

Memorandum

Date: July 21, 2026

To: ASCE Members and Stakeholders

From: ASCE Government Relations Staff

RE: Analysis of H.R. 9497 and S. 4949, the House and Senate Water Resources Development Acts (WRDA) of 2026

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BACKGROUND

On June 29th, bipartisan leadership of the House Transportation & Infrastructure (T&I) Committee introduced H.R. 9497, the Water Resources Development Act (WRDA) of 2026. This was followed on July 13th by the Senate Environment & Public Works (EPW) Committee introducing its own WRDA legislation, S. 4949. Passed biennially, WRDA serves as the primary legislative vehicle to authorize U.S. Army Corps of Engineers (USACE) projects, including ports, inland waterways, levees, and dams. Congress has passed bipartisan WRDA legislation on a biennial cycle since 2014, which has provided communities with the certainty they require to meet water infrastructure demands, while also supporting the safety, environment, and economic development of those communities. The introduction of WRDA 2026 marks the culmination of a process that began in the fall of 2025 when the T&I committee held its first hearing on the water resources legislation.

In the Senate, in addition to authorizing projects and studies and making changes to water resources policy, actions which comprise a traditional WRDA bill, S. 4949 also includes reauthorizations of Environmental Protection Agency (EPA) water infrastructure funding and finance programs. This most notably includes four-year reauthorizations for the Clean Water State Revolving Fund (CWSRF), Drinking Water State Revolving Fund (DWSRF), and Water Infrastructure Finance and Innovation Act (WIFIA) program, all of which provide low-cost loans to support water infrastructure upgrades and repairs. Senate EPW holds jurisdiction over all these programs, in addition to water resources infrastructure and policy. In the House, jurisdiction over WIFIA and the CWSRF falls to House T&I; however, DWSRF and drinking water issues fall under the jurisdiction of the House Energy & Commerce Committee. This is likely why the Senate's WRDA bill contains water infrastructure reauthorizations while the House bill does not.

ASCE's 2025 Report Card for America's Infrastructure gives the nation's infrastructure an overall grade of "C". This represents the highest grade in the history of the Report Card and was partially driven by grade increases for each of the four water resources infrastructure categories from their 2021 grades. Dams and Levees each went from a "D" in 2021 to a "D+" in 2025, Inland Waterways increased from a "D+" to a "C-", and Ports went from a "B-" to a "B", making it the highest grade of the 18 infrastructure categories reviewed by ASCE in 2025. Water infrastructure grades held steady from 2021, with Drinking Water maintaining a "C-" grade, Stormwater receiving a "D", and Wastewater a "D+".

House T&I passed WRDA on July 14th with unanimous support, reporting H.R. 9497 favorably to the full House for consideration. Senate EPW followed suit on July 15th by unanimously reporting its WRDA bill

out of committee. Both bills await final passage before the committees meet to iron out differences between the bills over the remainder of the summer and fall.

As Congress began developing WRDA 2026, ASCE shared policy priorities for consideration in a final bill. These priorities include:

- Reauthorization of the High Hazard Potential Dam Rehabilitation Grant Program;
- Revision of the National Dam Safety Program State Assistance Grant formula to better reflect the current dam regulatory structure;
- Reauthorization of the National Levee Safety Program through 2033;
- Addressing the water resources project backlog at USACE;
- Supporting maintenance dredging activities through the Harbor Maintenance Trust Fund.

The following is an in-depth look at what provisions are included in the House and Senate WRDA 2026 bills, as well as ASCE's position on these critical pieces of legislation.

ANALYSIS

WRDA legislation supports USACE by authorizing water resources studies and projects and setting policies for navigation, flood control, hydropower, recreation, water supply and emergency management.

This year's House WRDA bill authorizes 131 new project feasibility studies and 10 new water resources projects for USACE, while the Senate bill authorizes 15 new projects and 61 feasibility studies. They also include several new policy provisions supporting water resources infrastructure resilience, support for flood control programs, provisions to improve project delivery and, in the case of the Senate's bill, provisions reauthorizing critical water infrastructure programs.

Dam Safety

One of the few federal funding streams available for dam repair and rehabilitation is the High-Hazard Potential Dam Rehabilitation Grant (HHPD) Program. It provides competitive grants to states to support repair and rehabilitation projects for those dams which pose the greatest risk to downstream communities and can prevent communities from unspeakable damage and save millions of dollars in recovery aid. The program was first authorized in 2016, and since 2019 has provided more than \$71 million in grants across 40 states and Puerto Rico, despite being chronically underfunded. The HHPD program's legislative authority is set to lapse in September 2026 and therefore must be reauthorized.

Section 501 of H.R. 9497 and Section 1358 of S. 4949 reauthorize the High Hazard Potential Dam Rehabilitation Grant Program through 2031 at existing funding levels.

Both the House and Senate WRDA bills (**Sec. 501 and Sec. 1375, respectively**) also make a needed adjustment to the **National Dam Safety Program State Assistance Grant** allocation formula. WRDA 2024 included a provision that incorporated low-head dams into the formula used to calculate allocations under the State Assistance Grant program. While ASCE strongly supports the development of a National Low-Head Dam Inventory, the data on low-head dams remains incomplete, and most states have neither the capacity nor the mandate to accurately count low-head dams. While data on low-head dams is being collected nationwide for the development of a comprehensive national inventory, the inclusion of low-head dams into the State Assistance Grant allocation formula prior to the completion of the inventory would create unintended consequences.

By requiring states to account for low-head dams in their grant applications before the National Low-Head Dam Inventory is complete, most states may see reduced funding to support inspection and monitoring, emergency preparedness, and staffing needs. WRDA 2026 addresses this unintended consequence by removing low-head dams from the allocation formula, ensuring states do not lose out on much needed funding, while allowing the continued development of the low-head dam inventory.

ASCE Position: ASCE strongly supported the inclusion of a five-year reauthorization of the High Hazard Potential Dam Rehabilitation Grant Program in WRDA 2026 and applauds the T&I and EPW committees for ensuring that this critical program can continue to provide funding to states for some of their most needed dam rehabilitation projects. ASCE will work with the committees to ensure the HHPD program reauthorization remains in a final, conferenced bill.

ASCE also strongly supports language in both WRDA 2026 bills that adjust the National Dam Safety Program State Assistance Grant allocation formula by removing the inclusion of low-head dams, as this was a top policy request from ASCE in any WRDA bill. While the development of a national inventory of low-head dams is also a priority for ASCE, the inventory is still in its early stages and not yet fully developed. Additionally, many states do not regulate or collect data on low-head dams, and the federal government currently lacks the resources and proper mandate to provide incentives for states to collect and upload low-head dam data into the budding inventory. Until USACE has had time to properly develop the low-head dam inventory, including assisting states with the process of counting and collecting data on low-head dams, factoring low-head dams into the total number of dams that determine State Assistance Grant allocations may divert funding away from states requiring federal support for their dam safety programs but lacking the capacity to properly account for low-head dams. These circumstances reduce the overall safety of the dams nationwide. By striking the language incorporating low-head dams into the grant formula from the 2024 law and supporting robust efforts to grow and develop the National Low-Head Dam Inventory, the unintended consequences from the WRDA 2024 legislative language can be corrected. Once the low-head dam inventory has been completed, ASCE recommends once again reassessing State Assistance Grant criteria to determine if incorporating low-head dams would be appropriate at that time.

Resilience

Sec. 101 of H.R. 9497 of the bill directs the Office of the Secretary to establish an Office of Water Supply, Water Conservation, and Drought Resiliency to help USACE identify and promote water supply, water conservation, and drought resiliency at water resource development projects.

This provision does not appear in S. 4949

Sec. 109 of H.R. 9497 creates two new continuing authority programs. One of the programs would focus on improving flood risk management projects, while the other would focus on drought resiliency.

This provision does not appear in S. 4949

Sec. 1118 of S. 4949 expands and provides new authority to USACE to advance non-structural features into projects and studies. Non-structural features include enhancements to structure elevation, structure floodproofing, basement filling, and acquisition of floodplain land and structure demolition or relocation. These provisions reflect provisions included in S. 4248, the Enhancing Long-Term, Efficient, and Viable Alternatives to Empower (ELEVATE) Flood Prone Communities Act, introduced by Senate EPW Ranking Member Sheldon Whitehouse (D-RI) and Senator Thom Tillis (R-NC)- a bill supported by ASCE.

This provision does not appear in S. 4949

Further, certain sections of the bill authorizing specific projects direct the Secretary to update Congress or facilitate studies on how to improve disaster and flood resilience into said projects

ASCE Position: ASCE supports Congress' desire to further harden and improve the resilience of USACE infrastructure systems against the challenges they face over their lifecycles. Sustainable flood risk management practices, such as use of non-structural measures to bolster water resources projects, help extend the life of structures and systems and can help to reduce repair and maintenance costs.

Workforce

Sec. 141 of H.R. 9497 includes non-binding language expressing the sense of Congress that USACE "should maintain a professional workforce capable of addressing the varied statutory responsibilities entrusted to the Corps of Engineers." This section also calls on USACE to improve its recruiting efforts, offer clear paths for internships and careers with USACE for students and recent graduates, and provide meaningful career development opportunities to ensure its future workforce needs are met.

Additionally, it calls for the Army Secretary to work with the National Academy of Public Administration to carry out a comprehensive review of the USACE's workforce needs and demands.

This provision does not appear in S. 4949

Sec. 2206 S. 4949 directs the EPA Administrator to update its America's Water Sector Workforce Initiative to better support small and rural communities and makes cybersecurity related training an eligible use for the Innovative Water Infrastructure Workforce Development Program. It also reauthorizes that program at \$15 million per year through 2030.

This provision does not appear in H.R. 9497

ASCE Position: ASCE supports Congress' efforts to improve recruiting and career pathways for USACE, as well as the nation's water infrastructure workforce. A strong workforce pipeline into the USACE will pay dividends over the long term for the health and safety of the nation's vital water resource infrastructure systems. At the same time, the nation's water infrastructure workforce is expected to face significant retirements over the coming decade, making a pipeline of younger workers to take on these jobs essential. Additionally, cybersecurity threats from foreign and other hostile actors continue to pose challenges to water systems nationwide, which can result in service disruptions, health risks, and other concerns. By supporting training in cybersecurity methods and procedures, utilities will be better equipped to confront these challenges and protect communities from potential harm.

Project delivery

Sec. 107 of H.R. 9497 requires the Secretary of the Army to implement an electronic system for preparing, submitting, and tracking applications and documents related to environmental reviews. This electronic system is meant to enhance interagency coordination during the environmental review process.

This provision does not appear in S. 4949

Sec. 1109 of S. 4949 creates categorical exclusions exempting environmental infrastructure projects, projects carried out under continuing authority programs, and projects whose federal cost share is less

than \$50,000 from environmental reviews and environmental assessments under the National Environmental Policy Act (NEPA).

This provision does not appear in H.R. 9497

ASCE Position: ASCE supports efforts to enhance project delivery and improve coordination between federal agencies. Environmental reviews can take years to complete, and ASCE appreciates the bill's efforts to facilitate this important process.

Harbor Maintenance Trust Fund

Sec. 114 of H.R. 9497 includes a sense of Congress that the Secretary should allocate funds from the Harbor Maintenance Trust Fund (HMTF) to cover operations and maintenance costs associated with harbors and inland harbors. The bill also calls on the Secretary to submit an annual report to Congress detailing the total amount of expenditures made in the fiscal year to pay for operations and maintenance projects at harbors, a list of projects for which expenditures were made, and an explanation of any failure to make such expenditures.

This provision does not appear in S. 4949

ASCE Position: ASCE supports continued efforts to spend down the balance of the HMTF on operations and maintenance activities for the nation's harbors and inland harbors. Waterside infrastructure needs, such as maintenance dredging, are paid through the federal HMTF. The HMTF collects revenue through a 0.125% user fee on the value of cargo shipped. The 2020 WRDA included full utilization of the \$10 billion balance of the HMTF by allowing \$500 million to be appropriated in Fiscal Year (FY) 2021, with an increase of \$100 million annually until 2030. The full expenditure of the HMTF has been a longtime priority and ASCE strongly supported Congress's effort to address this issue in 2020.

Harbors and inland harbors are vital components of port infrastructure and play a key role in the nation's economy. Ports received the highest grade on ASCE's 2025 *Report Card for America's Infrastructure*, earning a "B". Port investment decisions are largely driven by the need to upgrade aging facilities and maintain the depth of channels and harbors to keep them safe and navigable. ASCE also recognizes that project and resource management depend on frequent, up-to-date reports, and we appreciate the provision calling for an annual report on projects supported by the HMTF.

Inland waterways

Sec. 206 of H.R. 9497 states the Secretary shall conduct a study to evaluate the condition and reliability of water resources development projects within the country's inland and intracoastal waterways. Among the study's contents will be assessments of the condition of flood control structures along waterways and the funding needed to improve the reliability and effectiveness of water resources development projects.

This provision does not appear in S. 4949

Sec. 1110 of S. 4949 requires the Inland Waterways Users Board, an advisory committee tasked with monitoring the Inland Waterways Trust Fund (IWTF) and making recommendations to USACE and Congress on investment priorities for the IWTF, to submit to Congress reports detailing any advice and recommendations it prepares. These reports would not be subject to review or approval from any U.S. government agency or official prior to transmitting to Congress.

This provision does not appear in H.R. 9497

ASCE Position: ASCE supports studies and reports meant to enhance understanding of infrastructure's condition, reliability, and needs, and we commend Congress for including such provisions in these bills. Inland waterways earned a "C-" on ASCE's *2025 Report Card for America's Infrastructure*, and more information on the condition of these facilities would help engineering professionals and infrastructure owners address challenges. The study proposed in H.R. 9497 would also be a valuable source of information for ASCE's future Report Cards. ASCE also supports efforts to improve transparency and coordination between stakeholders- such as those who sit on the Inland Waterways Users Board- and Congress and other federal entities. This has the potential to improve outcomes for inland waterways projects and provide Congress with a clearer sense of how to prioritize inland waterways projects in future WRDA and appropriations bills.

Dredging

When developing a dredged material management plan for a water resources development project, **Sec. 110 of H.R. 9497** calls on the Secretary to account for a minimum of 10 years of dredged material placement capacity. However, the bill includes an exception if the Secretary determines that a minimum of 10 years of dredged material placement capacity for a project is "not feasible due to complexity, controversy, or other compelling factors."

This provision does not appear in S. 4949

Sec. 111 of H.R. 9497 directs the Secretary to consult with stakeholders, including non-federal entities and state representatives, in determining scope and performance timeline when entering into contracts for maintenance dredging activities.

S. 4949 contains a similar provision (Sec. 1117)

Additionally, Sec. 125 of H.R. 9497 adds a location, a project on the Ipswich River in Massachusetts, for remediation of contaminated sediment. Additionally, the bill calls for assessments of the long-term viability of existing dredged material placement areas for Mobile Harbor in Alabama (Sec. 216) and of the Calumet Harbor Dredged Material Disposal Facility in Chicago (Sec. 218).

ASCE Position: ASCE appreciates the legislation's emphasis on coordinating and planning maintenance dredging projects and managing the dredged material that comes from them. Dredging is a critical and continuously needed activity for ports. Channel depth determines the size of vessels that can call at a port, and maintenance dredging is important for making sure ports can safely accommodate large ships and compete with one another.

Levee Safety

Sec. 1356 of S. 4949 extends the National Levee Safety Program through 2031. The National Levee Safety Program was first authorized in 2007 in the wake of Hurricane Katrina to establish a national levee inventory and produce national levee safety guidelines and was expanded in 2014 to help stand up state levee safety programs and support levee rehabilitation and maintenance. This provision would ensure that the program will continue to develop for at least the next five years. Extension of the National Levee Safety Program was an ASCE 2026 WRDA priority.

This provision does not appear in H.R. 9497

Sec. 104 of H.R. 9497 of the measure establishes a Levee Owners Board. The Owners Board would be composed of eleven members appointed by the Secretary, each of which is a federal levee system Owner Operator, including at least one member from each of the eight divisions of USACE. The board would meet semiannually to develop and make recommendations for Secretary and Congress regarding levee safety in the U.S., including as it relates to the effectiveness of the levee safety program and the levee safety initiative.

This provision does not appear in S. 4949

ASCE Position: To ensure that it can continue to develop and provide needed assistance to states, ASCE strongly encourages the inclusion of Section 1356 of the Senate's WRDA bill to extend the National Levee Safety Program through 2031. ASCE will continue to work with T&I on why a Levee Safety Reauthorization is critical and encourage them to support inclusion of this provision in a final WRDA conference agreement.

Next Steps

With House T&I and Senate EPW both favorably reporting their WRDA bills out of committee, both bills now await a vote by the full House and Senate. The bipartisan nature of WRDA usually makes this prospect something of a formality. However, floor fights over non-WRDA-related issues could result in delays of final passage in the House, where such issues ultimately delayed T&I's markup of H.R. 9497 by nearly two weeks. Assuming the House and Senate are able to pass their respective bills prior to the start of the 2026 August recess, the committees will meet over the remainder of the summer and into the fall to negotiate a final conference agreement that can be passed and signed into law before the end of 2026.

ASCE will continue to urge Congress to maintain key provisions in both the House and Senate bills in any final WRDA package, especially those priorities strongly supported by ASCE.

For additional information about WRDA 2026, please contact ASCE Government Relations Staff:

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