

**Congress of the United States**  
**Washington, DC 20515**

March 19, 2025

Robyn S. Colosimo, P.E.  
Senior Official Performing the Duties of the  
Assistant Secretary of the Army (Civil Works)  
Office of the Assistant Secretary of the Army (Civil Works)  
108 Army Pentagon  
Washington, DC 20310-0108

Dear Ms. Colosimo:

We write to express alarm and dismay about the U.S. Army Corps of Engineers' (Corps) recent unlawful reprogramming action. This action abuses the reprogramming process and violates the Committees' proper role in considering reprogramming requests.

By letters dated March 6, 2025 (attached), the Corps notified the Committees of the intent of the Corps to reprogram a total of \$4,750,000 of Investigations funds from the San Diego Bay Shoreline and Ecosystem, California study to the Mendenhall Glacier Outburst Flooding, Alaska study.

The source of funds for these projects was the Disaster Relief Supplemental Appropriations Act, 2025 (Division B of Public Law 118–158) enacted December 21, 2024. The Corps allocated funds to the San Diego Bay Shoreline and Ecosystem, California study through a work plan submitted to the Committees on February 19, 2025. And yet 15 days later, the Corps notified the Committees of the reprogramming to reallocate funds from one project originally selected to a project that had not been previously selected.

According to the letter, the Corps asserts that “[c]onsistent with Section 101(a)(5) and 101(a)(6) of the 2024 Act, prior notification of the House and Senate Committees on Appropriations is required for any reprogramming that would exceed \$150,000 on a cumulative net basis.”

However, section 101(a) clearly states that “None of the funds provided...shall be available for obligation or expenditure through a reprogramming of funds that...(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the Committees on Appropriations of both Houses of Congress.”

On March 14, 2025, the Corps proceeded with the reprogramming action by publicly posting an updated work plan that allocated the funding.

The Corps did not receive prior approval for this action, thus violating its reprogramming process and authority. These actions knowingly and willfully abuse the reprogramming authority that Congress has provided to the Corps and are a violation of the comity principles upon which the entire reprogramming process is built.

Given this blatant disregard of the Corps' reprogramming process and authority, we are concerned that the reprogramming authority provided to the Corps in the annual appropriations Act is too broad, and we intend to pursue productive improvements to the Corps' funding authorities to guarantee congressional control.

Sincerely,



Marcy Kaptur  
Ranking Member, Subcommittee on Energy  
and Water Development  
House Committee on Appropriations



Patty Murray  
Ranking Member, Subcommittee on Energy  
and Water Development  
Senate Committee on Appropriations

cc: Lieutenant General William H. "Butch" Graham, Jr.,  
Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers



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

The Honorable Chuck Fleischmann  
Chairman  
Subcommittee on Energy and Water Development  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

This letter is to inform you that the Department of the Army plans to reprogram \$4,750,000 in the Investigations account to the Mendenhall Glacier Outburst Flooding, Alaska study from the San Diego Bay Shoreline and Ecosystem, California study. The U.S. Army Corps of Engineers (Corps) would use the reprogrammed funds to complete a technical report that would inform a future feasibility study.

The Corps would conduct the Mendenhall Glacier Outburst Flooding, Alaska study under Section 8315 of the Water Resources Development Act of 2022, Division H of Public Law 117-263, as amended by Section 1333 of the Water Resources Development Act of 2024, Public Law 118-272. Thus far, since enactment of the Energy and Water Development and Related Agencies Appropriation Act, 2024, Division D of the Consolidated Appropriations Act, 2024, Public Law 118-42 (2024 Act), the Corps has not reprogrammed any funds to this study on a cumulative net basis. With this reprogramming, the cumulative net reprogramming to this study would be \$4,750,000. The reprogramming baseline for this study is \$0. Consistent with Section 101(a)(5) and 101(a)(6) of the 2024 Act, prior notification of the House and Senate Committees on Appropriations is required for any reprogramming that would exceed \$150,000 on a cumulative net basis.

Thus far, since enactment of the 2024 Act, the Corps has not reprogrammed any funds from the San Diego Bay Shoreline and Ecosystem, California study on a cumulative net basis. With this reprogramming, the cumulative net reprogramming from this study would be \$4,750,000. The reprogramming baseline for this study is \$4,750,000. Consistent with Sections 101(a)(5) and 101(a)(6) of the 2024 Act, prior notification of the House and Senate Committees on Appropriations is required for any reprogramming that would exceed \$150,000 on a cumulative net basis.

The Congress appropriated these funds to the Corps in the Disaster Relief Supplemental Appropriations Act, 2025, Public Law 118-158.

I am sending an identical letter to Senator Susan Collins, Chairwoman, Committee on Appropriations, United States Senate and providing a copy of this letter to Ranking Member Kaptur.

Sincerely,

Robyn S. Colosimo, P.E.  
Senior Official Performing the Duties of the  
Assistant Secretary of the Army (Civil Works)



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

The Honorable Susan Collins  
Chairwoman  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

Dear Madam Chairwoman:

This letter is to inform you that the Department of the Army plans to reprogram \$4,750,000 in the Investigations account to the Mendenhall Glacier Outburst Flooding, Alaska study from the San Diego Bay Shoreline and Ecosystem, California study. The U.S. Army Corps of Engineers (Corps) would use the reprogrammed funds to complete a technical report that would inform a future feasibility study.

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I am sending an identical letter to Representative Chuck Fleischmann, Chairman, Subcommittee on Energy and Water Development, Committee on Appropriations, United States House of Representatives and providing a copy of this letter to Ranking Member Murray.

Sincerely,

Robyn S. Colosimo, P.E.  
Senior Official Performing the Duties of the  
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