

# Army Corps of Engineers: Additional Steps Needed to Implement Acceleration Reforms

GAO-24-107072

Q&amp;A Report to Congressional Committees

July 17, 2024

## Why This Matters

The U.S. Army Corps of Engineers (Corps) conducts feasibility studies as an integral initial step in determining whether and how to undertake a project to develop water resources—for example, to improve navigation channels or manage flood risks. Historically, feasibility studies have taken years, or even decades, to move from conception to completion. To address this issue, the Corps developed a policy in 2012—known as Specific, Measurable, Attainable, Risk Informed, Timely (SMART) Planning—to establish the agency’s 3x3x3 Rule. The rule requires that the Corps complete each feasibility study within a 3-year period, at a cost of not more than \$3 million, while ensuring active involvement from all three Corps levels—district, division, and headquarters. SMART Planning was later codified in the Water Resources Reform and Development Act of 2014 (WRRDA 2014). Additionally, section 1005 of WRRDA 2014 includes provisions related to accelerating the completion of, and improving public transparency around, feasibility studies for which an environmental impact statement is prepared. We refer to section 1005 as the act’s feasibility study acceleration reform provisions, or the provisions.

In addition, WRRDA 2014 includes a provision for GAO to assess the reforms the Corps carried out in response to the act’s feasibility study acceleration reform provisions and report to Congress 5 and 10 years after the legislation’s enactment. (Pub. L. No. 113-121, § 1005(m), 128 Stat. 1193, 1211-1212 (codified at 33 U.S.C. § 2348(m))). In [July 2019](#), we reported on the steps the Corps took to address the feasibility study acceleration reform provisions. We made three recommendations to the Corps, including that the Corps develop a plan to conduct a comprehensive evaluation of the impacts of its feasibility study acceleration reforms. The Corps concurred with our recommendations.

This report is the follow-up to our 2019 report. It examines steps the Corps has taken since 2019 to implement the feasibility study acceleration reform provisions and assess their impact, and it describes impacts identified by Corps partners.

## Key Takeaways

- As of May 2024, the Corps has taken steps to address 15 of the 19 WRRDA 2014 feasibility study acceleration reform provisions. It has not taken steps to address the other four provisions, which generally require the Corps to make information publicly available on how it is implementing the reform provisions. Specifically, the Corps has not (1) prepared and published a list of feasibility studies that do not have adequate funding to make substantial progress toward completion; (2) established an electronic database; (3) solicited requests from federal agencies and project sponsors for new categorical exclusions; or (4) established a program to measure and report on its progress toward improving and expediting the planning and environmental review process.

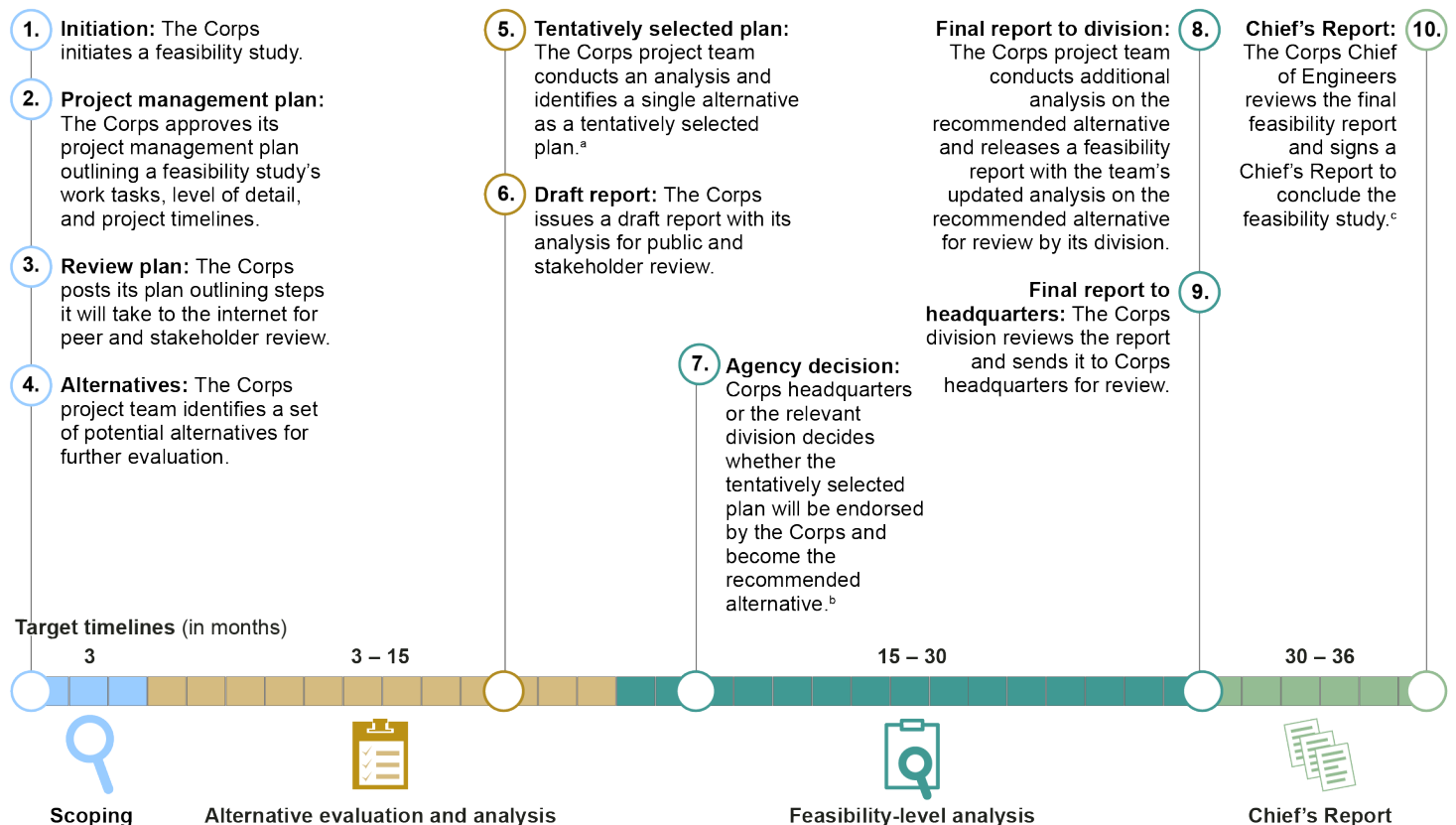
- Corps officials cited a lack of funding as one reason for not implementing some provisions; however, the Corps has not communicated its identified funding needs to Congress. As a result, the Corps is unable to obtain or publish some information that is to be publicly available.
- We are making four recommendations to facilitate the Corps' ability to implement the WRRDA 2014 feasibility study acceleration reform provisions that it has not addressed.

## How does the Corps conduct feasibility studies?

The Corps conducts feasibility studies by following a process that involves study phases and timelines. During the feasibility study process, the Corps investigates a problem related to water resources. Based on the results of the feasibility study, the Corps makes recommendations on whether to pursue a water resources development project and, if so, how best to address the problem and meet project objectives.

The feasibility study process consists of four phases (scoping, alternative evaluation and analysis, feasibility-level analysis, and Chief's Report), several key milestones, and targeted timelines (see fig. 1). The full feasibility study process is to be completed within the statutory time frame of not more than 3 years (36 months), although there are exceptions to this time frame.

**Figure 1: U.S. Army Corps of Engineers Feasibility Study Phases, Key Milestones, and Target Timelines**



Source: GAO analysis of U.S. Army Corps of Engineers documentation. | GAO-24-107072

<sup>a</sup>A tentatively selected plan is the project alternative identified by the Corps team as meeting the project objectives. This plan undergoes further review before the Corps endorses it as a recommended alternative.

<sup>b</sup>The study will not proceed into the feasibility-level analysis phase until the decision-maker endorses the recommended plan. The agency decision milestone marks the decision-maker's acknowledgement and acceptance of the identified study, implementation risks, and strategies to manage the risks.

<sup>c</sup>The Corps then sends the Chief's Report to the Assistant Secretary of the Army for Civil Works, who is responsible for compliance review and the formulation of the Army position. The review is coordinated with the Office of Management and Budget for administration clearance and then sent to Congress for consideration.

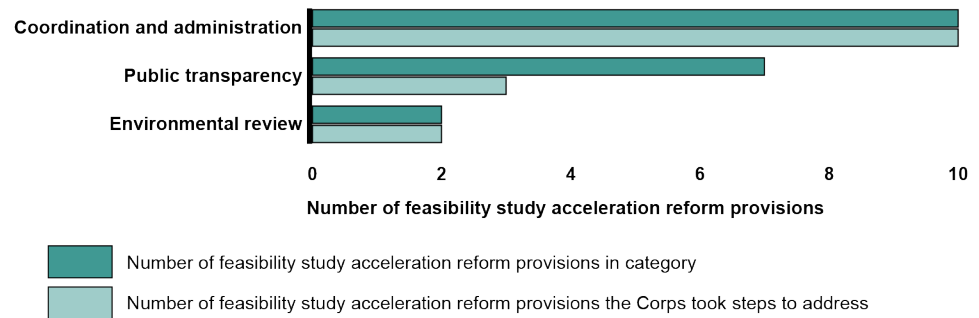
Throughout the feasibility study process, the Corps coordinates with officials from the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS). The three agencies previously issued a joint coordination guide in September 2015.

**How many and what types of provisions has the Corps taken steps to address?**

Of the 19 feasibility study acceleration reform provisions, the Corps has taken steps to address 15 provisions; it has not taken steps to address the other four provisions as of May 2024. For the 15 provisions the Corps has taken steps to address, in some cases additional steps remain to be taken before the provisions are fully addressed (see app. I). We previously grouped the provisions into three categories: coordination and administration, environmental review, and public transparency.

The Corps has taken steps to address the provisions in two categories—coordination and administration, and environmental review—but the Corps has not taken steps to address some provisions in the public transparency category (see fig. 2).

**Figure 2: Number of the Water Resources Reform and Development Act of 2014 Feasibility Study Acceleration Reform Provisions, per Category, the Corps Has Taken Steps to Address as of May 2024**



Source: GAO analysis of section 1005 of the Water Resources Reform and Development Act of 2014 and U.S. Army Corps of Engineers information. | GAO-24-107072

Table 1 shows the provisions in the public transparency category that the Corps has not taken steps to address as of May 2024, the Corps’ rationale for not taking action, and the impact.

**Table 1: Impact of Public Transparency Statutory Feasibility Study Acceleration Reform Provisions That the U.S. Army Corps of Engineers (Corps) Has Not Taken Steps to Address as of May 2024**

Feasibility study acceleration reform provision	Corps' rationale for not taking steps to address	Impact
<p>Annually prepare and make publicly available a list of feasibility studies subject to the acceleration reform provisions that do not have adequate funding to make substantial progress toward the completion of the study. (33 U.S.C. § 2348(b)(3)).</p>	<p>The Corps must provide to the Office of Management and Budget (OMB) for review and approval funding information that the Corps plans to publicly release.<sup>a</sup> However, the Corps has never prepared and submitted to OMB a list of feasibility studies that do not have adequate funding to seek approval to release this information.</p> <p>Currently, the Corps does not plan to begin publishing these lists. Officials stated that other sources provide the same information. For example, during the annual budget request process, Corps officials report on outyear funding needs for each project study. However, none of these sources clearly and succinctly identify feasibility studies that do not have adequate funding to make substantial progress toward completion.</p>	<p>Until the Corps prepares and submits these required annual lists to OMB for review and approval, it cannot provide Congress and the public with readily accessible information about the number and identity of feasibility studies that do not have adequate funding to make sufficient progress toward completion.</p> <p>Alternatively, if publishing these lists is not feasible, by seeking repeal of this requirement, the Corps would be taking steps to avoid noncompliance with the statute.</p>
<p>By June 10, 2015, establish an electronic database and, in coordination with other federal and state agencies, issue reporting requirements to make publicly available information on the status and progress of feasibility studies with respect to compliance with the National Environmental Policy Act of 1969<sup>b</sup> (NEPA) and other required reviews and approvals.</p> <p>Consistent with the database reporting requirements, publish the status and progress of any required decision, approval, or action on a feasibility study. (33 U.S.C. § 2348(g)(5)).</p>	<p>According to Corps officials, the Corps has not established the required database because the agency has not received an appropriation for it. The Corps generally receives appropriations for authorized water resource projects, which can be used only for those projects.</p> <p>The Corps developed an estimate of the cost to establish and maintain the database but did not submit its estimate to Congress.</p>	<p>Until the Corps communicates to Congress its estimated cost to establish and maintain the database, Congress may not understand the Corps' resource needs.</p>
<p>Not later than December 7, 2014, solicit requests from other federal agencies and project sponsors for new categorical exclusions.<sup>c</sup> (33 U.S.C. § 2348(f)(1)(C)).</p>	<p>The Corps published a <i>Federal Register</i> notice in 2017 seeking input on existing regulations that were potentially appropriate for repeal, replacement, or modification, including its NEPA procedures. Corps officials stated that they believe this notice implements the provision. However, the notice was not targeted to other federal agencies and nonfederal sponsors and did not specifically request input about new categorical exclusions. The Corps does not have plans to begin soliciting requests for new categorical exclusions from other federal agencies and project sponsors.</p>	<p>Until the Corps begins soliciting requests from other federal agencies and project sponsors for new categorical exclusions, it may be unable to identify new categorical exclusions that are efficient ways to comply with NEPA.</p>
<p>Establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process. (33 U.S.C. § 2348(n)).</p>	<p>Corps officials stated that they have not established a program to measure and report on the agency's progress because of a lack of specific funding. However, the Corps has a process in place to monitor the execution and performance of the feasibility study process, which the agency potentially could leverage.</p> <p>Additionally, officials said they track the progress of some actions and feasibility study milestones for statutory compliance. However, the Corps has not established a program with long- or short-term performance goals to guide its actions, or monitor and report on results and progress.</p>	<p>Until the Corps develops a performance measurement program with clearly defined performance goals, it cannot effectively monitor and report on its results and the progress made toward improving and expediting the feasibility study process.</p>

Source: GAO analysis of U.S. Army Corps of Engineers documentation and information. | GAO-24-107072

<sup>a</sup>OMB guidance directs agencies not to make statements that can be perceived as an appropriations estimate or request or to release data about future years' budgets without prior OMB approval. See Office of Management and Budget, *Preparation, Submission, and Execution of the Budget*, OMB Circular No. A-11 (Washington, D.C.: August 2023). In addition, Executive Order 12322 directs federal agencies to submit any report, proposal, or plan relating to a federal water resource project to OMB before submitting it to Congress. 46 Fed. Reg. 46,561 (Sept. 21, 1981).

<sup>b</sup>The feasibility study process includes work the Corps undertakes to satisfy requirements under the National Environmental Policy Act of 1969 (NEPA), as amended, and other environmental statutes. Under NEPA, federal agencies are to evaluate the potential effects of proposed projects on the environment using an environmental assessment or, if the project is expected to have significant environmental impacts, an environmental impact statement. 42 U.S.C. § 4336(b).

<sup>c</sup>Categorical exclusions are categories of actions that a federal agency has determined normally do not significantly affect the quality of the human environment and therefore do not require preparation of an environmental impact statement or assessment. 42 U.S.C. § 4336e(1).

---

### According to Corps partners, what impacts have the acceleration reform provisions had?




Officials from both FWS and NMFS reported various impacts they have experienced because of the Corps' feasibility study acceleration reform provisions.

**FWS.** FWS officials reported that as the Corps has implemented feasibility study acceleration reforms, it has been responsive to FWS's concerns, and the agencies have developed a powerful partnership. Additionally, according to FWS officials, the Corps continues to work to involve FWS early in the feasibility study process to avoid additional issues as projects progress. However, FWS officials also stated that, as a result of the feasibility study acceleration reform provisions, they have been impacted by significant schedule constraints, a lack of adequate data from the Corps, and increased administrative burdens. According to FWS officials, the provisions have negatively impacted project delivery, compliance with environmental laws, and the environmental impacts of projects.

**NMFS.** As a result of the feasibility study acceleration reform provisions, NMFS officials reported that their relationship with the Corps has continued to move in a positive direction. Specifically, according to NMFS officials, there has been a clear desire from the Corps to continue to coordinate and collaborate throughout the feasibility study process. However, NMFS officials also reported that the provisions have resulted in abbreviated time frames for contributing to and completing feasibility studies and inconsistent levels of communication with the Corps. These changes have had negative impacts on project delivery, compliance with environmental laws, and the environmental impacts of projects, according to NMFS officials.

Figure 3 presents examples of negative impacts that FWS and NMFS officials attributed, at least in part, to the feasibility study acceleration reform provisions.

**Figure 3: Examples of Negative Impacts of Feasibility Study Acceleration Reform Provisions Reported by U.S. Army Corps of Engineers (Corps) Partners, by Category of Impact**

Impact	Category	Impact
<p><b>U.S. Fish and Wildlife Service (FWS)</b></p> <ul style="list-style-type: none"> <li>Reduced ability to adequately review and analyze large and complex projects.</li> </ul>	 <p>Project delivery</p>	<p><b>National Marine Fisheries Service (NMFS)</b></p> <ul style="list-style-type: none"> <li>Inconsistent time frames for when Chief's Reports are due.</li> <li>Impediments to its ability to identify issues early in the process and develop thorough analyses of projects in information packages.</li> </ul>
<ul style="list-style-type: none"> <li>Difficulty meeting the deadlines for requirements under the Endangered Species Act of 1973 (ESA)<sup>a</sup>, as amended, and Fish and Wildlife Coordination Act.<sup>b</sup></li> <li>Inability to provide reports to the Corps that fully fulfill statutory requirements in the Fish and Wildlife Coordination Act.</li> </ul>	 <p>Compliance with environmental laws</p>	<ul style="list-style-type: none"> <li>Inconsistent and ineffective engagement by the Corps with NMFS in consulting under the ESA, and rushed processes to achieve tasks under ESA.</li> </ul>
<ul style="list-style-type: none"> <li>Inconsistent ability to use field surveys and monitoring, among other methods, to gather information on the water resources projects and wildlife affected by those projects, to inform consultation and recommendations as required by the Fish and Wildlife Coordination Act.</li> </ul>	 <p>Environmental impacts of projects</p>	<ul style="list-style-type: none"> <li>Lack of time to obtain effective community buy-in during the early stages of projects, leading to paused or halted projects.</li> </ul>

Sources: GAO analysis of FWS and NMFS information; GAO (icons). | GAO-24-107072

Note: FWS and NMFS officials also identified other factors, such as strained staffing levels, that contributed to these impacts.

<sup>a</sup>The Endangered Species Act of 1973 (ESA), as amended, requires federal agencies to consult with the Fish and Wildlife Service or National Marine Fisheries Service when their actions may affect species listed as endangered or threatened or result in destruction or adverse modification of critical habitat for listed species to ensure that any action is not likely to jeopardize species' continued existence. 16 U.S.C. § 1536(a)(2). ESA generally requires consultation to conclude within 90 days and results in the issuance of a biological opinion.

<sup>b</sup>The Fish and Wildlife Coordination Act requires federal agencies, including the Corps, to consult with the Fish and Wildlife Service and National Marine Fisheries Service if it has administration over wildlife resources that will be impacted, before controlling or modifying any body of water to prevent loss of and damage to wildlife resources. 16 U.S.C. § 662(a). Any reports or recommendations provided by the Services to the Corps must be included in reports the Corps submits to Congress for the authorization of, or modification to, a water resource development project.

### What steps has the Corps taken to evaluate the impacts of the acceleration reform provisions?

The Corps has not taken any steps to evaluate the impacts of the feasibility study acceleration reform provisions. Instead, Corps officials stated that the agency tracks the progress of projects and milestones in its business information system to monitor the performance, time frame, and cost of feasibility studies.

We found in our [July 2019](#) report that the Corps, other agencies, and stakeholders had varying views on the impacts of the feasibility study acceleration reforms on the cost, time frames, and quality of feasibility studies.<sup>1</sup> As the Corps had not conducted a comprehensive evaluation of the broader impacts of the reforms, we recommended that the Corps develop a plan to conduct a comprehensive evaluation of the impacts of its feasibility study acceleration reforms.<sup>2</sup> Such an evaluation would cover project delivery, compliance with environmental laws, and the projects' environmental impacts. The Corps agreed with our recommendation. However, as of May 2024, the Corps has not yet developed a plan for such an evaluation.

Corps officials stated that the agency has taken other steps to address the recommendation. Specifically:



- The Corps has measured the number of Chief’s Reports that were completed in the decade after the enactment of WRRDA 2014 and the adoption of SMART Planning principles in 2012 compared to the number completed in the previous decade. According to the Corps, the increase in completed Chief’s Reports suggests an improvement in the speed of delivery of most water resources project studies.

While an increase in the number of completed Chief’s Reports—the final step in the feasibility study process—could be a promising result, it could be due to other factors, such as the complexity of the water resources problem, that the Corps did not measure or consider, and may not be attributable solely to changes in provisions.<sup>3</sup> Moreover, measuring the number of completed Chief’s Reports does not cover other aspects of a comprehensive evaluation of the impacts of the feasibility study acceleration reforms, such as compliance with environmental laws.

- In support of its ongoing coordination efforts, the Corps holds regular meetings with FWS and NMFS officials to discuss challenges in meeting the timelines for feasibility studies, and to help the Corps understand the effectiveness of the provisions in accelerating completion of the studies. Officials from FWS and NMFS stated that while their relationship with the Corps has improved, certain impacts of the provisions have raised concerns, as noted above.

By implementing our prior recommendation to develop a comprehensive evaluation plan, the Corps would be better positioned to analyze and address the reforms’ overall impacts and determine if additional modifications are needed to improve its feasibility study process.

---

## Conclusions

Conducting feasibility studies is an integral initial step for the Corps in determining whether and how to undertake a project to develop water resources. As of May 2024, the Corps has taken steps to address 15 of the 19 feasibility study acceleration reform provisions for the Corps in WRRDA 2014. Additional action is needed for the Corps to fully address the remaining four provisions, particularly to help ensure public transparency about the Corps’ progress in implementing the required reforms.

Further, officials from FWS and NMFS have raised concerns about some of the impacts of the provisions. However, as of May 2024, the Corps has not yet developed a plan to conduct a comprehensive evaluation of the impacts of its feasibility study acceleration reforms as we recommended in 2019. Developing such a plan would better position the Corps to conduct a timely and effective evaluation.

---

## Recommendations for Executive Action

We are making the following four recommendations to the Department of Defense:

The Assistant Secretary of the Army for Civil Works should ensure that the Chief of Engineers and the Commanding General of the U.S. Army Corps of Engineers prepare and submit the annual lists of feasibility studies that do not have adequate funding to make substantial progress toward the completion of studies to the Office of Management and Budget, or, if it is not feasible, seek repeal of the statutory requirement to do so. (Recommendation 1)

The Assistant Secretary of the Army for Civil Works should ensure that the Chief of Engineers and the Commanding General of the U.S. Army Corps of Engineers provide the Corps’ cost estimate for developing and maintaining the electronic database to Congress. (Recommendation 2)

The Assistant Secretary of the Army for Civil Works should ensure that the Chief of Engineers and the Commanding General of the U.S. Army Corps of Engineers solicit requests from other federal agencies and project sponsors for new categorical exclusions. (Recommendation 3)

The Assistant Secretary of the Army for Civil Works should ensure that the Chief of Engineers and the Commanding General of the U.S. Army Corps of Engineers establish a performance measurement program that includes clearly defined short- and long-term performance goals to monitor and evaluate progress in improving and expediting the planning and environmental review process. (Recommendation 4)

---

## Agency Comments

We provided a draft of this report to the Department of Defense for review and comment. In its written comments, reproduced in appendix II, the department concurred with our recommendations and described actions to address them. The department also provided technical comments, which we incorporated as appropriate.

---

## How GAO Did This Study

We reviewed section 1005 of WRRDA 2014 to identify the relevant statutory feasibility study acceleration reform provisions. To identify and assess the Corps' steps to address the provisions, we reviewed Corps policy and guidance documents, and interviewed Corps officials, and compared this information to the statutory requirements of each provision. We also interviewed Corps officials to identify the challenges the Corps faced in implementing the provisions, and to determine its planned or ongoing steps to meet the statutory requirements of the remaining provisions.

To determine the steps the Corps has taken to develop a plan to evaluate the provisions' impacts on project delivery, compliance with environmental laws, and the environmental impacts of projects, as well as the challenges it faced in doing so, we interviewed Corps officials, and reviewed additional Corps documentation. We also interviewed officials from Corps federal partner entities—specifically, FWS and NMFS—to obtain their perspectives on the provisions' impact on project delivery, compliance with environmental laws, and the environmental impacts of projects. We selected FWS and NMFS because of the important role they play in reviewing environmental aspects of the Corps feasibility studies, and their role in the 2015 joint coordination guide.

We conducted this performance audit from September 2023 through July 2024 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.



---

## List of Addressees

The Honorable Tom Carper  
Chairman  
The Honorable Shelley Moore Capito  
Ranking Member  
Committee on Environment and Public Works  
United States Senate

The Honorable Sam Graves  
Chairman  
The Honorable Rick Larsen  
Ranking Member  
Committee on Transportation and Infrastructure  
House of Representatives

We are sending copies of this report to the appropriate congressional committees, the Secretary of Defense, the Assistant Secretary of the Army for Civil Works, the Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers, and other interested parties. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

---

## GAO Contact Information

For more information, contact: Cardell Johnson, Director, Natural Resources and Environment, [JohnsonCD1@gao.gov](mailto:JohnsonCD1@gao.gov), (202) 512-3841.

Sarah Kaczmarek, Acting Managing Director, Public Affairs, [KaczmarekS@gao.gov](mailto:KaczmarekS@gao.gov), (202) 512-4800.

A. Nicole Clowers, Managing Director, Congressional Relations, [ClowersA@gao.gov](mailto:ClowersA@gao.gov), (202) 512-4400.

**Staff Acknowledgments:** Vondalee Hunt (Assistant Director), Danny Baez (Analyst in Charge), Anthony Fernandez, Cindy Gilbert, Chaya Johnson, Joanie Lofgren, Cynthia Norris, Jeanette Soares, and Sara Sullivan.

Connect with GAO on [Facebook](#), [Flickr](#), [Twitter](#), and [YouTube](#). Subscribe to our [RSS Feeds](#) or [Email Updates](#). Listen to our [Podcasts](#).

Visit GAO on the web at <https://www.gao.gov>.

This is a work of the U.S. government but may include copyrighted material. For details, see <https://www.gao.gov/copyright>.

---

## Appendix I: Water Resources Reform and Development Act of 2014's Acceleration Reform Provisions and Implementation Status

In [GAO-19-561](#) we grouped the feasibility study acceleration reform provisions in section 1005 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) into three categories:

- **Coordination and administration.** These provisions are generally process-oriented.
- **Public transparency.** These provisions generally require the Corps to, among other things, make information publicly available on how it is implementing the reform provisions.
- **Environmental review.** These provisions relate to implementing the National Environmental Policy Act of 1969, as amended, and other environmental statutes when conducting feasibility studies.

Appendix II of [GAO-19-561](#) provides details about the steps the Corps took to address these provisions prior to July 2019 and identifies which provisions the Corps had not taken steps to address. Table 2 below updates this information,

identifying whether and when the Corps took steps to address each provision, as of May 2024.

**Table 2: Whether and When the Corps Took Steps to Address the Water Resources Reform and Development Act 2014’s Acceleration Reform Provisions, as of May 2024**

Provision category, description, and statutory citation	Whether the Corps took steps to address the provisions	When the Corps took the steps
Coordination and administration		
1. Coordinated environmental review process (33 U.S.C. § 2348(c)(1))	Yes	Prior to July 2019
2. Federal agency responsibilities when a project sponsor serves as a joint lead agency (33 U.S.C. § 2348(d)(1)-(3))	Yes	Prior to July 2019
3. Designating jurisdictional agencies (33 U.S.C. § 2348(e)(3), (5))	Yes	Prior to July 2019
4. Plan for coordinating input and completing environmental review (33 U.S.C. § 2348(g)(1)(B)(i), (ii), (iv))	Yes	Prior to July 2019
5. Deadlines for comments on environmental review documents (33 U.S.C. § 2348(g)(2), (h)(1))	Yes	Prior to July 2019
6. Issue identification and resolution (33 U.S.C. § 2348(h)(2)(A), (3), (4))	Yes	Prior to July 2019
7. Failure to decide (33 U.S.C. § 2348(h)(5), (g)(3))	Yes	Prior to July 2019
8. Early coordination to avoid delays and duplication (33 U.S.C. § 2348(i))	Yes	Prior to July 2019
9. New information (33 U.S.C. § 2348(k)(2)(A))	Yes	Prior to July 2019
10. Corps to facilitate expeditious resolution (33 U.S.C. § 2348(d)(4))	Yes	Prior to July 2019
Public transparency		
11. Publishing information on studies with inadequate funding to make substantial progress (33 U.S.C. § 2348(b)(3))	No	N/A
12. Status and progress database (33 U.S.C. § 2348(g)(5))	No	N/A
Public transparency		
13. Survey the Corps’ use of categorical exclusions since 2005 (33 U.S.C. § 2348(l)(1)(A))	Yes	Prior to July 2019

Provision category, description, and statutory citation	Whether the Corps took steps to address the provisions	When the Corps took the steps
14. Publish a review of survey of Corps' use of categorical exclusions since 2005 (33 U.S.C. § 2348(l)(1)(B))	Yes <sup>a</sup>	After July 2019
15. Solicit requests for new categorical exclusions from other federal agencies and project sponsors (33 U.S.C. § 2348(l)(1)(C))	No	N/A
16. Publish a proposed rule establishing new categorical exclusions (33 U.S.C. § 2348(l)(2))	Yes <sup>b</sup>	After July 2019
17. Performance measurement (33 U.S.C. § 2348(n))	No	N/A
Environmental review		
18. Guidance on coordinated environmental review (33 U.S.C. § 2348(o))	Yes <sup>c</sup>	After July 2019
19. Guidance on programmatic approaches to environmental review (33 U.S.C. § 2348(f))	Yes <sup>d</sup>	After July 2019

Source: GAO analysis of U.S. Army Corps of Engineers (Corps) documentation and information. | GAO-24-107072

Note: For the feasibility study acceleration reform provisions in the public transparency and environmental review categories that GAO determined the Corps took steps to address after July 2019, the Corps has not fully addressed each provision.

<sup>a</sup>The Corps has not fully addressed this provision. Specifically, in 2018, the Corps surveyed district offices about their use of the agency's existing categorical exclusions and requests or suggestions for new categorical exclusions. The Corps published a review of this survey in 2023. The review indicates if each Corps district had received requests for new categorical exclusions or had suggestions for modified or new categorical exclusions. However, the review does not include the statutorily required descriptions of types of actions that were categorically excluded or could be the basis for a new categorical exclusion and any requests received for new categorical exclusions. The Corps does not plan to update its review with the required descriptions. However, Corps officials told us that they plan to issue a proposed rule to establish new categorical exclusions. Publication of the proposed rule will include information about the Corps' use of, and consideration of new, categorical exclusions. Such information would be more current than updating a review of the survey.

<sup>b</sup>The Corps has not fully addressed this provision. According to Corps officials, the Corps intends to submit new categorical exclusions to the Council of Environmental Quality (CEQ) when it submits its revised NEPA procedures in July or August 2024 for CEQ approval as a part of its required revisions of its NEPA procedures.

<sup>c</sup>The Corps has not fully addressed this provision. Specifically, officials stated that the Corps is developing guidance to describe the coordinated environmental review process. Corps officials stated that the Corps intends to issue the guidance in August 2024.

<sup>d</sup>The Corps has not fully addressed this provision. Specifically, according to officials, the Corps is developing guidance to describe programmatic approaches to the environmental review process. Corps officials stated that the Corps intends to issue the guidance in August 2024.

**Appendix II: Comments  
from the U.S. Army  
Corps of Engineers**



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108

July 3, 2024

Mr. Cardell Johnson  
Director, Natural Resources and Environment  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Mr. Johnson:

The Office of the Assistant Secretary of the Army for Civil Works (OASA(CW)) received Government Accountability Office (GAO) Draft Report, GAO-24-107072, "Army Corps of Engineers: Additional Steps Needed to Implement Acceleration Reforms," dated 10 June 2024. The OASA(CW) appreciates the opportunity to review the draft report.

The OASA(CW) values the GAO staff's professionalism, collaboration, and insights demonstrated during this audit. Enclosed you will find the USACE's comments on the Draft Report (Enclosure 1) and the USACE's technical comments (Enclosure 2).

Thank you again for the opportunity to comment. My point of contact is Ms. Christina Baysinger, [christina.m.baysinger.civ@army.mil](mailto:christina.m.baysinger.civ@army.mil), or (571) 733-0053.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Connor", is positioned above the typed name.

Michael L. Connor  
Assistant Secretary of the Army  
(Civil Works)

Enclosures

ENCLOSURE 1

GAO Draft Report Dated June 10, 2024  
GAO-24-107208 (GAO CODE 107208)

“ARMY CORPS OF ENGINEERS: ADDITIONAL STEPS NEEDED TO IMPLEMENT ACCELERATION REFORMS”

USACE COMMENTS TO THE GAO RECOMMENDATIONS

**RECOMMENDATION 1:** *“The Assistant Secretary of the Army for Civil Works should ensure that the Chief of Engineers and the Commanding General of the U.S. Army Corps of Engineers prepare and submit the annual lists of feasibility studies that do not have adequate funding to make substantial progress towards the completion of studies to the Office of Management and Budget, or if it is not feasible, seek repeal of the statutory requirement to do so.”*

**USACE RESPONSE:** USACE concurs.

The U.S. Army Corps of Engineers is developing and will submit the list of projects through the annual budget development and approval process for Fiscal Year 2027.

**RECOMMENDATION 2:** *“The Assistant Secretary of the Army for Civil Works should ensure that the Chief of Engineers and the Commanding General of the U.S. Army Corps of Engineers provide the Corps’ cost estimate for developing and maintaining the electronic database to Congress.”*

**USACE RESPONSE:** USACE concurs.

The U.S. Army Corps of Engineers will develop and submit a scope and cost estimate through the annual budget development and approval process for Fiscal Year 2027.

**RECOMMENDATION 3:** *“The Assistant Secretary of the Army for Civil Works should ensure that the Chief of Engineers and the Commanding General of the U.S. Army Corps of Engineers solicits requests from other federal agencies and project sponsors for new categorical exclusions.”*

**USACE RESPONSE:** USACE concurs.

The U.S. Army Corps of Engineers (USACE) is developing new implementing regulations for compliance with the National Environmental Policy Act. As part of that process the USACE will solicit requests from other federal agencies for new categorical exclusions within one year.

**RECOMMENDATION 4:** *“The Assistant Secretary of the Army for Civil Works should ensure that the Chief of Engineers and the Commanding General of the U.S. Army Corps of Engineers establish a performance measurement program that includes clearly defined short- and long-term performance goals to monitor and evaluate progress in improving and expanding the planning and environmental review process.”*

**USACE RESPONSE:** USACE concurs.

The U.S. Army Corps of Engineers (USACE) will develop a scope for a performance measurement program to monitor and evaluate progress in improving the planning and environmental review process. The scope and cost estimate will be submitted through the annual budget development and approval process for Fiscal Year 2027.

---

## Endnotes

<sup>1</sup>GAO, *Water Resources Projects: Army Corps of Engineers Can Further Enhance Acceleration of Feasibility Studies*, [GAO-19-561](#) (Washington, D.C.: July 29, 2019).

<sup>2</sup>Our previous work defines an impact evaluation as a form of outcome evaluation that assesses the net effect of a program by comparing program outcomes with an estimate of what would have happened in the absence of the program. Such an evaluation is employed when external factors are known to influence the program’s outcomes, in order to isolate the program’s contribution to achieving its objectives. See GAO, *Performance Measurement and Evaluation: Definitions and Relationships*, [GAO-11-646SP](#) (Washington, D.C.: May 2, 2011).

<sup>3</sup>GAO, *Designing Evaluations: 2012 Revision (Supersedes PEMD-10.1.4)*, [GAO-12-208G](#) (Washington, D.C.: Jan. 31, 2012).