

## Time to Go, EO ...



The U.S. Army Corps of Engineers working to deepen the main channel on the Mississippi river.

**A**s we begin 2025, there is hope anew for the year ahead. Last year marked the 200th anniversary of the U.S. Army Corps of Engineers Civil Works mission, which is to develop, manage, and protect the nation's water resources to "support national security, democracy, and prosperity." The Civil Works program areas include Flood Risk Management to reduce the risk of flood damage; Navigation; Environmental Restoration to protect and restore aquatic ecosystems; and Emergency Response to provide disaster relief services.

The Corps' beginnings go back to 1824, when our nation's fifth president, James Monroe, signed into law a bill for to improve navigation on the Ohio and Mississippi rivers. While Corps' projects are—and have always been—large and complex, the Civil Works mission has evolved over time to incorporate new regulations, policies, shifts from political pressures, and unfortunately, bureaucracy that is often cumbersome. And infrastructure projects that have such a colossal impact on the U.S. economy and communities can sometimes be controversial and politically sensitive.

How water behaves hydraulically is largely dictated by physics, and has little regard for geographical, cultural, or political boundaries. To ensure transparency and promote public involvement, Corps water resources projects are developed and recommended for authorization by Congress after an extensive public planning process that ensures the project is economically justified, environmentally

acceptable, and technically achievable.

Many credit the modern-day Corps Civil Works program to the Reagan administration when seismic policy changes of the 1980s occurred that reformed how projects are justified, how they are funded by adding cost-share requirements from non-federal partners, how conservation is considered in the process, and how oversight by the Administration's Office of Management and Budget (OMB) became integral.

President Jimmy Carter's mistrust of the Corps' ability to recommend economically justified and environmentally sound projects led to significant changes. In 1977, he initiated a review of 320 water projects, questioning their environmental compliance and economic justification. The proposed dam on the Flint River in Georgia, his home state, was central to this review. Carter ultimately suggested cutting funds for 19 projects, sparking backlash from Congress and a debate over whether certain water projects deserved taxpayer investment.

Following Carter's defeat in 1980, the incoming Reagan administration maintained the previous Administration's priority to reform the Corps of Engineers. And in 1981, Reagan issued Executive Order 12322 to mandate any federal or federally assisted land or water resources project proposal must first be submitted to OMB for review before being presented to Congress for approval.

But over the last several decades, OMB has broadened its interpretation of the EO to withhold nearly all information, including outyear funding needs, up-to-date project

capabilities, innovative acquisition strategies, and other information critical to Congressional decision-makers.

Once intended to improve coordination and remove duplicative processes, it has now effectively created an unnecessary choke point for basic, fact-based information. This information is often not budget-sensitive or based on policy; instead, it allows OMB to override the judgement of technical experts, economists, scientists, and professional engineers.

This is a true over-reach of government that has had real-world consequences. Mislabeling almost all information as "budget sensitive" by OMB has negative and sometimes devastating impacts on the Corps' relationships with their project partners and the public. The lack of transparent and objective information, coupled with inconsistent communication, has eroded trust in the Corps' ability to execute its water resources projects effectively.

The Corps often takes decades to complete a project, with slipping timelines and growing cost overruns. This 44-year-old Executive Order has contributed to the Corps' inefficiency in building critical navigation and water projects. As the Trump administration begins its work, it's time to revisit EO 12322 and reduce the bureaucracy that delays economic benefits and access to competitive waterways infrastructure. Our country deserves more efficiency in the year ahead.



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