



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

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June 21, 2021

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Water Resources and Environment
FROM: Staff, Subcommittee on Water Resources and Environment
RE: Subcommittee Hearing on “President Biden’s Fiscal Year 2022 Budget Request: Agency Policies and Perspectives (Parts I and II)”

PURPOSE

On Thursday, June 24, 2021, at 11:00 a.m. EDT, the Subcommittee on Water Resources and Environment will hold a hearing in the Rayburn House Office Building, Room 2167, and via Zoom, to receive testimony related to “President Biden’s Fiscal Year 2022 Budget Request: Agency Policies and Perspectives (Part I)”. The Subcommittee will hold a second hearing on July 14, 2021, at 11:00 a.m. EDT, in the Rayburn House Office Building, Room 2167, and via Zoom, to continue to receive testimony from the remaining federal agencies under the jurisdiction of the Subcommittee related to the President’s fiscal year (FY) 2022 budget request.¹

The purpose of these hearings is to provide members with an opportunity to review the FY 2022 budget request and the administration’s program priorities for the authorities under the jurisdiction of the Subcommittee.

At the first hearing, the Subcommittee will hear testimony from the U.S. Army Corps of Engineers (Corps), the Tennessee Valley Authority (TVA), and the U.S. Sector of the International Boundary and Water Commission (IBWC) within the Department of State. At the second hearing, the Subcommittee will hear testimony from the Environmental Protection Agency (EPA), the Great Lakes St. Lawrence Seaway Development Corporation (GLS), the U.S. Department of Agriculture’s (USDA) Natural Resources Conservation Service (NRCS), the Agency for Toxic Substances and Disease Registry (ATSDR) at the Centers for Disease Control and Prevention (CDC), and the National Oceanic and Atmospheric Administration (NOAA).

¹ “President Biden’s Fiscal Year 2022 Budget Request: Agency Policies and Perspectives (Part II)”.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

The administration's FY 2022 budget request for the EPA totals \$11.241 billion, including \$5.130 billion for State and Tribal Assistance Grants, \$3.427 billion for Environmental Programs and Management, and \$1.533 billion for the Hazardous Substance Superfund program. The FY 2022 budget request is \$1.968 billion more than the FY 2021 enacted budget for the EPA.

Summary of FY 2022 Budget Request:²

(in millions)

Program	FY 2021 Enacted	FY 2022 Authorized	FY 2022 President's Budget	Diff. of FY 2022 Pres. Budget and FY 2021 Enacted	
				\$	%
Science and Technology	\$729.3	No Authorization	\$830.0	\$100.6	13.8%
Environmental Programs and Management	2,761.6	No Authorization	3,427.5	665.9	24.1%
State and Tribal Assistance Grants	4,313.9	No Authorization	5,130.0	816.1	18.9%
<i>Clean Water SRF¹</i>	<i>1,638.8</i>	<i>No Authorization</i>	<i>1,870.7</i>	<i>231.9</i>	<i>14.1%</i>
<i>Drinking Water SRF¹</i>	<i>1,126.1</i>	<i>No Authorization</i>	<i>1,357.9</i>	<i>231.8</i>	<i>20.6%</i>
Water Infrastructure Finance and Innovation Program (WIFIA) Account	65.0	No Authorization	80.1	15.1	23.3%
Hazardous Substance Superfund	1,205.8	No Authorization	1,533.8	328.0	27.2%
EPA Office of Inspector General	43.5	No Authorization	54.3	10.8	24.9%
Other ²	154.1	No Authorization	185.5	31.5	20.4%
Total	\$9,273.1		\$11,241.3	\$1,968.2	21.2%

¹The State and Tribal Assistance Grants (STAG) program includes several grant programs other than the SRFs.

² This number is the sum of the following EPA line items:

- Building and Facilities (B&F) - \$33.8 million (FY21 enacted) to \$62.8 million (FY22 request);
- Inland Oil Spill Program - \$20.1 million (FY21 enacted) to \$22.4 million (FY22 request);
- Leaking Underground Storage Tanks (LUST) - \$92.2 million (FY21 enacted) to \$92.4 million (FY22 request); and
- E-Manifest - \$8.0 million (FY21 enacted) & (FY22 request).

Clean Water

The Committee on Transportation and Infrastructure has jurisdiction over programs aimed at protecting the nation's water quality. The EPA, through its own programs and in partnership with states and tribes, seeks to improve water quality in rivers, lakes, and coastal waters through investment in wastewater infrastructure, water quality standards, permitting programs, water quality monitoring, wetlands protection, and research, among other activities. The EPA's Office of Water operates the EPA's water quality protection programs.

² See <https://www.epa.gov/sites/production/files/2021-05/documents/fy-2022-epa-bib.pdf>; see also <https://www.epa.gov/sites/production/files/2021-05/documents/fy-2022-congressional-justification-all-tabs.pdf>

Clean Water State Revolving Fund: The FY 2022 budget request proposes \$1.870 billion in federal capitalization grants for the Clean Water State Revolving Fund (Clean Water SRF), which is \$231.9 million more than the FY 2021 enacted level. The Clean Water SRF is the primary federal program for funding wastewater infrastructure projects and activities throughout the nation. Clean Water SRF funds are used for capitalization grants for state clean water infrastructure programs, which, in turn, fund locally developed wastewater infrastructure projects and activities.

In previous Congresses and the current Congress, the subcommittee held numerous hearings on financing water infrastructure projects. These hearings examined the growing funding gap that now exists between wastewater infrastructure needs and current levels of spending, the challenges facing low-income and rural communities in affording wastewater infrastructure investment, and the resiliency needs of our nation's water infrastructure. In June 2021, the Committee ordered H.R. 1915, *the Water Quality Protection and Job Creation Act of 2021*, as amended, favorably reported to the House of Representatives by a bipartisan vote of 42-25; this legislation would reauthorize the Clean Water SRF and other wastewater infrastructure grant programs for an additional five years.

Water Infrastructure Finance and Innovation Act Program (WIFIA): Authorized by the *Water Resources Reform and Development Act of 2014* (WRRDA, P.L. 113-121), the WIFIA program provides low-interest federal loans or loan guarantees to eligible entities for a wide range of nationally and regionally significant water and wastewater projects. The most recent authorization level (FY 2021) for the WIFIA program was \$50 million; however, the WIFIA program is not authorized for FY 2022. The President's budget request for FY 2022 is \$80.1 million for the WIFIA program, while the FY 2021 appropriated level was \$65 million.

Environmental Programs and Management (EPM): This account provides funds for internal programmatic activities. The President's budget request would increase funding for the EPM account by \$665.9 million (24.1 percent) from the FY 2021 appropriated level of \$2.761 billion to \$3.4 billion.

Geographic (Regional) Programs: The EPA's regional programs provide an opportunity to target regionally specific environmental problems and to work closely with state and local partners. The FY 2022 budget request increases funding for the EPA's Great Lakes Restoration Initiative (GLRI) to \$340 million (+\$10 million), the Chesapeake Bay Program to \$90.5 million (+\$3 million), Gulf of Mexico to \$22.4 million (+\$2.4 million), Lake Champlain to \$20 million (\$+5 million), San Francisco Bay to \$12 million (+\$3 million), Long Island Sound to \$40 million (\$9.6 million), Puget Sound to \$35 million- (+\$1.25 million), and Lake Pontchartrain programs to \$1.73 million (+\$295,000).

Additionally, the administration proposes a \$141,000 funding increase for the National Estuaries Program from the FY 2021 enacted level of \$31.82 million (section 320 of the *Clean Water Act*) to \$31.9 million.

[NOTE: On June 15, 2021, the House of Representatives passed under suspension three Clean Water regional program bills from the Committee on Transportation and Infrastructure, including legislation to authorize federal appropriations for the Puget Sound (H.R. 1144), the San Francisco Bay (H.R. 610), and the Lake Pontchartrain Basin (H.R. 1921) programs. The EPA regional programs are funded from the EPA's EPM account.]

State and Tribal Assistance Grants (STAG): This account provides categorical grants to states and tribes as part of the cooperative partnership between federal government, states, and tribes. The President's budget request would increase funding for the State and Tribal Assistance Grants account from the FY 2021 appropriated level of \$4.313 billion by \$816.1 million (18.9 percent) to \$5.1 billion. *[NOTE: On June 15, 2021, the House of*

Representatives passed under suspension H.R. 2008 to reauthorize federal appropriations for EPA's non-point source pollution grant program (section 319), which is funded from the STAG account.]

The President's FY 2022 budget request would provide \$234.6 million in grants to states to establish and maintain state water pollution control programs under section 106 of the *Clean Water Act*. This is a \$4.6 million increase from the FY 2021 appropriated level of \$230 million. Section 106 funding is used by individual states to carry out state clean water programs, including *Clean Water Act* permitting, monitoring, and enforcement.

Superfund and Brownfields

Superfund Program: *The Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA, P.L. 96-510) established the Superfund program in 1980. The EPA's Office of Land and Emergency Management (OLEM) runs the Superfund program. Superfund is the federal program established to clean up the nation's uncontrolled and/or abandoned hazardous waste sites. The law makes designated responsible parties pay for the hazardous waste cleanups wherever possible and provides for a hazardous substances trust fund, commonly referred to as the Superfund, to pay for remedial cleanups in cases where responsible parties cannot be found or otherwise be held accountable. Superfund is also available for responding to emergency situations involving the release of hazardous substances. The EPA addresses the highest priority sites by listing them on the Superfund National Priorities List (NPL). The administration's FY 2022 budget request provides \$1,533.8 billion for the Superfund program, a \$328 million increase from the FY 2021 appropriated level of \$1.205 billion.

Brownfields: Brownfields consist of properties for which the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. These sites can consist, for example, of former industrial properties, gas stations, or dry cleaners. The EPA established the Brownfields Initiative in 1995 to better enable the federal government, states, and communities to work together to address, cleanup, and reuse brownfields sites. *The Small Business Liability Relief and Brownfields Revitalization Act* (P. L. 107-118) authorized funding for the EPA to award brownfields assessment, cleanup, and revolving loan fund grants, as well as provided limited Superfund liability protections for certain innocent landowners and bona fide prospective purchasers. The EPA's OLEM manages the Brownfields program.

The President's FY 2022 budget request would provide \$201.374 million for the EPA's brownfields program, including \$130.982 million in site assessment and cleanup grants (STAG account); \$46.195 million for authorized state brownfields programs (STAG account); and \$24.197 million for the EPA's management of the Brownfields program (EPM account). Of all the brownfields-related activity included in the President's budget, the account that funds actual, on-the-ground, brownfields site assessment and remediation activities proposes funding at \$130.9 million, which would be a \$40.0 million increase from the FY 2021 level. In the 115th Congress, the *Brownfields Utilization, Investment, and Local Development Act* (P. L. 115-141) included an authorization of \$200 million for FY 2022 for this specific purpose.

U.S. ARMY CORPS OF ENGINEERS (CORPS)

The Corps studies, constructs, operates, and maintains water resources development projects for the nation, usually through cost-shared partnerships with non-federal sponsors. Authorized mission activities include navigation, flood control, shoreline protection, hydropower, dam safety, water supply, recreation, environmental restoration and protection, and disaster response and recovery.

Summary of FY 2022 Budget Request:³

(in millions)

Program	FY 2021 Enacted	FY 2022 Authorized	FY 2022 President's Budget	Diff. of FY 2022 Pres. Budget and FY 2021 Enacted	
				\$	%
Investigations	\$153.0	No Authorization	\$105.8	-\$47.2	-30.8%
Construction	2,692.6	No Authorization	1,792.4	-900.3	-33.4%
Operation and Maintenance	3,849.7	No Authorization	2,502.9	-1,346.8	-35.0%
[Harbor Maintenance Trust Fund] ¹	n/a	No Authorization	\$1,625.9	-	-
Regulatory	210.0	No Authorization	204.4	-5.6	-2.6%
Expenses	206.0	No Authorization	199.3	-6.7	-3.3%
Office of the Assistant Secretary of the Army	5.0	No Authorization	5.0	0.0	0.0%
Mississippi River and Tributaries (MRT)	380.0	No Authorization	\$269.7	-110.3	-29.0%
Inland Waterways Trust Fund (IWTF)	113.0	No Authorization	52.15	-60.85	-53.8%
FUSRAP	250.0	No Authorization	[250.0] ²	-	-
Flood Control and Coastal Emergencies (FCCE)	35.0	No Authorization	35.0	0.0	0.0%
Total	\$7,894.3		\$6,792.5³	-1,101.8	- 13.9%

¹ The President's budget distinguishes between Operation and Maintenance expenditures for non-navigation projects and O&M expenditures utilizing Harbor Maintenance Trust Fund expenditures. When compared with the FY 2021 appropriated levels for O&M activities (\$3.849 billion), the FY 2022 President's budget allocates a total of \$4.295 billion for O&M activities, for an increase of \$446 million (or 11.58 percent).

² Funds for the Formerly Utilized Sites Remedial Action Program (FUSRAP) program are included in the FY22 budget request under the Department of Energy's Office of Legacy Management, but would still be performed by the Corps. If such funds were included in the FY22 budget request for the Corps, the total request would be \$7.042 billion, which would be a decrease of \$875 million (-10.8%) from the FY21 enacted level.

The water resources development projects and programs of the Corps support vital economic and environmental needs of this nation. These projects provide for continued economic growth, job creation, and economic stability while protecting human lives and property, ensuring reliable waterborne transportation of goods, and restoring valuable natural resources.

The administration's FY 2022 request for the Corps of \$6.793 billion would be a reduction of \$1.101 billion from the FY 2021 enacted level for the agency.

³ See Fiscal Year 2022, Civil Works Budget of the U.S. Army Corps of Engineers, accessed at <https://usace.contentdm.oclc.org/digital/collection/p16021coll6/id/42>

Sources of Appropriations for FY 2022:

General Fund	\$5.067 billion
Harbor Maintenance Trust Fund	\$1.625 billion
Special Recreation User Fees	\$47 million
Inland Waterways Trust Fund	\$52.15 million

Investigations: The President's budget request would provide a total of \$113 million for the Investigations program, consisting of \$105.8 million from the Investigations account and \$7.1 million from the Mississippi River and Tributaries account. This program funds studies to determine the need, feasibility, and economic and environmental benefits of potential water resources projects. The investigations account is used to fund the study of potential projects related to river and harbor navigation, flood control, shore protection, environmental restoration, and related purposes. This account also funds the restudy of authorized projects, miscellaneous investigations, and plans and specifications of projects prior to construction.

The budget focuses on ongoing work and on promoting efforts to provide local communities with technical and planning assistance to enable them to reduce their flood risk, with emphasis on non-structural approaches. The budget would include \$29 million for technical and planning assistance programs that will help local communities identify and address their risks associated with climate change, \$17 million for research and development, \$4 million to complete dredged material management plans necessary to enable the disposal of dredged material from seven Great Lakes projects and two Mississippi River projects over the next 20-25 years, and \$1 million to incorporate climate resilience into planning and policy guidance for how the Corps formulates future projects.

The budget requests funding to initiate seven new studies: Central and Southern Florida Flood Resiliency Study, FL (flood and storm damage reduction); Boise River, Garden City, Ada County, ID (flood and storm damage reduction); Great Lakes Coastal Resiliency Study, IL, IN, MI, MN, OH, PA, NY, & WI (flood and storm damage reduction); Spring Creek South, Jamaica Bay (Howard Beach), Queens, NY (aquatic ecosystem restoration); Little Narragansett Bay, RI (navigation); Waccamaw River, Horry County, SC (flood and storm damage reduction); and Little Goose Creek, Sheridan, WY (aquatic ecosystem restoration).⁴ The budget also requests funding to complete 15 ongoing studies.⁵

Construction: The Construction account would provide \$1.889 billion for the construction of Corps projects, consisting of \$1.792 from the Construction Account, \$63.7 million from the Harbor Maintenance Trust Fund (HMTF), and \$32.6 million from the Mississippi River and Tributaries account. The budget includes requests for four construction new starts, including: McClellan-Kerr Arkansas River Navigation System, Three Rivers, AR (navigation); West Sacramento, CA (flood and storm damage reduction); Anacostia Watershed Restoration, Prince George's County, MD (aquatic ecosystem restoration); and Norfolk Harbor and Channels, VA (Deepening) (navigation).⁶ The budget also proposes sufficient funding to complete construction of four ongoing projects.⁷

⁴ See id.

⁵ See id.

⁶ See id.

⁷ See id.

The 2022 budget would include \$350 million for the South Florida Ecosystem Restoration (SFER) (Everglades) program, a \$100 million increase, or forty percent, from the 2021 enacted level. SFER funding was also included in the administration's infrastructure proposal, the *American Jobs Plan*.⁸ Taken together, a robust amount of funding is proposed for SFER, enabling significant progress on ecosystem restoration. In an effort to improve the resilience of the nation's ports and waterways, the plan would also include \$2 billion over five years to cover the federal share of coastal navigation construction projects and \$780 million to cover 65 percent of the cost to complete construction of on-going capital improvement projects and major rehabilitation of existing inland navigation construction projects.

The budget proposes modifying the performance criteria for projects funded on the basis of their economic return to the nation, by lowering the threshold benefit-to-cost ratio (BCR) (previously at 2.5 to 1) to 2.0 to 1 or greater at a seven percent discount rate.

Operation and Maintenance (O&M): The President's budget would provide a total of \$4.295 billion for the O&M program, consisting of \$2.503 billion from the O&M account, \$1,557 billion from the HMTF, and \$235.3 million from the Mississippi River and Tributaries Account.

The budget would provide \$75 million to advance near-term climate resilience efforts by specifically targeting operation and maintenance activities that are focused on improving climate resilience and/or sustainability at existing Corps-owned projects, \$60 million for work needed to mitigate for adverse impacts from existing Corps-owned projects, \$20 million to improve cybersecurity at existing Corps-owned projects, and \$13 million to complete major rehabilitation studies at six inland waterway locks and dams projects. These funds will be used in addition to the \$2 billion over five years proposed in the *American Jobs Plan* for the maintenance and repair of existing navigation channels and navigation locks and dams on the nation's inland waterways that support commercial navigation.

Harbor Maintenance Trust Fund (HMTF): The President's budget proposes to spend \$1.626 billion from the HMTF for eligible projects and activities with an emphasis on operation and maintenance, including dredging, of completed projects, the highest amount ever proposed in a President's budget since enactment of the HMTF in 1986. The budget requests \$787 million to address the top 50 U.S. coastal ports across the nation, which handle around 90 percent of the waterborne cargo that is shipped to or from the United States. The budget also requests \$252 million for operation and maintenance of Great Lakes-projects, \$58 million for projects that support access by Native American tribes to their legally recognized historic fishing areas, and \$63 million for five construction projects that will accommodate disposal of material dredged from coastal navigation projects. The budget also highlights funding in the *American Jobs Plan* that proposes an additional investment of \$2.8 billion over five years for activities in coastal ports that are HMTF eligible.

Mississippi River and Tributaries (MR&T): The President's budget request includes a total of \$275 million, consisting of \$269.688 million from the Mississippi River and Tributaries account and \$5.312 million from the HMTF, for ongoing work in the lower Mississippi River and its tributaries, with emphasis on the 1,600 miles of levees and related features on the main stem of the lower Mississippi River and in the Atchafalaya Basin.

Flood Control and Coastal Emergencies (FCCE): The President's budget request includes \$35 million for preparedness and training for floods, hurricanes, and other natural disasters.

⁸ <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/31/fact-sheet-the-american-jobs-plan/>.

Formerly Utilized Sites Remedial Action Program (FUSRAP): The President’s budget request proposes to transfer financial responsibility for FUSRAP sites back to the Department of Energy. *NOTE: The Department of Energy budget request includes \$250 million for management of the FUSRAP program.*

Inland Waterways Trust Fund (IWTF): The President’s budget request proposes to spend \$52.150 million from the IWTF to begin construction on the McClellan-Kerr Arkansas River navigation system, Three Rivers, AR project, which will reduce the risk of a breach between Arkansas and White Rivers during high water that would likely result in a loss of navigation on the Mississippi River. The budget also includes \$420 million in funding proposed in the *American Jobs Plan* over the next five years to cover 35 percent of the cost to complete construction of on-going capital improvement projects and major rehabilitation of existing inland navigation construction projects.

Veteran’s Curation Program and Collections Management: The President’s budget proposal includes \$6.5 million for the Veteran’s Curation Program, which provides rehabilitation and training for veterans using the archaeological collections of the Corps.

NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

Summary of FY 2022 Budget Request:⁹

(in millions)

Program	FY 2021 Enacted	FY 2022 Authorized	FY 2022 President's Budget	Diff. of FY 2022 Pres. Budget and FY 2021 Enacted	
				\$	%
Watershed and Flood Prevention Operations	\$175.0	Such Sums as May be Necessary	\$175.0	0.0	0.0
Watershed Rehabilitation Program	10.0	No Authorization	10.0	0.0	0.0
Watershed Protection and Flood Prevention Program	50.0	\$50.0	\$50.0	0.0	0.0
Total	\$235.0	\$50	\$235.0	0.0	0.0

The NRCS is authorized to give technical and financial help to local organizations planning and carrying out watershed projects for flood protection, agricultural water management, recreation, municipal and industrial water supply, and wildlife enhancement.

The President’s budget proposes \$50 million in mandatory funding for the Watershed Protection and Flood Program, which was created in the *Agriculture Improvement Act of 2018* (P.L. 115-334) through amendments to the *Watershed Protection and Flood Prevention Act* (P.L. 83-566).

⁹ <https://www.usda.gov/sites/default/files/documents/2022-budget-summary.pdf>

In addition, the budget proposes level funding of \$175 million for Watershed and Flood Prevention activities authorized by the *Flood Control Act of 1944* (P.L. 78-534) and the *Watershed Protection and Flood Prevention Act of 1954* (P.L. 83-566). This program directs NRCS to work with localities to plan and install flood prevention improvements and share the cost for improvements in flood prevention, agricultural water management, recreation, and fish and wildlife development. Further, the FY 2022 budget proposes an increase of \$10 million in funding under this program for small watershed operations authorized under P.L. 83-566. This program provides federal resources to small watersheds of 250,000 acres or less for both for technical and financial assistance of flood prevention and watershed projects on private land for the conservation, development, utilization, and disposal of water, and for the reduction of sediment and erosion damages.

The President’s budget highlights a proposal to increase funding for the Watershed and Flood Prevention Operations program by \$100 million per year (totaling \$1 billion over ten years).

Lastly, the President’s budget proposes level funding for the Watershed Rehabilitation Program at \$10 million for FY 2022. This program provides financial and technical assistance to communities for planning and financing the rehabilitation of federally constructed flood prevention dams that have reached the end of their design lives. The program is authorized under Section 14 of the *Watershed Protection and Flood Prevention Act* (16 U.S.C. 1012), as amended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)

Summary of FY 2022 Budget Request:¹⁰

(in millions)

Appropriations Account	FY 2021 Enacted	FY 2022 President's Budget	Diff. of FY 2022 Pres. Budget and FY2021 Enacted	
			\$	%
National Ocean Service (NOS)	\$628.2	\$862.4	\$234.2	37.2%
Office of Oceanic and Atmospheric Research (OOAR)	614.1	815.7	201.6	32.8%
Total^{1,2}	\$1,242.3	\$1,678.1	\$435.8	35.1%

¹ Table totals the discretionary funding for NOS and OOAR, and does not highlight accounts outside the jurisdiction of the Committee on Transportation and Infrastructure

² Total includes funding for both operations, research, and facilities, and procurement, acquisitions, and construction accounts.

The Subcommittee has jurisdiction over various NOAA programs and activities, including responsibilities under the *Clean Water Act*, the *Coastal Zone Management Act Reauthorization Amendments* (P.L. 101-508), the *Marine Protection, Research and Sanctuaries Act* (P.L. 100-688), Superfund (P.L. 99-499), the *Oil Pollution Act* (P.L. 101-380), the *Nonindigenous Aquatic Nuisance Prevention and Control Act* (P.L. 104-332), the *Harmful Algal Bloom and Hypoxia Research and Control Act* (P.L. 105-383), and the *Estuary Habitat Restoration and Partnership Act of 2000* (P.L. 105-457). The Subcommittee’s jurisdictional interest in the NOS includes coastal water pollution and natural resource damages.

The President’s FY 2022 budget requests \$815.67 million for discretionary funding for the OOAR, \$201.58 million more than the FY 2021 enacted level of \$614.09 million.

¹⁰ <https://www.noaa.gov/sites/default/files/2021-06/NOAA%20FY22%20CJ.pdf>

The President’s FY 2022 budget requests \$862.4 million for discretionary funding for the NOS, \$234.2 million more than the FY 2021 enacted level of \$628.2 million. The National Coastal Zone Management (CZM) Program is part of the NOS.

The FY 2022 request includes level the following:

- **Coastal Zone Management Grants (\$108.5 million)** within the CZM Program. These grants support actions of states and other grantees authorized under the *Coastal Zone Management Act* (CZMA). Some of this work supports section 6217 of the Coastal Zone Reauthorization Amendments Act for controlling coastal non-point pollution. The CZM Program is a voluntary partnership between the federal government and coastal states, Great Lakes states, and territories to address coastal issues. This is a \$30 million increase over the FY 2021 enacted level.
- **National Centers for Coastal Ocean Science (NCCOS) Competitive Research Funding Support for Ecological Threats (\$22 million).** The NCCOS competitive research program provides grants to academic institutions to conduct ecological research that advances NOAA’s missions – including for algal blooms.
- **National Sea Grant Program (\$130 M).** This program funds a network of 34 Sea Grant programs located in coastal states and territories, as well as more than 3,000 scientists, researchers, students, and outreach experts from more than 300 institutions. This funding number includes the total of funds from the National Sea Grant College Program and Marine Aquaculture program.

The President’s FY 2022 budget proposes to increase funding for Coral Reef Restoration and Threat Abatement Initiatives by \$10 million to \$43 million. This program funds efforts to protect and restore coral reefs, diagnose and treat coral reefs, and partners with USGS in support of research and epidemiology of coral disease.

GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION (GLS)

Summary of FY 2022 Budget Request:¹¹

(in millions)

Program	FY 2021 Enacted	FY 2022 Authorized	FY 2022 President's Budget	Diff. of FY 2022 Pres. Budget and FY 2021 Enacted	
				\$	%
Total	\$38.0	No Authorization	\$37.7	-\$0.3	-0.8%

The St. Lawrence Seaway is a 328 nautical-mile deep-draft waterway between the Port of Montreal and Lake Erie. It connects the Great Lakes with the Atlantic Ocean via the lower St. Lawrence River. The Seaway includes a network of 15 locks and connecting channels located in Canada and the United States. Thirteen of the locks belong to Canada and the remaining two locks, located in Massena, New York, belong to the United States.

The U.S. portion of the Seaway was authorized in 1954, and is operated by the GLS, an agency within the DOT. The Canadian portion of the Seaway is operated by the Great Lakes St. Lawrence Seaway Management

¹¹ <https://www.transportation.gov/sites/dot.gov/files/2021-05/GLS-FY-2022-President-Budget-Request.pdf>

Corporation, a private corporation established in the 1990s and owned by the nine largest Canadian users of the Seaway.

The President’s budget request for the GLS from the HMTF is \$37.7 million. This would fund the daily operations and maintenance of the U.S. portion of the St. Lawrence Seaway (\$23.2 million) and Seaway infrastructure investment (14.5 million).

Operational, maintenance, and capital asset renewal needs for the U.S. portion of the St. Lawrence Seaway are derived from appropriations from the HMTF and revenues from other sources.

TENNESSEE VALLEY AUTHORITY (TVA)

Summary of FY 2022 Budget Request:¹²

The TVA is the nation’s largest government-owned wholesale power producer established by the *Tennessee Valley Authority Act* (16 U.S.C. 831) in 1933. TVA supplies power to nearly ten million people over an 80,000 square mile service area covering Tennessee, and parts of Mississippi, Alabama, Georgia, North Carolina, Virginia, and Kentucky. In addition, TVA’s non-power program responsibilities include the multi-purpose management of land and water resources throughout the Tennessee Valley.

Initially, federal appropriations funded all TVA operations. Direct federal funding for the TVA power program ended in 1959, and appropriations for TVA’s environmental stewardship and economic development activities were phased out by 1999. TVA currently receives no federal appropriations but operates and maintains its assets through commercial and residential rates, and the authority to issue federally secured bonds.

UNITED STATES SECTOR OF THE INTERNATIONAL BOUNDARY AND WATER COMMISSION (IBWC)

Summary of FY 2022 Budget Request:¹³

(in millions)

Appropriations Account	FY 2021 Enacted	FY 2022 President's Budget	Diff. of FY 2022 Pres. Budget and FY 2021	
			\$	%
Salaries and Expenses	\$49.8	\$52.0	2.2	4.4%
Construction	\$49.0	\$46.8	-2.2	-4.4%
Total	\$98.8	\$98.8	0.0	0.0

¹² See https://www.tva.com/docs/default-source/1-float/tva-annual-performance-report-final-05.21.21853293c8-12c6-43e3-96e6-5058b2d21607.pdf?sfvrsn=fb9f903_3; see also https://www.whitehouse.gov/wp-content/uploads/2021/05/oia_fy22.pdf.

¹³ https://www.state.gov/wp-content/uploads/2021/05/FY-2022-State_USAID-Congressional-Budget-Justification.pdf

First established in 1889, the IBWC has responsibility for implementing the boundary and water treaties between the United States and Mexico and settling issues that may arise along the 1,952-mile common border. The IBWC is an international body, composed of a United States sector and Mexico sector, each headed by an Engineer-Commissioner appointed by the respective President. The United States sector of the IBWC receives its policy guidance from the U.S. Department of State and the Mexico sector of the IBWC receives its policy guidance from Mexico’s Secretariat of Foreign Relations. The U.S. IBWC is headquartered in El Paso, Texas, and the Mexico IBWC has its headquarters in Ciudad Juarez, Chihuahua.

The President’s budget request for U.S. IBWC Salaries and Expenses is \$51.97 million, which is an increase of \$2.2 million over the FY 2021 enacted amount. The budget request for U.S. IBWC construction activities is \$46.8 million, which is a decrease of \$2.2 million from FY 2021 levels.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY (ATSDR)

Summary of FY 2022 Budget Request:¹⁴

(in millions)

Appropriations Account	FY 2021 Enacted	FY 2022 President's Budget	Diff. of FY 2022 Pres. Budget and FY 2021	
			\$	%
Total	\$78.0	\$81.8	\$3.6	4.8%

The ATSDR is the nation’s public health agency for chemical safety. The agency’s mission is to use the best science, take responsive action, and provide trustworthy health information to prevent and mitigate harmful exposures and related disease.

ATSDR was created by the *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)* of 1980 (P.L. 96-510), more commonly known as the Superfund law, and was formally organized in 1985.

Under its CERCLA mandate, the agency’s work falls into four functional areas: (1) protecting the public from hazardous exposures; (2) increasing knowledge about toxic substances; (3) educating health care providers and the public about toxic chemicals; and (4) maintaining health registries. In recent years, ATSDR has focused on pathways of potential exposure to toxic chemicals, including food, water, air, and consumer goods.

The administration’s FY 2022 budget request for ATSDR is \$81.75 million, which is \$3.75 million more than the FY 2021 appropriations for the agency.

¹⁴ <https://www.cdc.gov/budget/documents/fy2022/FY-2022-CDC-congressional-justification.pdf>

WITNESSES: (PART I)

Lieutenant General Scott A. Spellmon
Chief of Engineers and Commanding General
U.S. Army Corps of Engineers

Jaime A. Pinkham
Acting Assistant Secretary of the Army for Civil Works
Department of the Army

Jeff Lyash
President and Chief Executive Officer
Tennessee Valley Authority (TVA)

Daniel Avila
Acting Commissioner
U.S. Sector of the International Boundary and Water Commission (IBWC)