infrastructure needs such as dredging over the next decade. **Congress should increase FY24 expenditures accordingly and continue to allow for the unspent balance of the HMTF to be used for port projects.**

In conclusion, ASCE believes our nation must prioritize the investment needs of our water resources infrastructure systems to ensure public safety, a strong economy, and the protection of our environmental resources. We thank you for your consideration of our funding requests and look forward to working with the Subcommittee to fund these existing successful federal infrastructure programs.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily A. Feenstra". The signature is fluid and cursive, with a prominent initial "E" and a long, sweeping underline.

Emily A. Feenstra

Chief Policy & External Affairs Officer, American Society of Civil Engineers

cc: Chairwoman Kay Granger and Ranking Member Rosa DeLauro, House Committee on Appropriations