



Recess is nearly over, back to work to finish strong



Senate Appropriations Committee FY24 funding for inland waterways construction projects was \$116 million.

One would expect things to be quiet with Congress in recess for the month of August, but that is not the case for us. Waterways Council Inc. (WCI) has been working hard to be sure that when Congress returns, a top priority – before the end of the fiscal year on September 30 – remains the Fiscal Year (FY) 2024 Energy & Water Development (E&WD) Appropriations bill that funds the U.S. Army Corps of Engineers.

FY24 E&WD appropriations bills have recently made significant progress in both chambers, advancing through both full Appropriations Committees, demonstrating that bipartisanship still exists in Washington, DC. However, other appropriations bills may be stalled and require a Continuing Resolution (CR) to fund the federal government.

On July 20, the Senate Committee on Appropriations marked up the FY24 E&WD Appropriations Act. Overall, the Senate Appropriations Committee's proposed funding for the Corps' Civil Works mission was \$8.93 billion, an increase of \$625 million above FY23's appropriated level, and \$1.52 billion above the President's FY24 budget request.

On June 22, the House Appropriations Committee approved its E&WD appropriations bill, with overall Corps' Civil Works funding slightly higher than the Senate at \$9.57 billion, an increase of \$1.26 billion above FY23's appropriated level, and \$2.16 billion above the President's FY24 budget request.

Senate Appropriations Committee FY24 funding for inland waterways construction projects was \$116 million, with \$40.6 million from the IWTF, with Congressionally Directed Spending (CDS) requests – formerly known as earmarks—for Inland Waterways Trust Fund

(IWTF) construction projects as follows:

- \$41 million for Locks and Dams 2, 3, & 4, Monongahela River, requested by Senator Casey (Pa.).
- \$75 million for the Upper Mississippi River-Illinois Waterways System/Navigation & Ecosystem Sustainability Program (NESP), requested by Senators Baldwin (Wis.), Duckworth (Ill.), Durbin (Ill.), Klobuchar (Minn.), and Smith (Minn.). \$45 million was included for ecosystem restoration projects for NESP making the total amount of CDS allocations \$120 million for that program.

The House bill's FY24 funding for construction projects on the inland waterways was \$456 million, with \$159.6 million from the IWTF, which was a significant increase from the FY24 budget request of \$0. The House bill also included Community Project Funding (CPF) requests (earmarks) for IWTF construction projects as follows:

- Chickamauga Lock: \$236.8 million, submitted by Cong. Fleischmann (TN-03)
- Lower Monongahela: \$41 million, submitted by Cong. Reschenthaler (PA-14)
- MKARNS, Three Rivers: \$103.17 million, submitted by: Cong. Crawford (AR-01)
- NESP, Navigation Portion: \$75 million, submitted by: Cong. S. Graves (MO-06), LaHood (IL-16), Luetkemeyer (MO-03), Sorensen (IL-17) and Budzinski (IL-13)

The Senate proposed Corps' Investigations account funding at \$140.3 million, a reduction of \$32.2 million from the FY23 enacted level and \$10.5 million above the FY24 request.

The House level for the Corps' Investigations account was \$136.09 million, a decrease of \$36.4 million from the FY23 enacted level

and \$6.25 million above the FY24 request. WCI secured an investigations request through the CPF process in the House bill for the Bayou Sorrel Lock Replacement Study at \$800,000, submitted by Cong. G. Graves (LA-06).

Senate funding for Operations and Maintenance (O&M) was \$5.53 billion, an increase of \$453.4 million above FY23 and \$1.2 billion above the administration request. The House proposed O&M funding is \$5.50 billion, an increase of \$418.12 million above FY23 and \$1.18 billion above the administration request.

While both the House and Senate requested strong FY24 funding for the Corps, the two bills must be reconciled and passed on the floor before September 30 to avoid a CR. If Congress cannot provide funding by the September 30 deadline, then funding levels for Corps projects will be determined by the "least of" rule which requires funding to equal the previous fiscal year's allocation or the administration's recommendation (whichever number is lower), until an agreement can be reached. If a full-year CR is enacted, it would set back the Corps' navigation construction program by years in terms of funding and operational timelines, instead of continuing its strong activity based on high annual appropriated funding levels.

With the Congressional recess over in early September, it is critical that the FY24 Energy and Water appropriations bill is enacted.



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