

ing preconstruction planning. Subject to these comments, the Bureau of the Budget has no objection to submission of the report to Congress.

The Secretary of the Army states that during preconstruction planning, the Chief of Engineers will review the size and scope of the project and modify the plan as needed to achieve the most reasonable balance between structural works and a broad program of flood plain management.

This completes my statement, Mr. Chairman.

Mr. JONES. General Noble, would the Secretary of the Army, if the project was authorized as submitted, consider that he would have ample legal authority to make a modification as he states in his report?

General NOBLE. Sir, after a project is authorized, the Corps of Engineers, when requesting appropriations, routinely reviews the project scope and at that time and during the preconstruction planning phase, insures that necessary changes are made in the project to improve it.

Mr. JONES. But those changes would not be so substantial that it would be a departure from the authorized project?

General NOBLE. No, sir; that is right. In the event of a major departure, we would come back to the Congress for reauthorization.

Mr. JONES. The question I am asking you is, would this be a departure?

General NOBLE. I do not think so, sir.

Mr. JONES. Such that it would require you to ask for further authorization?

General NOBLE. The words themselves would not necessarily establish that any project change would be a departure. If, during the review it is determined by the Chief of Engineers that the project scope should be changed to such an extent that it would be outside of the scope of what Congress authorized, we would return to the Congress for additional authorization; but I do not believe that these words in themselves would necessarily require that to be the case. I am inclined to think that they would not.

Mr. JONES. The Secretary says to modify the plans as needed to achieve the most reasonable balance between the structural work, flood plain regulations as needed to achieve the States requirements, and the broad program of flood plain management.

Is that modification so substantial as to alter the authorized project?

General NOBLE. As I say, sir, if you approve the project with this wording, this, in itself, would be some authorization to modify the project along the lines indicated by the language.

Mr. JONES. I see. In other words, as long as the report made the disclosure that the Secretary of Army would have this authority, even though it is not contained in the legislation itself, would be sufficient authority to justify him to make the change?

General NOBLE. Yes, sir; it would be the intent of the committee and the Congress that that be done.

Mr. CLAUSEN. In effect, what you are saying is that the project would be authorized in accordance with this stated recommendation by the Secretary of the Army.

General NOBLE. Yes, sir; unless the committee changed that.