

## **Introduction**

America's water resources infrastructure systems are crucial to the health and safety of our communities, as well as our nation's economic strength. Our nation's levees, dams, ports, and inland waterways support billions of dollars in trade activity, protect against flood risk, support water conservation, and create millions of American jobs. However, many of these infrastructure assets are continuing to reach the end of their design life and face increased strain from increasingly severe weather events producing high levels of rainfall.

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 chapters from their 2021 grades, with Dams and Levees each going from a "D" in 2021 to a "D+" in 2025; Inland Waterways increasing from "D+" to "C-"; and Ports from "B-" to "B", accounting for the highest grade of the 18 infrastructure categories reviewed by ASCE.

As Congress begins its process of developing and writing the Water Resources Development Act (WRDA), and as your office begins to identify its own policy priorities, we ask that you consider supporting the following policy priorities:

- Reauthorization of the High Hazard Potential Dam Rehabilitation Grant Program by including the DAMS Act (H.R. 5414) in any 2026 WRDA legislation
- Revision of National Dam Safety Program State Assistance Grant formula to better reflect the current dam safety regulatory structure
- Reauthorization of the National Levee Safety Program through 2033
- Address the water resources project backlog at the U.S. Army Corps of Engineers
- Support maintenance dredging activities through the Harbor Maintenance Trust Fund

Should you have any questions, we encourage you to contact Matthew McGinn ([mmcginn@asce.org](mailto:mmcginn@asce.org)) with our Government Relations team.

## **Reauthorization of High-Hazard Potential Dam Rehabilitation Grant Program**

**ASCE Request:** Include H.R. 5414, the DAMS Act, reauthorizing the High Hazard Potential Dam Rehabilitation Grant Program, into any 2026 WRDA legislation.

**Background:** The U.S. is home to more than 92,000 dams supporting water storage, flood control, irrigation, and recreation. Nearly 17,000, or 18%, of those dams are classified as “high-hazard potential”, meaning that a failure of one of these dams would result in likely loss of life and significant destruction of property. More than 2,500 of the nation’s high hazard dams are assessed to be in poor or unsatisfactory condition, according to the National Inventory of Dams. The average age of America’s dams is 64 years, while 7 out of 10 dams are more than 50 years old according to the Association of State Dam Safety Officials. The increasing age of the nation’s dams, combined with extreme weather producing higher levels of precipitation, are placing growing strain on these structures.

One of the few federal funding streams available for dam repair and rehabilitation is the High-Hazard Potential Dam Rehabilitation Grant Program, or HHPD Program. The HHPD program 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.

H.R. 5414, the Dam Assessment and Mitigation Support (DAMS) Act would reauthorize the HHPD Program for five years. The bill would also strike vague and redundant “Maintenance of Effort” state funding requirements for receiving federal aid for state dam safety programs. Federal law already requires states to provide adequate funding for dam safety in state budgets to be eligible for this program, and removing the Maintenance of Effort requirement would eliminate an additional layer of bureaucratic delay and allow for federal funding to flow more freely to states. The DAMS Act would also allow states to use their own risk prioritization systems for processing HHPD grant applications instead of federally developed systems. This allows states to better identify their own needs and process grant applications in a way that prioritizes their communities’ more specific needs.

**For your convenience, a copy of the text of H.R. 5414, the DAMS Act, is attached to the end of this document.**

## **Revision of National Dam Safety Program Grant Formula**

**ASCE Request:** Strike “low-head dams” from National Dam Safety Program State Assistance Grant criteria which currently includes a state’s total dams as well as low-head dams.

**Background:** In 2024, WRDA reauthorized the National Dam Safety Program (NDSP), which had lapsed at the end of Fiscal Year 2023. The National Dam Safety Program provides resources

to states to support inspection and monitoring activities, staffing needs, and emergency planning through State Assistance Grants. The 2024 reauthorization of this program ensures those funds can continue to flow directly to state dam safety programs. WRDA 2024 also included provisions to incorporate low-head dams into the National Inventory of Dams. Low-head dams are small, river spanning structures which produce dangerous currents that have been shown to harm public safety. ASCE supported the incorporation of these structures into the inventory to improve the overall safety of the nation's dams. NDSP State Assistance Grant allocations are determined by multiple factors, including number of dams in a state. WRDA 2024 altered this formula factor by including the number of low-head dams in addition to dams (33 U.S.C. § 467j(a)(2)(A)(ii)(I) & (II)). This jeopardizes funding to states and may affect their ability to receive valuable resources for their dam safety programs.

While the development of a national inventory of low-head dams is 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 require federal support for their dam safety programs but lack the capacity to properly account for low-head dams.** These circumstances reduce the overall safety of the dams nationwide. To address these challenges, ASCE recommends 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. Once the inventory has been completed, ASCE recommends once again reassessing State Assistance Grant criteria to better determine if incorporating low-head dams would be appropriate.

### **Reauthorization of the National Levee Safety Program**

**ASCE Request:** Reauthorize the U.S. Army Corps of Engineers' (USACE) National Levee Safety Program through 2033 to allow for a levee safety regulatory structure to continue to develop and take shape.

**Background:** USACE has identified more than 24,000 miles of levees providing flood protection to over 2,300 communities nationwide. The nation's levee systems protect more than 23 million people, and \$2 trillion worth of property value-- including 7 million buildings and 5 million acres of farmland-- that sit behind them. USACE has made significant progress developing a national regulatory and support framework to improve the safety of the nation's levees.

The National Levee Safety Program was first authorized in 2014 for the purposes of helping stand up state levee safety programs, creating a comprehensive database of the nation's levees, developing guidelines for levee safety best practices, and supporting repair and rehabilitation of the nation's levees. The National Levee Safety Program was last reauthorized in the 2022

WRDA, with ASCE's strong support. Since that time, the program has continued to make significant progress. In 2024, USACE produced the first National Levee Safety Guidelines, providing a consistent yet flexible set of best practices for levee management, reducing flood impact, utilizing nature-based solutions to improve levee safety, and addressing the needs of underserved communities living behind levees. Additionally, USACE has made significant progress developing its National Levee Database, providing more detailed data on USACE's levee portfolio, as well as dams owned and operated at the state and local level. This progress played a large role in ASCE's decision to raise its grade for the nation's levees in its *2025 Report Card for America's Infrastructure* from "D" to "D+".

The National Levee Safety Program's legislative authority is set to expire at the end FY 2028. In 2024, the House's WRDA bill included a 4-year reauthorization of the National Levee Safety Program. That provision, however, was not included in the Senate WRDA bill, and was thus not included in the final WRDA signed into law by President Joe Biden in early 2025. **To ensure that it can continue to develop and provide needed assistance to states, ASCE strongly encourages the inclusion of a 5-year reauthorization into WRDA 2026.**

### **Water Resources Project Backlog**

**ASCE Request:** Develop strategies for addressing USACE's growing water resources project backlog, which exceeds \$100 billion.

**Background:** In each WRDA bill, Congress authorizes new navigation, ports, and flood protection projects and feasibility studies for USACE to begin work on. In 2024, Congress authorized 21 new water resources projects with an authorized total federal funding level of more than \$10 billion. While authorization of new projects every other year is essential to USACE planning and provides the agency with a degree of predictability, Congressional appropriators have not been able to fund water resources projects at a fast enough pace, creating a current project backlog of more than \$100 billion.

This backlog results in project delays, increased overall costs, and can result in possible challenges to project development and design. **ASCE encourages Congress, including the Senate Environment & Public Works Committee, House Transportation & Infrastructure Committee, and House and Senate Appropriations Committees, to work closely with the USACE to develop plans and strategies to address and reduce the water resources project backlog.**

### **Utilize Harbor Maintenance Trust Fund for Maintenance Dredging Activities**

**ASCE Request:** Use remaining balance of Harbor Maintenance Trust fund to support maintenance dredging projects to improve shipping lanes and the overall health of America's inland waterways.

**Background:** Waterside infrastructure needs, such as maintenance dredging, are paid for through the federal Harbor Maintenance Trust Fund (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 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.

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.

In 2025, Ports received the highest grade on ASCE's *Report Card for America's Infrastructure*, earning a grade of 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. To help ensure the continued functionality of our nation's ports, ASCE urges Congress to continue to spend down the balance of the HMTF on maintenance dredging activities.

# **H.R. 5414, Dam Assessment and Mitigation Support (DAMS)**

## **Act**

Introduced by Rep. Jefferson Van Drew (R-NJ) and Rep. Dina Titus (D-NV) on September 16, 2025.

## **A BILL**

To amend the National Dam Safety Program Act to reauthorize certain assistance to States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. Short title.

This Act may be cited as the “Dam Assessment and Mitigation Support Act” or the “DAMS Act”.

SEC. 2. National Dam Safety Program Act amendments.

(a) National Dam Safety Program.—Section 8(e) of the National Dam Safety Program Act ([33 U.S.C. 467f\(e\)](#)) is amended by striking paragraph (4).

(b) Rehabilitation of high hazard potential dams.—

(1) PRIORITY SYSTEM.—Section 8A(f) of the National Dam Safety Program Act ([33 U.S.C. 467f-2\(f\)](#)) is amended by inserting “, which system shall be used by any State that is not using a risk-based priority system developed by the State for identifying such dams” before the period at the end.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 8A(j)(4) of the National Dam Safety Program Act ([33 U.S.C. 467f-2\(j\)\(4\)](#)) is amended by striking “2026” and inserting “2031”.