

U.S. Congressman
Nick Rahall
WORKING FOR WEST VIRGINIANS

FOR IMMEDIATE RELEASE
November 5, 1993

CONTACT: KENT KEYSER
Acting Press Secretary
Phone: (202) 225-3452

**RAHALL TO DERAIL ADMINISTRATION'S
CORPS REORGANIZATION PROPOSAL**

WASHINGTON, DC -- U. S. Rep. Nick Rahall (D-W.Va.) blasted away at two Clinton proposals which would implement the U.S Army Corps of Engineers reorganization adversely affecting the Huntington Army Corps of Engineers.

"The leopard can't change its spots," Rahall said. "I don't care how they package their reorganization proposal, it still has the fangs to do harm to our national infrastructure. It still has the potential to gut the Huntington District Corps Office operations. I am working to bring to fruition Marshall University's Geotechnical Center. The Center's existence is predicated on the current strength of the Huntington Corps operations."

The Clinton Administration last week sent to the Congress, the Government Reform and Savings Act of 1993, H.R. 3400, which would reorganize the Corps division and district offices. The bill also implements some of the recommendations of the National Performance Review, the review of government operations Vice President Gore oversaw.

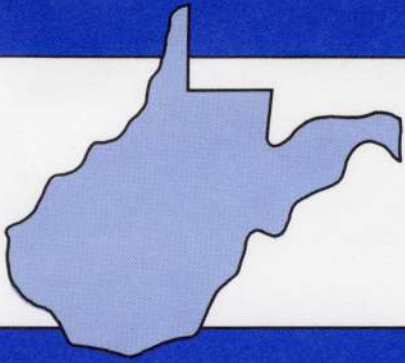
The Administration also sent to the Hill, the annual administration rescission package which removes the appropriations language Rahall and U.S. Senator Robert C. Byrd helped secure recently which prohibited any funds being used to change the functions of any Corps district offices.

"I had hoped the provision we passed last month, one the President signed by the way, made the intentions of Congress quite clear -- leave the Corps district offices alone," Rahall stated. "Somebody's giving the President bad advice. I assume they are holdovers from past administrations. I think the President needs to clean house, if he truly wants positive change. I intend to once again defeat these measures."

Rahall who is a senior ranking member of the House Public Works and Transportation Committee said his committee will probably address H.R. 3400 next week. It must be addressed before November 15, 1993 or the Committee would automatically lose jurisdiction over the bill.

Similarly, the House Appropriations Committee will act on the rescission package in the near future.

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U.S. Congressman

Nick Rahall

WORKING FOR WEST VIRGINIANS

FOR IMMEDIATE RELEASE
November 4, 1993CONTACT: KENT KEYSER
Acting Press Secretary
Phone: (202) 225-3452

*OK to release tomorrow
Will you call MASSEY
Casto then*

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-- 30 --

JAMES L. OBERSTAR, Minnesota
NICK JOE RAHALL II, West Virginia
DOUGLAS APPLEGATE, Ohio
RON DE LUGO, Virgin Islands
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BOB CLEMENT, Tennessee
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PAUL SCHOELLHAMER, Chief of Staff
SANTO ESPOSITO, Chief Counsel

U.S. House of Representatives COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

SUITE 2165 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4472

November 4, 1993

MEMORANDUM

WILLIAM F. CLINGER, Jr., Pennsylvania
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STEVE HORN, California
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PETER I. BLUTE, Massachusetts
HOWARD P. "BUCK" MCKEON, California
JOHN L. MICA, Florida
PETER HOEKSTRA, Michigan
JACK QUINN, New York

JACK SCHENENDORF, Minority Staff Director

TO: Committee Colleague

FROM: Chair Norm Mineta

SUBJECT: H.R. 3400, the "Government Reform and Savings Act of 1993"

On October 28, the above-mentioned bill was introduced by the Majority Leader at the request of the Administration. The purpose of H.R. 3400 is to implement some of the recommendations of the National Performance Review (NPR) and certain similar provisions. As you recall, that process began in March when President Clinton announced a six-month review of the federal government and asked the Vice President to lead the effort. Not all of what resulted from the NPR is in H.R. 3400. In fact, issues which were not the subject of the review are also included.

Because the scope of the proposal is so broad, H.R. 3400 was jointly referred to 17 committees, including the Committee on Public Works and Transportation. Most interestingly, the referral is for a period not later than November 15. Thus, the Committee has to act by midnight the 15th or it would be automatically discharged from consideration of the bill. That does not give us a great deal of time given the fact that the 15th is on a Monday and no sessions are anticipated for the 11th (Veteran's Day) or 12th.

Also, it is not yet clear what the Leadership's plans are for this bill and how H.R. 3400 relates to the recently-received Administration rescission package and the so-called Penny-Kasich deficit reduction plan.

Regardless, in order to ensure proper input by the Committee in the development of H.R. 3400 we will probably mark-up the bill Tuesday, November 9, along with a number of other measures.

For your information, attached is a brief description of those provisions in H.R. 3400 which affect matters under the jurisdiction of the Committee. Currently, we are reviewing these and hope to have a Leadership proposal to you as soon as possible. In the interim, should you have any questions, please feel free to contact me directly or have your staff call Trinita Brown (Majority, Ext. 54472), or Bill Hughes (Minority, Ext. 59446) of the Committee staff.

Attachment

H.R. 3400, Government Reform and Savings Act of 1993

Title III - The Department of Defense

Section 3201 - Streamlining and Reorganization of Corps of Engineers

The provision directs the Secretary of the Army to streamline the Army Corps of Engineers by reorganizing the headquarter offices, reducing the number of division offices, and restructuring the district functions so as to increase the efficiency of the Corps and reduce staff cost, with the goal of achieving approximately \$50 million in net annual savings by fiscal year 1998.

Title XI - Department of Transportation

Section 11101 - Reform of Essential Air Service Program

This provision amends section 419 of the Federal Aviation Act of 1958 to restrict the qualifications for an eligible point. To qualify as an eligible point in 48 contiguous states, Hawaii, and Puerto Rico beginning in fiscal year 1995 and thereafter; a point must not require a rate of subsidy per passenger in excess of \$200 and may not be located fewer than 70 highway miles from the nearest hub airport or small airport.

The provision also reduces authorized funding for essential air service to \$33,423,077 for FY94; and \$25,600,000 for FY95, FY96, FY97, FY97, FY98 and FY99. The funds shall remain available until expended and unobligated balances that remain available as of September 1994 are rescinded.

Section 11201 - Airway Science Program

This provision repeals the authorization for the Airway Science Program.

Section 11202 - Collegiate Training Initiative

Section 362 (Collegiate Training Program) of the Department of Transportation and Related Agencies Appropriations Act of 1993 is repealed except the Administrator of the FAA may continue to hire persons trained at approved traffic controller schools, prior to the effective date of the law, related to this activity to a career conditional or career appointment in the competitive civil service.

It is my understanding that sections 11201 and 11202 have never been authorized by the Public Works and Transportation Committee. They have been funded and in some cases authorized through appropriation bills.

Section 11203 - Air Carrier Maintenance Technician Training Facility Grant Program

This provision repeals Section 119 of Public Law 102-581, which authorizes grants for construction of facilities for the advanced training of maintenance technicians for air carrier aircraft.

Title XVI - Improving Financial Management*

Section 16201 - Franchise Funds and Innovation Funds

This provision amends Title 31 of the U.S. Code by establishing a franchise fund in any executive agency which does not have such a fund. This fund shall be available without further appropriation action by the Congress, for expenses and equipment necessary for the maintenance and operations of such administrative services as the head of the agency, with the approval of OMB, determines may be performed more advantageously on a centralized basis.

Innovation funds are also authorized by this provision and are to be made available to any executive agency which does not have such a fund and it shall be made available without further appropriation action by Congress. The purpose of the fund is to provide self-sustaining source of financing for agencies to invest in projects designed to produce measurable improvements in agency efficiency and significant taxpayer savings. The amounts in this fund may be borrowed by an agency for such projects.

These provisions would affect all of the agencies under our jurisdiction.

Section 16701 - Adjusting Civil Monetary Penalties for Inflation

This provision amends the Federal Civil Penalties Inflation Adjustment Act of 1990 by requiring the head of each agency by regulation shall report no later than September 30, 1994, and at least once every 4 years thereafter, to adjust each civil monetary penalty provided by law within the jurisdiction of the Federal agency, except for any penalty under Title 26, U.S. Code by inflation adjustment and publish such adjustment in the Federal Register.

Also, the agency head must provide a report to the Secretary of the Treasury by November 15 of each year on all penalties adjusted during the preceding fiscal year.

This provision will affect any penalty that this Committee has written into law (i.e. the penalty provisions of the Clean Water Act [section 309]).

*These are cross-cutting provisions which, at the least, are of interest.

REORGANIZATION UPDATE #54

3 NOVEMBER 1993

PLEASE PASS THIS ALONG TO ALL THOSE YOU WORK WITH
HOTLINE (202) 504-4053 FAX (202) 272-1689

The Corps of Engineers Reorganization status continues to evolve, and we do not know the significance of each change in direction. The most recent change is part of the President's request for FY 1994 supplemental appropriations language concerning several government agencies, including the Corps of Engineers. The details on the Corps of Engineers were set forth in enclosures to the President's November 1, 1993, letter to the Speaker of the House. That language is quoted below:

"Sections 101 and 102 of H.R. 2445 (Public Law 103-126) as signed by the President on October 28, 1993, are repealed.

This proposal would repeal sections 101 and 102 of the FY 1994 Energy and Water Development Appropriations Act. These sections would prohibit the Army Corps of Engineers from either closing district offices or transferring responsibilities between district offices. This prohibition would effectively keep the Corps from making meaningful changes to its organizational structure as it pursues the National Performance Review goals of cutting red tape, putting customers first, empowering employees to get results, and generally cutting back to basics. The Corps reorganization plan of the previous Administration has been withdrawn. The Secretary of Defense is currently developing a plan for reorganizing the Corps' headquarters offices, reducing the number of its division offices, and restructuring district functions to increase efficiency."

Although the full impact of these developments is dependent on future actions by Congress, the following three points are significant:

* The Corps' 1992 reorganization plan has been withdrawn.

* The prohibition on closing district offices or shifting district functions would be lifted if Congress passes this proposed language.

* A new plan is in the offing.

We will continue to keep you posted on information as we receive it.

/s/

Jill M. Davis
Reorganization Program Manager

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

To: Kent

From: Frank

Desk/Agency: _____

Phone: _____

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NEWS

JOHNSON — 30th DISTRICT — TEXAS

NOVEMBER 4, 1993

CONTACT: KAREN TATE
202-225-8885

EDDIE BERNICE JOHNSON DECLARES VICTORY.... CORPS OF ENGINEERS TO STAY PUT

Washington, D.C.....After eight months of negotiations, Congresswoman Eddie Bernice Johnson (30,D-TX) announced today that the Dallas office of the Army Corps of Engineers will remain open. In a letter to the Speaker of the House, President Clinton issued a repeal of the plan developed in 1992 which would have closed the Dallas office.

"I have fought all along for the Dallas Army Corps of Engineers office to remain open. Now that the decision has been impartially reviewed and all the correct facts carefully analyzed, I am very pleased that the President has made a recommendation in favor of keeping the Dallas Corps office open. This is a victory for the jobs which will remain in Dallas, as well as for the future ability of the Corps to carry out its environmental clean-up and flood control functions in the North Texas area," Johnson said.

When the Army Corps of Engineers' relocation plan was first proposed, Johnson immediately expressed serious opposition to the plan's recommendation to close the division office in Dallas. Johnson testified to a congressional committee on the plan's shortcomings, and lobbied the President, the Vice President, and her congressional colleagues to prevent closure of the Dallas office.

In conveying his decision, the President directed the Secretary of Defense to submit an alternative plan for reorganization of the Corps. It is not yet known what the timetable will be for the development and approval of an alternative reorganization plan.

The withdrawn plan would have closed the Dallas division office and three other division offices in San Francisco, New York, and Chicago. Under the plan, the Dallas office would have relocated in Vicksburg, Mississippi, and consolidated with an existing office in that city.

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TO THE CONGRESS OF THE UNITED STATES:

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report 37 proposed rescissions of budget authority, totaling \$1.9 billion.

These proposed rescissions affect programs of the Departments of Agriculture, Commerce, Defense, Energy, Housing and Urban Development, Interior, State, and Transportation, International Security Assistance programs, and programs of the Agency for International Development, the Army Corps of Engineers, the General Services Administration, the Small Business Administration, the State Justice Institute, and the United States Information Agency. The details of these proposed rescissions are set forth in the attached letter from the Director of the Office of Management and Budget and in the accompanying report.

Concurrent with these proposals, I am transmitting to the Congress FY 1994 supplemental appropriations language requests that would remove a variety of restrictions that impede effective functioning of the government, including certain proposals outlined in the recommendations of the National Performance Review.

Together, the supplemental language requests and the rescission proposals would result in a total budget authority reduction of \$2.0 billion. My Administration is committed to working closely with the Congress to produce legislation that will achieve this level of savings.

William Clinton

THE WHITE HOUSE,

November 1, 1993.

DEPARTMENT OF DEFENSE - CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS - CIVIL

General investigations

Directives under this heading in H.R. 2445, as signed by the President on October 28, 1993, are repealed.

This proposal, combined with an associated rescission proposal, would permit the Army Corps of Engineers to select studies and projects for funding pursuant to pre-established criteria described in the rescission report.

Construction, general

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General Provisions

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