

# CORPS OF ENGINEERS—CIVIL WORKS

## CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood and storm damage reduction, [shore protection,] aquatic ecosystem restoration, and related efforts. *(Energy and Water Development and Related Agencies Appropriation Act, 2009.)*

Reimbursable program .....	3317	1342	780
Total program .....	7614	8542	2727

### Federal Funds

#### OFFICE OF ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

For the Office of Assistant Secretary of the Army (Civil Works) as authorized by 10 U.S.C. 3016(b)(3), [ \$4,500,000 ] \$6,000,000, to remain available until expended. *(Energy and Water Development and Related Agencies Appropriation Act, 2009.)*

#### Program and Financing (in millions of dollars)

Identification code 96-3132-0-1-054	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Office of Assistant Secretary of the Army (Civil Works) .....	5	6	6
10.00 Total new obligations .....	5	6	6
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	5	5	6
23.95 Total new obligations .....	-5	-6	-6
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	5	5	6
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....		2	3
73.10 Total new obligations .....	5	6	6
73.20 Total outlays (gross) .....	-3	-5	-6
74.40 Obligated balance, end of year .....	2	3	3
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	3	5	6
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	5	5	6
90.00 Outlays .....	3	5	6

#### Object Classification (in millions of dollars)

Identification code 96-3132-0-1-054	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
12.1 Civilian personnel benefits .....		1	1
25.3 Other purchases of goods and services from Government accounts .....	5	5	5
99.9 Total new obligations .....	5	6	6

### CONSTRUCTION PROGRAM

(Budget authority in millions of dollars)

	2008 actual	2009 est.	2010 est.
<b>Direct program:</b>			
General fund .....	2074	2003	1633
Recovery Act .....		2000	
Supplemental .....	1601	2835	
Harbor Maintenance Trust Fund .....	44	36	
Inland Waterways Trust Fund .....	202	103	85
Rivers and harbors contributed funds (mandatory) .....	376	223	229
Total direct program .....	4297	7200	1947

### CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, [shore protection,] aquatic ecosystem restoration, and related projects authorized by law [; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$2,141,677,000], including a portion of the expenses for the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$1,718,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104—303; and of which such sums as are necessary [pursuant to Public Law 99—662 shall be derived from the Inland Waterways Trust Fund,] to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects [(including only Chickamauga Lock, Tennessee; Kentucky Lock and Dam, Tennessee River, Kentucky; Lock and Dams 2, 3, and 4 Monongahela River, Pennsylvania; Marmet Lock and Dam, West Virginia; McAlpine Lock and Dam, Kentucky and Indiana; Olmsted Lock and Dam, Illinois and Kentucky; Gray's Landing Lock and Dam, Pennsylvania; R.C. Byrd Lock and Dam, Ohio and West Virginia; and Point Marion Lock and Dam, Pennsylvania)] shall be derived from the Inland Waterways Trust Fund [; Provided, That the Chief of Engineers is directed to use \$13,000,000 of the funds appropriated herein for the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: Provided further, That the Chief of Engineers is directed to use \$8,000,000 of the funds appropriated herein for planning, engineering, design or construction of the Grundy, Buchanan County, and Dickenson County, Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Chief of Engineers is directed to use \$8,500,000 of the funds appropriated herein to continue planning, engineering, design or construction of the Lower Mingo County, Upper Mingo County, Wayne County, McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$9,000,000 of the funds appropriated herein for the Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Harlan County in accordance with the Draft Detailed Project Report dated January 2002, Floyd County, Martin County, Johnson County, and Knox County, Kentucky, detailed project report, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River: Provided further, That the Chief of Engineers is directed to use \$17,048,000 of the funds provided herein for planning and design and construction of a rural health care facility on the Fort Berthold Reservation of the Three Affiliated Tribes, North Dakota: Provided further, That, except as provided in section 101 of this Act, the amounts made available under this paragraph shall be expended as authorized in law for the projects and activities specified in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of the consolidated Act)]. *(Energy and Water Development and Related Agencies Appropriation Act, 2009.)*

[For an additional amount for "Construction", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$2,835,000,000, to become available on October 1, 2008, and to remain available until expended: Provided, That the Secretary of the Army is directed to use \$1,997,000,000 of the funds provided herein to modify authorized projects in southeast Louisiana to provide

CONSTRUCTION—Continued

hurricane, storm and flood damage reduction in the greater New Orleans and surrounding areas to the levels of protection necessary to achieve the certification required for participation in the National Flood Insurance Program under the base flood elevations current at the time of enactment of this Act, and shall use \$1,077,000,000 of those funds for the Lake Pontchartrain and Vicinity project and \$920,000,000 of those funds for the West Bank and Vicinity project: *Provided further*, That, in addition, \$838,000,000 of the funds provided herein shall be for elements of Southeast Louisiana Urban Drainage project within the geographic perimeter of the West Bank and Vicinity and Lake Pontchartrain and Vicinity projects, to provide for interior drainage of runoff from rainfall with a ten percent annual exceedance probability: *Provided further*, That the amounts provided herein shall be subject to a 65 percent Federal / 35 percent non-Federal cost share for the specified purposes: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds: *Provided further*, That the expenditure of funds as provided above may be made without regard to individual amounts or purposes except that any reallocation of funds that is necessary to accomplish the established goals is authorized subject to the approval of the House and Senate Committees on Appropriations.】 (*Supplemental Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 96-3122-0-1-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.04 Projects specifically authorized by Congress (Channels and Harbors) .....	197	195	195
00.05 Projects not specifically authorized by Congress (Channels and Harbors) .....	7	7	7
00.09 Locks and dams .....	205	380	380
00.12 Projects specifically authorized by Congress (Beach erosion) ....	78	45	45
00.13 Projects not specifically authorized by Congress (Beach Erosion) .....	1	3	3
00.16 Projects specifically authorized by Congress (Flood Control) .....	464	387	426
00.17 Projects not specifically authorized by Congress (Flood Control) .....	22	16	24
00.18 Emergency streambank and shoreline protection .....	8	7	9
00.22 Reservoirs .....	106	92	92
00.25 Multiple-purpose power projects .....	97	13	13
00.27 Navigation .....	27	36	36
00.28 Flood control .....	204	54	54
00.29 Multiple-purpose power projects .....	58	22	22
00.33 Employees' compensation .....	18	14	14
00.34 Environmental projects .....	513	395	435
00.35 Project modification for environmental restoration .....	21	18	18
00.36 Aquatic plant control .....	4	3	3
00.37 Aquatic ecosystems .....	17	12	12
00.39 Beneficial uses of dredged material .....	23	19	19
00.40 Louisiana Levee .....		3,230	3,230
01.00 Direct program subtotal .....	2,070	4,948	5,037
09.00 Reimbursable program .....	3,091	991	1,090
10.00 Total new obligations .....	5,161	5,939	6,127
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	2,407	4,331	6,572
22.00 New budget authority (gross) .....	6,992	8,180	2,413
22.10 Resources available from recoveries of prior year obligations ....	93		
23.90 Total budgetary resources available for obligation .....	9,492	12,511	8,985
23.95 Total new obligations .....	-5,161	-5,939	-6,127
24.40 Unobligated balance carried forward, end of year .....	4,331	6,572	2,858
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	3,680	4,838	1,633
40.01 Appropriation, Recovery Act .....		2,000	
40.35 Appropriation permanently reduced .....	-5		
43.00 Appropriation (total discretionary) .....	3,675	6,838	1,633
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	2,019	1,342	780
58.10 Change in uncollected customer payments from Federal sources (unexpired) .....	1,298		

58.90	Spending authority from offsetting collections (total discretionary) .....	3,317	1,342	780
70.00	Total new budget authority (gross) .....	6,992	8,180	2,413
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	85	451	84
73.10	Total new obligations .....	5,161	5,939	6,127
73.20	Total outlays (gross) .....	-3,404	-6,306	-4,099
73.45	Recoveries of prior year obligations .....	-93		
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	-1,298		
74.40	Obligated balance, end of year .....	451	84	2,112
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	3,317	3,510	1,526
86.93	Outlays from discretionary balances .....	87	2,796	2,573
87.00	Total outlays (gross) .....	3,404	6,306	4,099
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-1,556	-286	-286
88.40	Non-Federal sources .....	-463	-1,056	-494
88.90	Total, offsetting collections (cash) .....	-2,019	-1,342	-780
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	-1,298		
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	3,675	6,838	1,633
90.00	Outlays .....	1,385	4,964	3,319

This appropriation funds the construction, replacement, rehabilitation, and expansion of water resources projects whose principal purpose is to provide commercial navigation, flood and storm damage reduction, or aquatic ecosystem restoration benefits to the Nation, and related activities. The Budget shows all funding provided through the Inland Waterways Trust Fund and Harbor Maintenance Trust Fund as transferred to and executed in the Construction account.

This account allocates funds based on performance-based guidelines, which improve the overall performance of the construction program by directing funds to high-performing ongoing projects and high-performing new construction starts. These guidelines focus construction funds on those investments within the three main mission areas of the Corps that provide the best return from a national perspective in achieving economic, environmental, and public safety objectives. To support the most sustainable investments in these missions that provide the Nation with high economic and environmental benefits, the Budget funds activities that complement multiple-project purposes and integrate environmental principles into traditional infrastructure efforts.

This account includes \$155 million for work under the Comprehensive Everglades Restoration Plan (CERP), which represents 9 percent of the total amount in this account and 3 percent of the total amount in the Corps civil works program. Funding CERP at this level would not have a significant impact on the overall civil works program in 2010. Future levels of construction account funding for CERP will depend on the availability of funds, and the impact of such future funding on the overall civil works program cannot be determined at this time. Funding for the Department of the Interior (DOI) includes an additional \$8 million for work under CERP.

This account also includes \$60 million for other ecosystem restoration work in South Florida, including the Everglades ecosystem. Funding for DOI includes \$56 million for such non-CERP work.

The 2010 Budget for the two agencies includes a total of \$279 million for ecosystem restoration work in South Florida, of which \$163 million is for CERP and \$116 million is for non-CERP work.

This appropriation also funds the Corps continuing authorities programs, which involve the planning, design, and construction of smaller scale projects that do not require specific authorizing legislation.

#### Object Classification (in millions of dollars)

Identification code 96-3122-0-1-301	2008 actual	2009 est.	2010 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	200	219	224
11.3 Other than full-time permanent .....	13	13	14
11.5 Other personnel compensation .....	8	8	8
11.9 Total personnel compensation .....	221	240	246
12.1 Civilian personnel benefits .....	57	62	64
12.1 Accrued retirement .....	5	5	5
12.1 Other personnel .....	2	2	2
21.0 Travel and transportation of persons .....	12	17	17
23.1 Rental payments to GSA .....	16	21	21
23.3 Communications, utilities, and miscellaneous .....	8	13	13
24.0 Printing and reproduction .....	8	13	13
25.1 Advisory and assistance services .....	114	144	144
25.2 Other services .....	777	617	617
25.3 Purchase of goods and services from Government accounts .....	263	265	265
25.4 Operation and maintenance of facilities .....		3,192	3,230
25.5 Research and development contracts .....	10	15	15
26.0 Supplies and materials .....	12	17	17
31.0 Equipment .....	17	22	22
32.0 Land and structures .....	548	303	346
99.0 Direct obligations .....	2,070	4,948	5,037
99.0 Reimbursable obligations .....	3,091	991	1,090
99.9 Total new obligations .....	5,161	5,939	6,127

#### Employment Summary

Identification code 96-3122-0-1-301	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....	2,787	2,915	2,915
Reimbursable:			
2001 Civilian full-time equivalent employment .....	1,126	1,200	1,200

#### OPERATION AND MAINTENANCE PROGRAM

(Budget authority in millions of dollars)

	2008 actual	2009 est.	2010 est.
Direct program:			
General fund (non-homeland security) .....	1479	1380	1625
General fund (homeland security) .....		42	43
Recovery Act .....		2075	
Supplemental .....	1038		
Special recreation user fees .....	43	43	43
Harbor Maintenance Trust Fund .....	722	737	793
Bonneville Power Administration transfer (mandatory) .....	82	88	88
Total direct program .....	3364	4365	2592
Reimbursable program .....	963	771	2687
Total program .....	4327	5136	5279

#### OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law;

surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, **【\$2,201,900,000】** \$2,504,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-6a(i)), shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of the Water Resources Development Act of 1996 (Public Law 104-303), shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected **【: Provided, That of the amounts provided herein, not to exceed \$500,000 is provided to the Secretary of the Army to reimburse travel expenses as provided for in section 9003(f) of the Water Resources Development Act of 2007, Public Law 110-114 (121 Stat. 1289-1290): Provided further, That 2 percent of the total amount of funds provided for each of the programs, projects or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate; and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects or activities: Provided further, That, except as provided in section 101 of this Act, the amounts made available under this paragraph shall be expended as authorized in law for the projects and activities specified in the text and table under the heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)】. (Energy and Water Development and Related Agencies Appropriation Act, 2009.)**

#### Program and Financing (in millions of dollars)

Identification code 96-3123-0-1-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Channels and harbors .....	909	982	1,082
00.02 Locks and dams .....	440	400	580
00.05 Reservoirs .....	516	425	575
00.06 Channel improvements, inspections, and miscellaneous maintenance .....	38	43	43
00.09 Multiple-purpose power projects .....	496	690	770
00.91 Total operation and maintenance projects .....	2,399	2,540	3,050
01.01 Protection of navigation .....	43	7	25
01.02 National emergency preparedness .....	4	5	5
01.05 Special programs to improve operation and maintenance .....	43	7	30
01.91 Total miscellaneous items .....	90	19	60
01.92 Total direct program .....	2,489	2,559	3,110
09.00 Reimbursable program activity .....	174	120	130
10.00 Total new obligations .....	2,663	2,679	3,240
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	248	1,235	2,867
22.00 New budget authority (gross) .....	3,617	4,311	2,479
22.10 Resources available from recoveries of prior year obligations .....	33		
23.90 Total budgetary resources available for obligation .....	3,898	5,546	5,346
23.95 Total new obligations .....	-2,663	-2,679	-3,240
24.40 Unobligated balance carried forward, end of year .....	1,235	2,867	2,106

#### New budget authority (gross), detail:

Discretionary:			
40.00 Appropriation .....	2,517	1,380	1,625
40.00 Appropriation (Homeland Security) .....		42	43
40.01 Appropriation, Recovery Act .....		2,075	
42.00 Transferred from other accounts .....	55	43	43
43.00 Appropriation (total discretionary) .....	2,572	3,540	1,711
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	924	771	768

OPERATION AND MAINTENANCE—Continued  
Program and Financing —Continued

Identification code 96-3123-0-1-301	2008 actual	2009 est.	2010 est.
58.10 Change in uncollected customer payments from Federal sources (HMTF) .....	39		
58.90 Spending authority from offsetting collections (total discretionary) .....	963	771	768
Mandatory:			
62.00 Transferred from other accounts .....	82		
70.00 Total new budget authority (gross) .....	3,617	4,311	2,479
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	506	705	33
73.10 Total new obligations .....	2,663	2,679	3,240
73.20 Total outlays (gross) .....	-2,392	-3,351	-3,173
73.45 Recoveries of prior year obligations .....	-33		
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....	-39		
74.40 Obligated balance, end of year .....	705	33	100
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	1,718	3,322	2,183
86.93 Outlays from discretionary balances .....	674	29	990
87.00 Total outlays (gross) .....	2,392	3,351	3,173
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Other Federal sources (Cash) .....	-869	-766	-767
88.40 Non-Federal sources, .....	-55	-5	-1
88.90 Total, offsetting collections (cash) .....	-924	-771	-768
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	-39		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	2,654	3,540	1,711
90.00 Outlays .....	1,468	2,580	2,405

This appropriation funds operation, maintenance, and related activities for water resources projects and related activities that the Corps operates and maintains. Work to be accomplished consists of dredging, repair, and operation of structures and other facilities, as authorized in various River and Harbor, Flood Control, and Water Resources Development Acts. Related activities include aquatic plant control, monitoring of completed projects where appropriate, removal of sunken vessels, and the collection of domestic waterborne commerce statistics. Key infrastructure that is of central importance to the Nation is given highest priority for funding in this account. The Budget shows all funding provided through the Harbor Maintenance Trust Fund as transferred to and executed in the Operation and Maintenance account.

This appropriation funds all of the costs associated with protecting Corps facilities from potential security threats. It also funds the national emergency preparedness program under Executive Order 11490.

This account does not provide any funding in 2010 for the operation and maintenance of completed CERP projects because the Corps has not yet completed any such projects. Therefore, funding CERP operation and maintenance at this level would not have a significant impact on the overall Corps civil works program. The work scheduled for CERP over the next couple of years will likely involve the construction of some projects, but not their operation and maintenance. Future levels of funding for CERP operation and maintenance will depend on the pace of project construction and availability of funds. The impact of such future funding on the overall Corps civil works program cannot be determined at this time.

Object Classification (in millions of dollars)

Identification code 96-3123-0-1-301	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	436	663	687
11.3 Other than full-time permanent .....	45	46	47
11.5 Other personnel compensation .....	33	34	35
11.9 Total personnel compensation .....	514	743	769
12.1 Civilian personnel benefits .....	131	194	200
13.0 Benefits for former personnel .....	4	4	4
21.0 Travel and transportation of persons .....	6	16	16
22.0 Transportation of things .....	2	12	12
23.1 Rental payments to GSA .....	5	15	15
23.2 Rental payments to others .....	1	6	6
23.3 Communications, utilities, and miscellaneous charges .....	15	30	30
24.0 Printing and reproduction .....	3	2	2
25.1 Advisory and assistance services .....	3	7	7
25.2 Other services .....	250	260	386
25.3 Other purchases of goods and services from Government accounts .....	280	294	356
25.4 Operation and maintenance of facilities .....	56	60	68
25.7 Operation and maintenance of equipment .....	12	20	26
26.0 Supplies and materials .....	40	50	80
31.0 Equipment .....	35	35	50
32.0 Land and structures .....	1,132	811	1,083
99.0 Direct obligations .....	2,489	2,559	3,110
99.0 Reimbursable obligations .....	174	120	130
99.9 Total new obligations .....	2,663	2,679	3,240

Employment Summary

Identification code 96-3123-0-1-301	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	8,257	11,340	11,440

SPECIAL RECREATION USER FEE

Special and Trust Fund Receipts (in millions of dollars)

Identification code 96-5383-0-2-301	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....	51	49	44
01.99 Balance, start of year .....	51	49	44
<b>Receipts:</b>			
02.20 Special Recreation Use Fees, Corps of Engineers .....	40	37	37
02.21 User Fees, Fund for Non-Federal Use of Disposal Facilities .....	1	1	1
02.99 Total receipts and collections .....	41	38	38
04.00 Total: Balances and collections .....	92	87	82
<b>Appropriations:</b>			
05.00 Special Recreation User Fee .....	-43	-43	-43
05.99 Total appropriations .....	-43	-43	-43
07.99 Balance, end of year .....	49	44	39

Program and Financing (in millions of dollars)

Identification code 96-5383-0-2-301	2008 actual	2009 est.	2010 est.
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.20 Appropriation (special fund) .....	43	43	43
41.00 Transferred to other accounts .....	-43	-43	-43
43.00 Appropriation (total discretionary) .....			
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			
90.00 Outlays .....			

The Budget provides funding for recreation activities under the Operation and Maintenance and Mississippi River and Tributaries accounts.

### MISSISSIPPI RIVER AND TRIBUTARIES PROGRAM

[Budget authority in millions of dollars]

	2008 actual	2009 est.	2010 est.
Direct program:			
General fund .....	387	384	248
Recovery Act .....		375	
Supplemental .....	100		
Rivers and harbors contributed funds (mandatory) .....	33	22	23
Total direct program .....	520	781	271
Reimbursable program .....	11	11	11
Total program .....	531	792	282

### MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, **[\$383,823,000] \$248,000,000**, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund: *Provided*, That the Chief of Engineers is directed to use \$5,000,000 of the funds provided herein for design and real estate activities and pump supply elements for the Yazoo Basin, Yazoo Backwater Pumping Plant, Mississippi: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers is directed to use \$8,000,000 appropriated herein for construction of water withdrawal features of the Grand Prairie, Arkansas, project: *Provided further*, That, except as provided in section 101 of this Act, the amounts made available under this paragraph shall be expended as authorized in law for the projects and activities specified in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)]. (*Energy and Water Development and Related Agencies Appropriation Act, 2009.*)

### Program and Financing (in millions of dollars)

Identification code 96-3112-0-1-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 General investigations .....	15	8	10
00.03 Construction .....	181	191	210
00.05 Operation and Maintenance .....	195	195	213
09.11 Reimbursable program .....	48	37	41
10.00 Total new obligations .....	439	431	474
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	118	184	513
22.00 New budget authority (gross) .....	498	760	249
22.10 Resources available from recoveries of prior year obligations .....	7		
23.90 Total budgetary resources available for obligation .....	623	944	762
23.95 Total new obligations .....	-439	-431	-474
24.40 Unobligated balance carried forward, end of year .....	184	513	288
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	487	384	248
40.01 Appropriation, Recovery Act .....		375	
43.00 Appropriation (total discretionary) .....	487	759	248
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	49	1	1
58.10 Change in uncollected customer payments from Federal sources (unexpired) .....	-3		
58.61 Transferred to other accounts .....	-35		
58.90 Spending authority from offsetting collections (total discretionary) .....	11	1	1

70.00	Total new budget authority (gross) .....	498	760	249
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	147	180	46
73.10	Total new obligations .....	439	431	474
73.20	Total outlays (gross) .....	-402	-565	-421
73.45	Recoveries of prior year obligations .....	-7		
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	3		
74.40	Obligated balance, end of year .....	180	46	99
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	127	458	175
86.93	Outlays from discretionary balances .....	275	107	246
87.00	Total outlays (gross) .....	402	565	421
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-48	-1	-1
88.40	Non-Federal sources .....	-1		
88.90	Total, offsetting collections (cash) .....	-49	-1	-1
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	3		
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	452	759	248
90.00	Outlays .....	353	564	420

This appropriation funds planning, construction, and operation and maintenance activities associated with projects to reduce flood damage in the lower Mississippi River alluvial valley below Cape Girardeau, Missouri.

### Object Classification (in millions of dollars)

Identification code 96-3112-0-1-301	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	64	70	72
11.3 Other than full-time permanent .....	5	5	5
11.5 Other personnel compensation .....	10	11	11
11.9 Total personnel compensation .....	79	86	88
12.1 Civilian personnel benefits .....	20	22	22
13.0 Benefits for former personnel .....	1	1	1
21.0 Travel and transportation of persons .....	3	3	3
23.1 Rental payments to GSA .....	3	3	3
23.3 Communications, utilities, and miscellaneous .....	5	5	5
24.0 Printing and reproduction .....	2	2	2
25.1 Advisory and assistance services .....	3	3	3
25.2 Other services .....	77	80	95
25.3 Purchase goods & svcs. fm Government .....	100	113	131
25.4 Operation and maintenance of facilities .....	2	2	2
26.0 Supplies and materials .....	6	6	6
31.0 Equipment .....	2	2	2
32.0 Land and structures .....	88	66	70
99.0 Direct obligations .....	391	394	433
99.0 Reimbursable obligations .....	48	37	41
99.9 Total new obligations .....	439	431	474

### Employment Summary

Identification code 96-3112-0-1-301	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	1,141	1,200	1,200

### FLOOD CONTROL AND COASTAL EMERGENCIES

[For an additional amount for "Flood Control and Coastal Emergencies", as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, \$2,926,000,000, to become

FLOOD CONTROL AND COASTAL EMERGENCIES—Continued

available on October 1, 2008, and to remain available until expended: *Provided*, That funds provided herein shall be used to reduce the risk of hurricane and storm damages to the greater New Orleans metropolitan area, at full Federal expense, for the following: \$704,000,000 shall be used to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront; \$90,000,000 shall be used for storm-proofing interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events; \$459,000,000 shall be used for armoring critical elements of the New Orleans hurricane and storm damage reduction system; \$53,000,000 shall be used to improve protection at the Inner Harbor Navigation Canal; \$456,000,000 shall be used to replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the existing New Orleans to Venice hurricane protection project; \$412,000,000 shall be used for reinforcing or replacing flood walls, as necessary, in the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project to improve the performance of the systems; \$393,000,000 shall be used for repair and restoration of authorized protections and floodwalls; and \$359,000,000 shall be to complete the authorized protection for the Lake Ponchartrain and Vicinity, West Bank and Vicinity, and the New Orleans to Venice projects: *Provided further*, That the Secretary of the Army, within available funds, is directed to continue the NEPA alternative evaluation of all options with particular attention to Options 1, 2 and 2a of the report to Congress, dated August 30, 2007, provided in response to the requirements of chapter 3, section 4303 of Public Law 110-28 and within 90 days of enactment of this Act provide the House and Senate Committees on Appropriations cost estimates to implement Options 1, 2 and 2a of the above cited report: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds: *Provided further*, That any project using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Assistant Secretary of the Army for Civil Works requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of completed elements and to hold and save the United States free from damages due to the construction, operation, and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That the expenditure of funds as provided above may be made without regard to individual amounts or purposes except that any reallocation of funds that is necessary to accomplish the established goals is authorized subject to the approval of the House and Senate Committees on Appropriations. *For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$41,000,000, to remain available until expended. (Supplemental Appropriations Act, 2008.)*

Program and Financing (in millions of dollars)

Identification code 96-3125-0-1-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Disaster preparedness .....	46	55	55
00.02 Emergency operations .....	54	70	66
00.03 Rehabilitation .....	1,840	1,950	1,900
00.04 Advance measures .....	1	2	2
09.00 Reimbursable program activity .....	373	450	400
10.00 Total new obligations .....	2,314	2,527	2,423
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	5,956	4,926	5,487
22.00 New budget authority (gross) .....	957	3,088	203
22.10 Resources available from recoveries of prior year obligations .....	327		
23.90 Total budgetary resources available for obligation .....	7,240	8,014	5,690
23.95 Total new obligations .....	-2,314	-2,527	-2,423
24.40 Unobligated balance carried forward, end of year .....	4,926	5,487	3,267

New budget authority (gross), detail:

40.00 Discretionary:			
Appropriation .....	642	2,926	41
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	371	312	312
58.10 Change in uncollected customer payments from Federal sources (unexpired) .....	-91	-150	-150
58.62 Transferred from other accounts .....	35		
58.90 Spending authority from offsetting collections (total discretionary) .....	315	162	162
70.00 Total new budget authority (gross) .....	957	3,088	203

Change in obligated balances:

72.40 Obligated balance, start of year .....	-423	559	25
73.10 Total new obligations .....	2,314	2,527	2,423
73.20 Total outlays (gross) .....	-1,096	-3,211	-2,086
73.45 Recoveries of prior year obligations .....	-327		
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....	91	150	150
74.40 Obligated balance, end of year .....	559	25	512

Outlays (gross), detail:

86.90 Outlays from new discretionary authority .....	315	1,625	183
86.93 Outlays from discretionary balances .....	781	1,586	1,903
87.00 Total outlays (gross) .....	1,096	3,211	2,086

Offsets:

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	-362	-312	-312
88.40 Non-Federal sources .....	-9		
88.90 Total, offsetting collections (cash) .....	-371	-312	-312
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	91	150	150

Net budget authority and outlays:

89.00 Budget authority .....	677	2,926	41
90.00 Outlays .....	725	2,899	1,774

This appropriation funds the planning, training, exercises, and other preparedness measures that ensure the readiness of the Corps to respond to floods, hurricanes, and other natural disasters, and to support emergency operations in response to such natural disasters, including advance measures, flood fighting, emergency operations, providing potable water on an emergency basis, and the repair of certain flood and storm damage reduction projects. The funding in the 2010 Budget is for preparedness and training activities.

Object Classification (in millions of dollars)

Identification code 96-3125-0-1-301	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	69	84	86
11.3 Other than full-time permanent .....	9	10	10
11.5 Other personnel compensation .....	5	16	16
11.9 Total personnel compensation .....	83	110	112
12.1 Civilian personnel benefits .....	21	25	25
21.0 Travel and transportation of persons .....	5	5	5
23.1 Rental payments to GSA .....	5	5	5
23.3 Communications, utilities, and miscellaneous charges .....	5	5	5
25.3 Other purchases of goods and services from Government accounts .....	874	819	767
31.0 Equipment .....	466	464	528
32.0 Land and structures .....	482	644	576
99.0 Direct obligations .....	1,941	2,077	2,023
99.0 Reimbursable obligations .....	373	450	400
99.9 Total new obligations .....	2,314	2,527	2,423

**Employment Summary**

Identification code 96-3125-0-1-301	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....	1,070	1,220	1,220

**INVESTIGATIONS PROGRAM**

[Budget authority in millions of dollars]

	2008 actual	2009 est.	2010 est.
Direct program:			
General fund .....	167	168	100
Recovery Act .....		25	
Supplemental .....			
Rivers and harbors contributed funds (mandatory) .....	23	17	17
Total direct program .....	190	210	117
Reimbursable program .....	47	9	9
Total program .....	237	219	126

**INVESTIGATIONS**

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, [shore protection,] aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, [shore protection,] and aquatic ecosystem restoration projects and related efforts prior to construction; for restudy of authorized projects owned or operated by the Corps; and for miscellaneous investigations and, when authorized by law, surveys and detailed studies, and plans and specifications of projects [prior to construction, \$168,100,000] \$100,000,000, to remain available until expended [.: Provided, That, except as provided in section 101 of this Act, the amounts made available under this paragraph shall be expended as authorized in law for the projects and activities specified in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)]. (Energy and Water Development and Related Agencies Appropriation Act, 2009.)

**Program and Financing** (in millions of dollars)

Identification code 96-3121-0-1-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Navigation, flood damage prevention, and shoreline protection studies .....	31	40	44
00.02 Comprehensive basin studies .....	5	2	3
00.03 Special studies .....	25	30	33
00.04 Review of authorized projects .....	18		
00.05 Cooperation with other Federal agencies and non-Federal interests .....	7	8	6
00.07 Preconstruction engineering and design .....	10	16	18
00.08 Flood plain management services .....	7	3	5
00.09 Other programs .....	22	25	21
00.10 Research and development .....	30	30	33
09.11 Reimbursable program activity .....	54	32	29
10.00 Total new obligations .....	209	186	192
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	110	117	169
22.00 New budget authority (gross) .....	214	238	145
22.10 Resources available from recoveries of prior year obligations .....	2		
23.90 Total budgetary resources available for obligation .....	326	355	314
23.95 Total new obligations .....	-209	-186	-192
24.40 Unobligated balance carried forward, end of year .....	117	169	122
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	167	168	100
40.01 Appropriation, Recovery Act .....		25	

43.00	Appropriation (total discretionary) .....	167	193	100
	Spending authority from offsetting collections:			
58.00	Offsetting collections (cash) .....	50	45	45
58.10	Change in uncollected customer payments from Federal sources (unexpired) .....	-3		
58.90	Spending authority from offsetting collections (total discretionary) .....	47	45	45
70.00	Total new budget authority (gross) .....	214	238	145

**Change in obligated balances:**

72.40	Obligated balance, start of year .....	30	35	9
73.10	Total new obligations .....	209	186	192
73.20	Total outlays (gross) .....	-205	-212	-185
73.45	Recoveries of prior year obligations .....	-2		
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	3		
74.40	Obligated balance, end of year .....	35	9	16

**Outlays (gross), detail:**

86.90	Outlays from new discretionary authority .....	20	141	87
86.93	Outlays from discretionary balances .....	185	71	98
87.00	Total outlays (gross) .....	205	212	185

**Offsets:**

	Against gross budget authority and outlays:			
	Offsetting collections (cash) from:			
88.00	Federal sources .....	-49	-45	-45
88.40	Non-Federal sources .....	-1		
88.90	Total, offsetting collections (cash) .....	-50	-45	-45
	Against gross budget authority only:			
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	3		

**Net budget authority and outlays:**

89.00	Budget authority .....	167	193	100
90.00	Outlays .....	155	167	140

This appropriation funds studies to determine the need, engineering feasibility, and economic and environmental return to the Nation, of potential solutions to water and related land resource problems; and funds preconstruction engineering and design, data collection, interagency coordination, and research. The Budget includes funding for the study and design of additional projects, while focusing resources on the projects with the best prospects for providing a high net economic or environmental return to the Nation.

**Object Classification** (in millions of dollars)

Identification code 96-3121-0-1-301	2008 actual	2009 est.	2010 est.	
<b>Direct obligations:</b>				
<b>Personnel compensation:</b>				
11.1	Full-time permanent .....	54	65	63
11.3	Other than full-time permanent .....	4	4	5
11.5	Other personnel compensation .....	1	1	2
11.9	Total personnel compensation .....	59	70	70
12.1	Civilian personnel benefits .....	15	18	17
13.0	Benefits for former personnel .....	1	1	1
21.0	Travel and transportation of persons .....	1	1	1
23.1	Rental payments to GSA .....	1	1	1
23.3	Communications, utilities, and miscellaneous .....	1	1	1
24.0	Printing and reproduction .....	1	1	1
25.2	Other services .....	45	40	53
25.3	Purchase of goods and services from Government accounts .....	23	13	10
25.5	Research and development contracts .....	4	4	4
26.0	Supplies and materials .....	2	2	2
31.0	Equipment .....	2	2	2
99.0	Direct obligations .....	155	154	163
99.0	Reimbursable obligations .....	54	32	29
99.9	Total new obligations .....	209	186	192

INVESTIGATIONS—Continued  
Employment Summary

Identification code 96-3121-0-1-301	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....	751	850	800

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, **[\$183,000,000] \$190,000,000**, to remain available until expended **[**: *Provided*, That the Secretary of the Army, acting through the Chief of Engineers, may use up to \$3,200,000 of the funds appropriated herein to reimburse the Port of Arlington, Gillam County, Oregon, for those direct construction costs determined by the Secretary to have been incurred by the Port as a result of and following issuance of the Department of the Army Regulatory Program permit for the construction of a commercial dock and offload facility at the Port in February 2007, including the removal of the commercial dock and offload facility**]**. (*Energy and Water Development and Related Agencies Appropriation Act, 2009.*)

Program and Financing (in millions of dollars)

Identification code 96-3126-0-1-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.03 Permit evaluation .....	151	150	155
00.05 Enforcement and compliance .....	16	18	23
00.06 Studies .....	7	8	10
00.07 Administrative appeals .....	6	8	10
01.92 Total direct obligations .....	180	184	198
09.00 Reimbursable program .....	6	4	5
10.00 Total new obligations .....	186	188	203
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	14	16	37
22.00 New budget authority (gross) .....	188	209	191
23.90 Total budgetary resources available for obligation .....	202	225	228
23.95 Total new obligations .....	-186	-188	-203
24.40 Unobligated balance carried forward, end of year .....	16	37	25
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	180	183	190
40.01 Appropriation, Recovery Act .....		25	
43.00 Appropriation (total discretionary) .....	180	208	190
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	6	1	1
58.10 Change in uncollected customer payments from Federal sources (unexpired) .....	2		
58.90 Spending authority from offsetting collections (total discretionary) .....	8	1	1
70.00 Total new budget authority (gross) .....	188	209	191
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	6	10	1
73.10 Total new obligations .....	186	188	203
73.20 Total outlays (gross) .....	-180	-197	-204
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....	-2		
74.40 Obligated balance, end of year .....	10	1	
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	159	188	182
86.93 Outlays from discretionary balances .....	21	9	22
87.00 Total outlays (gross) .....	180	197	204
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			

88.00 Federal sources .....	-5	-1	-1
88.40 Non-Federal sources .....	-1		
88.90 Total, offsetting collections (cash) .....	-6	-1	-1
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	-2		

Net budget authority and outlays:

89.00 Budget authority .....	180	208	190
90.00 Outlays .....	174	196	203

This appropriation provides funds to administer the laws pertaining to the regulation of activities affecting U.S. waters including wetlands, in accordance with the Rivers and Harbors Appropriation Act of 1899, the Clean Water Act of 1972, and the Marine Protection, Research and Sanctuaries Act of 1972.

The requested funds are needed to review and process permit applications, ensure compliance on permitted sites, protect important aquatic resources, and support watershed planning efforts in sensitive environmental areas in cooperation with States and local communities.

Object Classification (in millions of dollars)

Identification code 96-3126-0-1-301	2008 actual	2009 est.	2010 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	93	103	108
11.3 Other than full-time permanent .....	2	2	3
11.5 Other personnel compensation .....	1	1	1
11.9 Total personnel compensation .....	96	106	112
12.1 Civilian personnel benefits .....	25	28	29
21.0 Travel and transportation of persons .....	3	3	3
22.0 Transportation of things .....	2	2	2
23.1 Rental payments to GSA .....	2	2	2
23.3 Communications, utilities, and miscellaneous .....	2	2	2
24.0 Printing and reproduction .....	2	2	2
25.1 Advisory and assistance services .....	2	2	2
25.2 Other services .....	19	13	17
25.3 Purchase goods & svcs. fm Government accts. ....	11	11	14
25.7 Operation and maintenance of equipment .....	7	7	7
26.0 Supplies and materials .....	3	2	2
31.0 Equipment .....	3	2	2
32.0 Land and structures .....	3	2	2
99.0 Direct obligations .....	180	184	198
99.0 Reimbursable obligations .....	6	4	5
99.9 Total new obligations .....	186	188	203

Employment Summary

Identification code 96-3126-0-1-301	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....	1,402	1,400	1,420

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, **[\$140,000,000] \$134,000,000**, to remain available until expended. (*Energy and Water Development and Related Agencies Appropriation Act, 2009.*)

Program and Financing (in millions of dollars)

Identification code 96-3130-0-1-053	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Formerly utilized site remedial action program .....	145	130	166
09.01 Reimbursable program .....	6	5	5
10.00 Total new obligations .....	151	135	171



<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....	5	5	119
22.00	New budget authority (gross) .....	150	249	143
22.10	Resources available from recoveries of prior year obligations ....	1		
23.90	Total budgetary resources available for obligation .....	156	254	262
23.95	Total new obligations .....	-151	-135	-171
24.40	Unobligated balance carried forward, end of year .....	5	119	91

<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	140	140	134
40.01	Appropriation, Recovery Act .....		100	
43.00	Appropriation (total discretionary) .....	140	240	134
Spending authority from offsetting collections:				
58.00	Offsetting collections (cash) .....	9	9	9
58.10	Change in uncollected customer payments from Federal sources (unexpired) .....	1		
58.90	Spending authority from offsetting collections (total discretionary) .....	10	9	9
70.00	Total new budget authority (gross) .....	150	249	143

<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	48	51	29
73.10	Total new obligations .....	151	135	171
73.20	Total outlays (gross) .....	-146	-157	-190
73.45	Recoveries of prior year obligations .....	-1		
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	-1		
74.40	Obligated balance, end of year .....	51	29	10

<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	82	101	89
86.93	Outlays from discretionary balances .....	64	56	101
87.00	Total outlays (gross) .....	146	157	190

<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-6	-9	-9
88.40	Non-Federal sources .....	-3		
88.90	Total, offsetting collections (cash) .....	-9	-9	-9
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	-1		

<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	140	240	134
90.00	Outlays .....	137	148	181

This appropriation funds the cleanup of certain low-level radioactive materials and mixed wastes, located mostly at sites contaminated as a result of the Nation's early efforts to develop atomic weapons.

#### Object Classification (in millions of dollars)

Identification code 96-3130-0-1-053	2008 actual	2009 est.	2010 est.	
Direct obligations:				
11.1	Personnel compensation: Full-time permanent .....	8	8	8
12.1	Civilian personnel benefits .....	2	2	2
25.2	Other services .....	113	100	133
25.3	Other purchases of goods and services from Government accounts .....	15	12	15
32.0	Land and structures .....	7	8	8
99.0	Direct obligations .....	145	130	166
99.0	Reimbursable obligations .....	6	5	5
99.9	Total new obligations .....	151	135	171

#### Employment Summary

Identification code 96-3130-0-1-053	2008 actual	2009 est.	2010 est.	
Direct:				
1001	Civilian full-time equivalent employment .....	96	100	100

#### EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the [United States Army] Corps [of Engineers,] and the offices of the Division Engineers; and for the management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the [United States Army] Engineer Research and Development Center, and the [United States Army] Corps [of Engineers] Finance Center, [\$179,365,000] \$184,000,000, to remain available until expended, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation [provided] in this title [I of this Act] shall be available to fund the [civil works] above activities [of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices]: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster. (Energy and Water Development and Related Agencies Appropriation Act, 2009.)

#### Program and Financing (in millions of dollars)

Identification code 96-3124-0-1-301	2008 actual	2009 est.	2010 est.	
<b>Obligations by program activity:</b>				
Executive direction and management:				
00.01	Office, Chief of Engineers .....	63	75	74
00.02	Division offices .....	71	71	72
00.04	ULA .....	3	4	3
00.05	ACE-IT .....	2	2	2
00.09	Humphreys Engineer Center support activity .....	16	6	7
00.10	ERDC .....	1	1	1
00.11	Institute for Water Resources .....	5	5	4
00.12	USACE finance center .....	1	1	1
00.13	GE program accounts .....	16	12	13
09.00	Reimbursable program .....	24	8	8
10.00	Total new obligations .....	202	185	185

<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....	6	5	15
22.00	New budget authority (gross) .....	192	195	200
22.10	Resources available from recoveries of prior year obligations ....	9		
23.90	Total budgetary resources available for obligation .....	207	200	215
23.95	Total new obligations .....	-202	-185	-185
24.40	Unobligated balance carried forward, end of year (Internal Corps MIPRs) .....	5	15	30

<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	177	179	184
Spending authority from offsetting collections:				
58.00	Offsetting collections (cash) .....	16	16	16
58.10	Change in uncollected customer payments from Federal sources (unexpired) .....	-1		
58.90	Spending authority from offsetting collections (total discretionary) .....	15	16	16
70.00	Total new budget authority (gross) .....	192	195	200

<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	40	36	32
73.10	Total new obligations .....	202	185	185
73.20	Total outlays (gross) .....	-198	-189	-199
73.45	Recoveries of prior year obligations .....	-9		
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	1		

**EXPENSES—Continued**  
**Program and Financing —Continued**

Identification code 96-3124-0-1-301	2008 actual	2009 est.	2010 est.
74.40 Obligated balance, end of year .....	36	32	18
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	184	154	158
86.93 Outlays from discretionary balances .....	14	35	41
87.00 Total outlays (gross) .....	198	189	199
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources .....	-16	-16	-16
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	1		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	177	179	184
90.00 Outlays .....	182	173	183

The Expenses appropriation funds the command and control, policy and guidance, program management, national and regional coordination, and quality assurance for the civil works program. These activities are carried out by the headquarters, eight divisions and six supporting field offices of the Corps of Engineers. The Expenses program provides administration of the following Corps offices and facilities:

*Headquarters* - This office provides executive direction and management for the civil works program.

*Offices of the Division of Engineers* - These eight division offices supervise work in 38 district offices.

*Humphreys Engineer Center Support Activity* - This support center provides administrative services, such as personnel, logistics, information management, and finances and accounting for the Office of the Chief of Engineers and other separate field operating activities.

*Institute for Water Resources* - This institute performs studies and analyses and develops planning techniques for the management, development and restoration of water resources.

*Engineering Research and Development Center* - This center manages all research and development for the civil works program.

**Object Classification (in millions of dollars)**

Identification code 96-3124-0-1-301	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	81	84	89
11.3 Other than full-time permanent .....	2	2	2
11.5 Other personnel compensation .....	1	1	1
11.9 Total personnel compensation .....	84	87	92
12.1 Civilian personnel benefits .....	17	18	19
12.1 Accrued retirement .....	1	3	3
13.0 Benefits for former personnel .....	1	1	1
21.0 Travel and transportation of persons .....	9	10	10
23.1 Rental payments to GSA .....	7	6	6
23.2 Rental payments to others .....	2	1	1
23.3 Communications, utilities, and miscellaneous .....	7	6	6
24.0 Printing and reproduction .....	1	3	3
25.2 Other services .....	22	28	22
25.3 Purchase goods & svcs. fm Government accts. ....	18	6	6
26.0 Supplies and materials .....	4	4	4
31.0 Equipment .....	5	4	4
99.0 Direct obligations .....	178	177	177
99.0 Reimbursable obligations .....	24	8	8
99.9 Total new obligations .....	202	185	185

**Employment Summary**

Identification code 96-3124-0-1-301	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	862	865	895

**PAYMENT TO SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND**

**Program and Financing (in millions of dollars)**

Identification code 96-3129-0-1-306	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Payment to SD Terrestrial Wildlife Habitat Restoration Trust Fund .....	10	10	10
10.00 Total new obligations (object class 94.0) .....	10	10	10
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	10	10	10
23.95 Total new obligations .....	-10	-10	-10
<b>New budget authority (gross), detail:</b>			
<b>Mandatory:</b>			
60.00 Appropriation .....	10	10	10
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....	10	10	10
73.20 Total outlays (gross) .....	-10	-10	-10
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	10	10	10
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	10	10	10
90.00 Outlays .....	10	10	10

This fund makes payments to the South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund, established by the Water Resources Development Act of 1999 (P.L. 106-53). This fund no longer receives funds from the General Fund, pursuant to the 1999 Water Resources Development Act.

**WASHINGTON AQUEDUCT**

**Program and Financing (in millions of dollars)**

Identification code 96-3128-0-1-301	2008 actual	2009 est.	2010 est.
<b>New budget authority (gross), detail:</b>			
<b>Mandatory:</b>			
69.00 Offsetting collections (cash) .....	1	1	1
69.47 Portion applied to repay debt .....	-1	-1	-1
69.90 Spending authority from offsetting collections (total mandatory) .....			
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.40 Offsetting collections (cash) from: Non-Federal sources .....	-1	-1	-1
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	-1	-1	-1
90.00 Outlays .....	-1	-1	-1

The Washington Aqueduct supplies drinking water to customers in three jurisdictions: the District of Columbia; Arlington County, Virginia; and the city of Falls Church, Virginia. Although the Aqueduct is owned and operated by the Corps, the customers finance the operation, maintenance, and capital improvement of Aqueduct facilities. Under current law, the Aqueduct's customers

are required to pay the full cost of making capital improvements at the Aqueduct in advance.

## PERMANENT APPROPRIATIONS

## Special and Trust Fund Receipts (in millions of dollars)

Identification code 96-9921-0-2-999	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....	27	22	30
01.99 Balance, start of year .....	27	22	30
Receipts:			
02.00 Licenses under Federal Power Act, Improvements of Navigable Waters, Maintenance and Operation of Dams, Etc. ....	8	8	8
02.20 Receipts from Leases of Lands Acquired for Flood Control, Navigation, and Allied Purposes .....	11	9	9
02.99 Total receipts and collections .....	19	17	17
04.00 Total: Balances and collections .....	46	39	47
Appropriations:			
05.00 Permanent Appropriations .....	-24	-9	-9
07.99 Balance, end of year .....	22	30	38

## Program and Financing (in millions of dollars)

Identification code 96-9921-0-2-999	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.02 Maintenance and operation of dams and other improvements of navigable waters .....	22	9	9
10.00 Total new obligations .....	22	9	9
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	5	7	7
22.00 New budget authority (gross) .....	24	9	9
23.90 Total budgetary resources available for obligation .....	29	16	16
23.95 Total new obligations .....	-22	-9	-9
24.40 Unobligated balance carried forward, end of year .....	7	7	7
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.20 Appropriation (special fund) .....	24	9	9
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	4	4	4
73.10 Total new obligations .....	22	9	9
73.20 Total outlays (gross) .....	-22	-9	-9
74.40 Obligated balance, end of year .....	4	4	4
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	11	9	9
86.98 Outlays from mandatory balances .....	11		
87.00 Total outlays (gross) .....	22	9	9
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	24	9	9
90.00 Outlays .....	22	9	9

This account covers the following three permanent appropriations:

*Hydraulic mining debris reservoir.*—The Corps uses fees collected from Pacific Gas and Electric Company to help maintain the Englebright Dam, Yuba River, California, mine debris restraining works and associated hydropower generation facilities. (33 U.S.C. 683)

*Maintenance and operation of dams and other improvements of navigable waters.*—The Corps uses its share of certain fees levied by the Federal Energy Regulatory Commission (on the private use of Federal property, including facilities and land; private construction and operation of water management and appurtenant facilities; and private benefit from headwater im-

provement by others) for construction, operation, and maintenance of Federal water management facilities. (16 U.S.C. 810(a))

*Payments to States.*—In lieu of taxes, the Corps pays to States three-fourths of the rent received from the lease of Federal lands acquired for flood control, navigation, and allied purposes. (33 U.S.C. 701c-3)

## Object Classification (in millions of dollars)

Identification code 96-9921-0-2-999	2008 actual	2009 est.	2010 est.
Direct obligations:			
11.1 Personnel compensation .....	1	2	2
41.0 Grants, subsidies, and contributions .....	17	3	3
99.0 Direct obligations .....	18	5	5
99.5 Below reporting threshold .....	4	4	4
99.9 Total new obligations .....	22	9	9

## Employment Summary

Identification code 96-9921-0-2-999	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....	16	20	20

## REVOLVING FUND

## Program and Financing (in millions of dollars)

Identification code 96-4902-0-4-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
09.01 Plant and equipment services .....	1,309	1,098	1,098
09.02 Warehousing (GPRA) .....	44	60	60
09.03 Shop and facility services .....	3,123	3,570	3,570
09.04 General administrative services .....	3,093	3,559	3,559
09.09 Total operating expenses .....	7,569	8,287	8,287
09.20 Land and structures .....	4	5	5
09.21 Dredges .....	15	38	38
09.22 Other floating plant .....	28	33	33
09.23 Land-based equipment .....	4	17	17
09.24 Tools, office furniture, and equipment .....	12	2	2
09.29 Total capital investment: .....	63	95	95
10.00 Total new obligations .....	7,632	8,382	8,382
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	254	275	636
22.00 New budget authority (gross) .....	7,580	8,743	8,743
22.10 Resources available from recoveries of prior year obligations ...	73		
23.90 Total budgetary resources available for obligation .....	7,907	9,018	9,379
23.95 Total new obligations .....	-7,632	-8,382	-8,382
24.40 Unobligated balance carried forward, end of year .....	275	636	997
<b>New budget authority (gross), detail:</b>			
Mandatory:			
69.00 Offsetting collections (cash) .....	7,541	8,743	8,743
69.10 Change in uncollected customer payments from Federal sources (unexpired) .....	39		
69.90 Spending authority from offsetting collections (total mandatory) .....	7,580	8,743	8,743
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	924	1,094	733
73.10 Total new obligations .....	7,632	8,382	8,382
73.20 Total outlays (gross) .....	-7,350	-8,743	-8,743
73.45 Recoveries of prior year obligations .....	-73		
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....	-39		
74.40 Obligated balance, end of year .....	1,094	733	372
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	6,110	8,743	8,743

**REVOLVING FUND—Continued**  
**Program and Financing —Continued**

Identification code 96-4902-0-4-301	2008 actual	2009 est.	2010 est.
86.98 Outlays from mandatory balances .....	1,240	.....	.....
87.00 Total outlays (gross) .....	7,350	8,743	8,743
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	-7,524	-8,743	-8,743
88.40 Non-Federal sources .....	-17	.....	.....
88.90 Total, offsetting collections (cash) .....	-7,541	-8,743	-8,743
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	-39	.....	.....
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	.....	.....	.....
90.00 Outlays .....	-191	.....	.....

This revolving fund provides for the acquisition, operation, and maintenance of plant and equipment used by the civil works program and for temporary financing of services chargeable to the civil works program. The fund also initially finances district operating expenses which the districts later reimburse with project-specific funds. In addition, payments are made into the fund when other agencies or entities use plant and equipment acquired by the fund.

**Object Classification (in millions of dollars)**

Identification code 96-4902-0-4-301	2008 actual	2009 est.	2010 est.
<b>Reimbursable obligations:</b>			
21.0 Travel and transportation of persons .....	27	27	27
22.0 Transportation of things .....	2	2	2
23.1 Rental payments to GSA .....	15	15	15
23.2 Rental payments to others .....	2	2	2
23.3 Communications, utilities, and miscellaneous charges .....	37	37	37
24.0 Printing and reproduction .....	17	17	17
25.1 Advisory and assistance services .....	1	1	1
25.2 Other services .....	5,057	5,807	5,807
25.3 Other purchases of goods and services from Government accounts .....	797	797	797
25.7 Operation and maintenance of equipment .....	349	349	349
26.0 Supplies and materials .....	578	578	578
31.0 Equipment .....	388	388	388
32.0 Land and structures .....	358	358	358
42.0 Insurance claims and indemnities .....	2	2	2
44.0 Refunds .....	2	2	2
99.9 Total new obligations .....	7,632	8,382	8,382

**Trust Funds**

**HARBOR MAINTENANCE TRUST FUND**

**Special and Trust Fund Receipts (in millions of dollars)**

Identification code 96-8863-0-7-301	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....	3,751	4,559	4,973
01.99 Balance, start of year .....	3,751	4,559	4,973
<b>Receipts:</b>			
02.00 User Fees, Harbor Maintenance Trust Fund .....	1,467	1,089	1,092
02.40 Earnings on Investments, Harbor Maintenance Trust Fund .....	127	133	178
02.99 Total receipts and collections .....	1,594	1,222	1,270
04.00 Total: Balances and collections .....	5,345	5,781	6,243
<b>Appropriations:</b>			
05.00 Customs and Border Protection .....	-3	-3	-3
05.01 Operations and Maintenance .....	-17	-32	-32
05.02 Harbor Maintenance Trust Fund .....	-44	-36	.....
05.03 Harbor Maintenance Trust Fund .....	-722	-737	-793

05.99 Total appropriations .....	-786	-808	-828
07.99 Balance, end of year .....	4,559	4,973	5,415

**Program and Financing (in millions of dollars)**

Identification code 96-8863-0-7-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Harbor maintenance trust fund .....	766	773	793
10.00 Total new obligations .....	766	773	793
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	766	773	793
23.95 Total new obligations .....	-766	-773	-793
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.26 Appropriation (Construction) .....	44	36	.....
40.26 Appropriation (Operation And Maintenance) .....	722	737	793
43.00 Appropriation (total discretionary) .....	766	773	793
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....	766	773	793
73.20 Total outlays (gross) .....	-766	-773	-793
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	766	773	793
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	766	773	793
90.00 Outlays .....	766	773	793
<b>Memorandum (non-add) entries:</b>			
92.01 Total investments, start of year: Federal securities: Par value .....	3,715	4,497	4,898
92.02 Total investments, end of year: Federal securities: Par value .....	4,497	4,898	5,340

The Harbor Maintenance Trust Fund is authorized under the Harbor Maintenance Revenue Act of 1986 (P.L. 99-662, Title XIV), as amended. Revenue is derived from receipts from a 0.125 percent ad valorem tax imposed upon commercial users of specified U.S. ports, Saint Lawrence Seaway tolls, and investment interest. The Budget shows all funding provided through the Harbor Maintenance Trust Fund as transferred to and executed in the Construction and Operation and Maintenance accounts.

The Harbor Maintenance Revenue Act authorized expenditures from this fund to finance up to 100 percent of Corps harbor operation and maintenance costs, including the operation and maintenance of Great Lakes navigation projects. The fund fully finances the operation and maintenance of the Saint Lawrence Seaway Development Corporation. Section 201 of Public Law 104-303 authorized the fund to pay the Federal share of the costs for the construction of dredged material disposal facilities that are necessary for the operation and maintenance of coastal or inland harbors, the dredging and disposal of contaminated sediments that are in or affect the operation and maintenance of Federal navigation channels, the mitigation of impacts resulting from Federal navigation operation and maintenance activities, and the operation and maintenance of dredged material disposal facilities for which fees have been collected and deposited in the fund.

The North American Free Trade Agreement Implementation Act (P.L. 103-182, section 683) authorized payment from the fund of administrative expenses incurred by the Department of the Treasury, the Corps, and the Department of Commerce related to administration of the harbor maintenance tax, but not to exceed \$5 million in any fiscal year.

A 1995 United States Court of International Trade decision, *United States Shoe Corp. v. United States* (Case No. 94-11-00668), found the harbor maintenance tax unconstitutional under the

export clause of the Constitution (Article I, section 9, clause 5), and enjoined the Customs Service from collecting the tax on exports. The Supreme Court affirmed that decision on March 31, 1998.

#### Object Classification (in millions of dollars)

Identification code 96-8863-0-7-301	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	196		
12.1 Civilian personnel benefits .....	54		
21.0 Travel and transportation of persons .....	10		
22.0 Transportation of things .....	9		
23.1 Rental payments to GSA .....	10		
23.2 Rental payments to others .....	5		
23.3 Communications, utilities, and miscellaneous charges .....	15		
25.1 Advisory and assistance services .....	5		
25.2 Other services .....	103		
25.3 Other purchases of goods and services from Government accounts .....	204		
25.4 Operation and maintenance of facilities .....	12		
25.7 Operation and maintenance of equipment .....	5		
26.0 Supplies and materials .....	13		
31.0 Equipment .....	16		
32.0 Land and structures .....	109		
94.0 Financial transfers (Operation & Maintenance) .....		737	793
94.0 Financial Transfers (Construction) .....		36	
99.0 Direct obligations .....	766	773	793
99.9 Total new obligations .....	766	773	793

#### Employment Summary

Identification code 96-8863-0-7-301	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	3,000		

#### INLAND WATERWAYS TRUST FUND

##### Special and Trust Fund Receipts (in millions of dollars)

Identification code 20-8861-0-7-301	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....	138	29	11
01.99 Balance, start of year .....	138	29	11
<b>Receipts:</b>			
02.00 Transfer from General Fund, Inland Waterways Revenue Act Taxes .....	88	84	86
02.01 Users Fees, Inland Waterways Trust Fund - legislative proposal subject to PAYGO .....			75
02.40 Interest and Profits on Investments in Public Debt Securities, Inland Waterways Trust Fund .....	5	1	2
02.99 Total receipts and collections .....	93	85	163
04.00 Total: Balances and collections .....	231	114	174
<b>Appropriations:</b>			
05.00 Inland Waterways Trust Fund .....	-202	-103	-85
05.99 Total appropriations .....	-202	-103	-85
07.99 Balance, end of year .....	29	11	89

#### Program and Financing (in millions of dollars)

Identification code 20-8861-0-7-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Inland waterways trust fund .....	208	103	85
10.00 Total new obligations .....	208	103	85
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	10	7	7
22.00 New budget authority (gross) .....	202	103	85
22.10 Resources available from recoveries of prior year obligations .....	3		
23.90 Total budgetary resources available for obligation .....	215	110	92
23.95 Total new obligations .....	-208	-103	-85

24.40 Unobligated balance carried forward, end of year .....	7	7	7
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.26 Appropriation (Construction) .....	202	103	85
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	63	97	65
73.10 Total new obligations .....	208	103	85
73.20 Total outlays (gross) .....	-171	-135	-85
73.45 Recoveries of prior year obligations .....	-3		
74.40 Obligated balance, end of year .....	97	65	65
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	98	103	85
86.93 Outlays from discretionary balances .....	73	32	
87.00 Total outlays (gross) .....	171	135	85
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	202	103	85
90.00 Outlays .....	171	135	85
<b>Memorandum (non-add) entries:</b>			
92.01 Total investments, start of year: Federal securities: Par value .....	205	124	116
92.02 Total investments, end of year: Federal securities: Par value .....	124	116	116

The Inland Waterways Trust Fund is authorized under the Inland Waterways Revenue Act of 1978 (P.L. 95-502), as amended by the Water Resources Development Act of 1986 (P.L. 99-662). The fund is used to pay one half of the costs associated with the construction, replacement, rehabilitation, and expansion of Federal inland waterways projects.

Revenue currently is derived from an excise tax imposed on diesel fuel for commercial vessels engaged in inland waterways transportation, plus investment interest. The Administration is proposing the adoption of an alternative funding source, which would replace the fuel tax.

The Budget shows all funding provided through the Inland Waterways Trust Fund as transferred to and executed in the Construction account.

#### Object Classification (in millions of dollars)

Identification code 20-8861-0-7-301	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	8		
12.1 Civilian personnel benefits .....	2		
21.0 Travel and transportation of persons .....	5		
23.1 Rental payments to GSA .....	5		
23.3 Communications, utilities, and miscellaneous charges .....	5		
24.0 Printing and reproduction .....	5		
25.1 Advisory and assistance services .....	13		
25.2 Other services .....	120		
25.3 Other purchases of goods and services from Government accounts .....	10		
25.5 Research and development contracts .....	5		
26.0 Supplies and materials .....	5		
31.0 Equipment .....	5		
32.0 Land and structures .....	20		
94.0 Financial transfers (Construction) .....		103	85
99.0 Direct obligations .....	208	103	85
99.9 Total new obligations .....	208	103	85

#### Employment Summary

Identification code 20-8861-0-7-301	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	117		

**RIVERS AND HARBORS CONTRIBUTED FUNDS**  
**Special and Trust Fund Receipts** (in millions of dollars)

Identification code 96-8862-0-7-301	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....			
01.99 Balance, start of year .....			
<b>Receipts:</b>			
02.20 Contributions, Rivers and Harbors, Other Than Port and Harbor User Fees .....	517	400	400
04.00 Total: Balances and collections .....	517	400	400
<b>Appropriations:</b>			
05.00 Rivers and Harbors Contributed Funds .....	-517	-400	-400
07.99 Balance, end of year .....			

**Program and Financing** (in millions of dollars)

Identification code 96-8862-0-7-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Where required for an authorized Federal project .....	41	22	30
00.02 Where not required for an authorized Federal project .....	6	7	7
<b>Construction General:</b>			
00.03 Where required for an authorized Federal project .....	352	310	310
00.04 Direct program activity .....	16	13	13
<b>Operations and Maintenance:</b>			
00.05 Where required for an authorized Federal project .....	28	33	33
00.06 Direct program activity .....	1	2	2
<b>Flood Control, Mississippi River &amp; Tributaries:</b>			
00.07 Where required for an authorized Federal project .....	33	43	43
00.08 Where not required for an authorized Federal project .....	3	4	4
<b>Coastal Wetlands Restoration:</b>			
00.09 Where required for an authorized Federal Project: .....	8	7	7
10.00 Total new obligations .....	488	441	449

<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	348	393	352
22.00 New budget authority (gross) .....	521	400	400
22.10 Resources available from recoveries of prior year obligations .....	12		
23.90 Total budgetary resources available for obligation .....	881	793	752
23.95 Total new obligations .....	-488	-441	-449
24.40 Unobligated balance carried forward, end of year .....	393	352	303

<b>New budget authority (gross), detail:</b>			
<b>Mandatory:</b>			
60.26 Appropriation (trust fund) .....	517	400	400
69.00 Offsetting collections (cash) .....	4		
70.00 Total new budget authority (gross) .....	521	400	400

<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	215	387	428
73.10 Total new obligations .....	488	441	449
73.20 Total outlays (gross) .....	-304	-400	-400
73.45 Recoveries of prior year obligations .....	-12		
74.40 Obligated balance, end of year .....	387	428	477

<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	1	4	4
86.98 Outlays from mandatory balances .....	303	396	396
87.00 Total outlays (gross) .....	304	400	400

<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	-2		
88.40 Non-Federal sources .....	-2		
88.90 Total, offsetting collections (cash) .....	-4		

<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	517	400	400
90.00 Outlays .....	300	400	400

Funds are contributed by non-Federal interests for use on improvements of rivers and harbors. This includes cost-sharing contributions for the study, design, construction, and operation

and maintenance of authorized Federal projects, as well as contributions of 100 percent of the costs of certain other work.

**Object Classification** (in millions of dollars)

Identification code 96-8862-0-7-301	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	36	35	36
11.5 Other personnel compensation .....	1	1	1
11.9 Total personnel compensation .....	37	36	37
12.1 Civilian personnel benefits .....	9	9	10
21.0 Travel and transportation of persons .....	1	1	1
23.1 Rental payments to GSA .....	1	1	1
23.3 Communications, utilities, and miscellaneous charges .....	1	1	1
25.1 Advisory and assistance services .....	1	1	1
25.2 Other services .....	58	52	52
25.3 Other purchases of goods and services from Government accounts .....	37	25	25
25.4 Operation and maintenance of facilities .....	1	1	1
26.0 Supplies and materials .....	57	45	45
32.0 Land and structures .....	285	269	275
99.9 Total new obligations .....	488	441	449

**Employment Summary**

Identification code 96-8862-0-7-301	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	485	470	470

**COASTAL WETLANDS RESTORATION TRUST FUND**

[Budget authority in millions of dollars]

	2008 actual	2009 est.	2010 est.
Corps of Engineers .....	1	19	19
Environmental Protection Agency .....	44	3	10
Fish & Wildlife Service .....	9	35	13
National Marine Fisheries Service .....	6	14	10
Natural Resources Conservation Service .....	9	19	20
Undistributed balance .....	22		14
Subtotal .....	88	90	86
Rivers and harbors contributed funds (mandatory) .....	3	6	5
Total program .....	91	96	91

**COASTAL WETLANDS RESTORATION TRUST FUND**

**Program and Financing** (in millions of dollars)

Identification code 96-8333-0-7-301	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Coastal wetlands restoration trust fund .....	84	65	65
10.00 Total new obligations .....	84	65	65

<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	152	174	199
22.00 New budget authority (gross) .....	88	90	86
22.10 Resources available from recoveries of prior year obligations .....	18		
23.90 Total budgetary resources available for obligation .....	258	264	285
23.95 Total new obligations .....	-84	-65	-65
24.40 Unobligated balance carried forward, end of year .....	174	199	220

<b>New budget authority (gross), detail:</b>			
<b>Mandatory:</b>			
62.00 Transferred from other accounts .....	88	90	86

<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	254	264	215
73.10 Total new obligations .....	84	65	65
73.20 Total outlays (gross) .....	-56	-114	-113

73.45	Recoveries of prior year obligations .....	-18		
74.40	Obligated balance, end of year .....	264	215	167
<b>Outlays (gross), detail:</b>				
86.97	Outlays from new mandatory authority .....		63	60
86.98	Outlays from mandatory balances .....	56	51	53
87.00	Total outlays (gross) .....	56	114	113
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	88	90	86
90.00	Outlays .....	56	114	113

The Coastal Wetlands Planning, Protection and Restoration Act (P.L. 101-646, Title III, as amended) directs the Secretary of the Interior to distribute to the Coastal Wetlands Restoration Trust Fund a portion of the amounts appropriated each fiscal year from the Sport Fish Restoration Account. The Louisiana Coastal Wetlands Conservation and Restoration Task Force, an interagency task force (consisting of the Corps, Environmental Protection Agency, Fish and Wildlife Service, Natural Resources Conservation Service, National Marine Fisheries Service, and the State of Louisiana) uses these funds to plan, set priorities, and carry out projects for the creation, protection, and restoration of coastal wetlands in the State of Louisiana.

**Object Classification** (in millions of dollars)

Identification code 96-8333-0-7-301	2008 actual	2009 est.	2010 est.	
Direct obligations:				
11.1	Personnel compensation: Full-time permanent .....	1	1	1
25.2	Other services .....	18	9	9
25.3	Other purchases of goods and services from Government accounts .....	65	55	55
99.9	Total new obligations .....	84	65	65

**Employment Summary**

Identification code 96-8333-0-7-301	2008 actual	2009 est.	2010 est.	
Direct:				
1001	Civilian full-time equivalent employment .....	11	20	20

**SOUTH DAKOTA TERRESTRIAL WILDLIFE HABITAT RESTORATION TRUST FUND**  
**Special and Trust Fund Receipts** (in millions of dollars)

Identification code 96-8217-0-7-306	2008 actual	2009 est.	2010 est.	
01.00	Balance, start of year .....	84	99	116
01.99	Balance, start of year .....	84	99	116
Receipts:				
02.40	Payment from the General Fund, South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund .....	10	10	10
02.41	Earnings on Investments, South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund .....	5	7	8
02.99	Total receipts and collections .....	15	17	18
04.00	Total: Balances and collections .....	99	116	134
Appropriations:				
05.00	South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund .....	-10	-10	-10
05.01	South Dakota Terrestrial Wildlife Habitat Restoration Trust Fund .....	10	10	10
05.99	Total appropriations .....			
07.99	Balance, end of year .....	99	116	134

**Program and Financing** (in millions of dollars)

Identification code 96-8217-0-7-306	2008 actual	2009 est.	2010 est.	
<b>New budget authority (gross), detail:</b>				
Mandatory:				
60.26	Appropriation (trust fund) .....	10	10	10
60.45	Portion precluded from obligation .....	-10	-10	-10
62.50	Appropriation (total mandatory) .....			
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....			
90.00	Outlays .....			
<b>Memorandum (non-add) entries:</b>				
92.01	Total investments, start of year: Federal securities: Par value .....	103	118	129
92.02	Total investments, end of year: Federal securities: Par value .....	118	129	129

This fund, authorized in the Water Resources Development Act of 1999 (P.L. 106-53), supports wildlife habitat restoration efforts undertaken by the State of South Dakota. The establishment of this fund satisfies the Federal obligation under the Fish and Wildlife Coordination Act (16 U.S.C. 1661 et seq.) to mitigate for the loss of habitat due to flooding from the Oahe and Big Bend projects, which the Corps constructed under the Pick-Sloan Missouri River Basin program.

**ADMINISTRATIVE PROVISION**

The Revolving Fund, Corps of Engineers, shall be available during the current fiscal year for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles for the civil works program. (*Energy and Water Development and Related Agencies Appropriation Act, 2009.*)

**GENERAL FUND RECEIPT ACCOUNTS**

(in millions of dollars)

	2008 actual	2009 est.	2010 est.	
Offsetting receipts from the public:				
96-143500	General Fund Proprietary Interest Receipts, not Otherwise Classified .....	21	21	21
96-322000	All Other General Fund Proprietary Receipts Including Budget Clearing Accounts .....	40	31	31
	General Fund Offsetting receipts from the public.....	61	52	52
Intragovernmental payments:				
96-388500	Undistributed Intragovernmental Payments and Receivables from Cancelled Accounts .....		12	12
	General Fund Intragovernmental payments .....		12	12

**ALLOCATIONS RECEIVED FROM OTHER ACCOUNTS**

Note.—Obligations incurred under allocations from other accounts are shown in the schedules of the parent appropriation as follows:  
State and Private Forestry, Forest Service, Department of Agriculture.  
Construction, National Park Service, Department of the Interior.  
Federal Aid to Highways, Miscellaneous Studies, Reports, and Projects; Federal Highway Administration, Department of Transportation.  
Bonneville Power Administration Fund (Power Marketing Administration), Department of Energy.

**GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL**

SEC. 101. (a) None of the funds provided in *this* title [I] of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2009, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;  
 (2) eliminates a program, project, or activity;  
 (3) increases funds or personnel for any program, project, or activity for which funds have been denied [Or restricted] by this Act, unless prior [approval] notice is [received from] transmitted to the House and Senate Committees on Appropriations;

(4) [proposes to use] uses funds directed for a specific program, project, or activity by this Act for a different purpose, unless prior [approval] notice is [received from] transmitted to the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects or activities in excess of the amounts contained in subsections 6 through 10, unless prior [approval] notice is [received from] transmitted to the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level [over] of \$100,000 or more, reprogramming of 25 percent of the base amount up to a limit of \$150,000 per project, study or activity is allowed: *Provided*, That for a base level less than \$100,000, the reprogramming limit is \$25,000[;]:*Provided further*, That up to \$25,000 may be reprogrammed [into any continuing study] to continue ongoing work on any program, project, or activity that did not receive an appropriation [for existing obligations and concomitant administrative expenses];

(7) CONSTRUCTION.—For a base level [over] of \$2,000,000 or more, reprogramming of 15 percent of the base amount up to a limit of \$3,000,000 per project, study or activity is allowed: *Provided*, That for a base level less than \$2,000,000, the reprogramming limit is \$300,000: *Provided further*, That up to \$3,000,000 may be reprogrammed [for settled] per project to settle contractor claims, address changed conditions, or satisfy real estate deficiency judgments: *Provided further*, That up to \$300,000 may be reprogrammed [into any continuing study] to continue ongoing work on any program, project, or activity that did not receive an appropriation [for existing obligations and concomitant administrative expenses];

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted in order for the Corps to be able to respond to [emergencies] a flood, hurricane, or other natural disaster or to address any unacceptable risk to public safety resulting from a civil works project owned or operated by the Corps: *Provided*, That the Chief of Engineers must notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: *Provided further*, That for a base level [over] of \$1,000,000 or more, reprogramming of 15 percent of the base amount up to a limit of \$5,000,000 per project, study or activity is allowed: *Provided further*, That for a base level less than \$1,000,000, the reprogramming limit is \$150,000: *Provided further*, That up to \$150,000 may be reprogrammed [into any continuing study or activity] to continue ongoing work on any program, project, or study that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The same reprogramming guidelines [for] as provided in subsections 6 through 8 above apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account [as listed above]; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

[(c) Not later than 60 days after the date of enactment of this Act, the Corps of Engineers shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided*, That the report shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest: *Provided further*, That the amount appropriated for salaries and expenses of the Corps of Engineers shall be reduced by \$100,000 per day for each day

after the required date that the report has not been submitted to the Congress.]

SEC. 102. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to implement any pending or future competitive sourcing actions under OMB Circular A—76 or High Performing Organizations for the U.S. Army Corps of Engineers.

SEC. 103. None of the funds made available in this title may be used to award or modify any contract that commits [an amount for a project in excess of] funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101 of this Act.

[SEC. 104. Within 90 days of the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the Army (Civil Works) shall submit the report to the appropriate authorizing and appropriating committees of the Congress.]

[SEC. 105. (a) WATER REALLOCATION, LAKE CUMBERLAND, KENTUCKY. IN GENERAL.—Subject to subsection (b), none of the funds made available by this Act may be used to carry out any water reallocation project or component under the Wolf Creek Project, Lake Cumberland, Kentucky, authorized under the Act of June 28, 1938 (52 Stat. 1215, ch. 795) and the Act of July 24, 1946 (60 Stat. 636, ch. 595).

(b) EXISTING REALLOCATIONS.—Subsection (a) shall not apply to any water reallocation for Lake Cumberland, Kentucky, that is carried out subject to an agreement or payment schedule in effect on the date of enactment of this Act.]

[SEC. 106. Section 121 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103; 119 Stat. 2256) is amended by striking subsection (a) and inserting the following:

"(a) Hereafter, the Secretary of the Army may carry out and fund planning studies, watershed surveys and assessments, or technical studies at 100 percent Federal expense to accomplish the purposes of the 2003 Biological Opinion described in section 205(b) of the Energy and Water Development Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2949) as amended by subsection (b) or any related subsequent biological opinion, and the collaborative program long-term plan. In carrying out a study, survey, or assessment under this subsection, the Secretary of the Army shall consult with Federal, State, tribal and local governmental entities, as well as entities participating in the Middle Rio Grande Endangered Species Collaborative Program referred to in section 205 of this Act: *Provided*, That the Secretary of the Army may also provide planning and administrative assistance to the Middle Rio Grande Endangered Species Collaborative Program, which shall not be subject to cost sharing requirements with non-Federal interests.".]

SEC. [107]104. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development shall be used to award any continuing contract that commits additional funding from the Inland Waterways Trust Fund unless or until such time that a [permanent solution] long-term mechanism to enhance revenues in the fund sufficient to meet the cost-sharing authorized in Public Law 99-662, the Water Resources Development Act of 1986, as amended, is enacted.

[SEC. 108. The Secretary is authorized to conduct a study of the Missouri River Projects located within the Missouri River basin at a total cost of \$25,000,000 with the express purpose to review the original project purposes based on the Flood Control Act of 1944, as amended, and other subsequent relevant legislation and judicial rulings to determine if changes to the authorized project purposes and existing Federal water resource infrastructure may be warranted: *Provided*, That this study shall be undertaken at full Federal expense.]

[SEC. 109. Section 134 of Public Law 108-137 (117 Stat. 1842), as amended by section 128(b) of Public Law 109-103 (119 Stat. 2260), is further amended by striking "\$30,000,000" wherever it appears and inserting "\$48,300,000" in lieu thereof.]

[SEC. 110. Section 101(a)(5) of the Water Resources Development Act of 1996 (110 Stat. 3663) is amended—

(1) by inserting "(A)IN GENERAL.—" before "The"; and

(2) by adding at the end the following:

"(B)CREDIT TOWARD NON-FEDERAL SHARE.—The Secretary shall credit toward the non-Federal share of the project the costs expended by non-Federal interests for the replacement and reconstruction of the Soquel Avenue Bridge.



"(C)MAXIMUM AMOUNT OF CREDIT.—The credit under paragraph (B) may not exceed \$2,000,000.

"(D)LIMITATION OF TOTAL PROJECT COST.—The Secretary shall not include the costs to be credited under paragraphs (B) and (C) in total project costs in determining the amounts of the Federal and non-Federal contributions.".]

【SEC. 111. The Missouri River Levee System (MRLS) Unit L-385 Project, Riverside, Missouri, authorized by the Flood Control Act of 1941, Public Law 77-228, and the Flood Control Act of 1944, Public Law 78-534, is modified to direct the Secretary, acting through the Chief of Engineers, to take such action as is necessary to correct deficiencies in the L-385 levee system in Riverside, Missouri at full Federal expense at a cost of no more than \$7,000,000.】

【SEC. 112. Section 115 of the Energy and Water Development and Related Agencies Appropriations Act, 2008 as contained in division C of Public Law 110—161, is amended by striking "\$20,000,000. The Secretary shall transfer this facility to the Secretary of the Interior for operation and maintenance upon the completion of construction." and inserting in lieu thereof, "\$20,000,000: *Provided*, That the Secretary shall transfer ownership of this facility to the Secretary of Health and Human Services for operation and maintenance upon the completion of construction.".]

【SEC. 113. Section 103(c)(7) of the Water Resources Development Act of 1992 (106 Stat. 4811—12), as amended by section 117 of the Energy and Water Development Appropriations Act of 2006 (119 Stat. 2255), is further amended by striking "15,000,000" and inserting "26,000,000".】

【SEC. 114. Section 3118 of Public Law 110—114 (121 Stat. 1137) is amended by—

(1) in paragraph (b) by inserting after "New Mexico" the following: "in accordance with the plans recommended in the feasibility report for the Middle Rio Grande Bosque, New Mexico, scheduled for completion in December 2008";

(2) redesignating subsection (d) as subsection (e); and

(3) inserting a new subsection (d):

"(d)COST SHARING.—Any requirement for non-Federal participation in a project carried out in the bosque of Bernalillo County, New Mexico, pursuant to this section shall be limited to the provision of lands, easements, rights-of-way, relocations, and dredged material disposal areas necessary for construction, operation and maintenance of the project.".]

【SEC. 115. The non-Federal interest for the project referenced in section 3154 of the Water Resources Development Act of 2007 (Public Law 110—114; 121 Stat. 1148) may carry out design and construction work on the project in advance of Federal appropriations or may provide funds directly to the Secretary for the Secretary to carry out such work: *Provided*, That the Secretary of the Army shall reimburse the non-Federal interest for any costs incurred by the non-Federal interest that are in excess of the non-Federal share of total project costs subject to the availability of appropriations.】

【SEC. 116. The Colorado Department of Natural Resources is authorized to perform modifications of the facility (Chatfield Reservoir, Colorado), and any required mitigation which results from implementation of the project: *Provided*, That in carrying out the reassignment of storage space provided for in this section, the Secretary shall collaborate with the Colorado Department of Natural Resources and local interests to determine costs to be repaid for storage that reflects the limited reliability of the resources and the capability of non-Federal interests to make use of the reallocated storage space in Chatfield Reservoir, Colorado.】

【SEC. 117. Section 117 of the Energy and Water Development and Related Agencies Appropriations Act, 2005, as contained in division C of Public Law 108—447, is hereby repealed.】

【SEC. 118. The Secretary of Army, acting through the Chief of Engineers, shall reassign the regulatory boundaries of the Chicago District to align with the existing civil works boundaries of the Chicago District.】

SEC. 105. *Section 528(b)(3)(C) of the Water Resources Development Act of 1996 (110 Stat. 3769) as amended by the second paragraph of section 6006 of the Water Resources Development Act of 2007 (121 Stat. 1270) is further amended—*

(1) by inserting "*and (III)*" immediately before the comma in sub-clause (I); and

(2) by adding the following new sub-clause:

"(III) *TEN MILE CREEK WATER PRESERVE AREA.—The Federal share of the cost of the Ten Mile Creek Water Preserve Area may exceed \$25,000,000 by an amount of up to \$3,500,000, which shall be used to pay the Federal share of the cost of completing a Post Authorization Change Report and the Federal share of the cost of maintaining the Ten Mile Creek Water Preserve Area in caretaker status through Fiscal Year 2013.*"

(*Energy and Water Development and Related Agencies Appropriation Act, 2009.*)