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Collection: Executive Clerk, Office of the

Series: Saunders, G. Timothy (Tim) – Bill Files

Folder Title: 02/12/2002 [H.R. 1937] [771114]

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The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Barcode Scanning Sheet	Pacific Northwest Feasibility Studies Act of 2002	1	11/14/2008	b2;

COLLECTION TITLE:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

02/12/2002 [H.R. 1937] [771114]

FRC ID:

6358

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

LAW_M

771114

FG006-01

Barcode Scanning Sheet



Collection Code: **SECLOG**

Staff Name:

Document Date:

Correspondent: **TIM SAUNDERS**

Subject/Description: **OVERSIZE ATTACHMENT # 9465 NARA # 9356 BOX 1
FOLDER 4B BILL FILL RECEIVED FROM THE OFFICE OF
THE EXECUTIVE CLERK - FEB 12 02 ENROLLED BILL H.R.
1937 - PACIFIC NORTHWEST FEASIBILITY STUDIES ACT
OF 2002**



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

APPROVED

FEB 12 2002

THE DIRECTOR

February 6, 2002

'02 FEB 6 AM 10:20

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 1937 - Pacific Northwest Feasibility Studies Act of 2002
Sponsors - Rep. Larsen (D) WA and 3 others

Last Day for Action

February 12, 2002 - Tuesday

THE PRESIDENT HAS SEEN
2-12-02

Purpose

Authorizes the Secretary of the Interior to conduct three feasibility studies of water resource projects in Washington State.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval

Department of Justice

No objection (Informally)

Council on Environmental Quality (CEQ)

No comment (Informally)

Environmental Protection Agency

No comment (Informally)

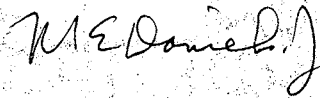
Discussion

H.R. 1937 would authorize the Secretary of the Interior to conduct three studies to investigate the feasibility of providing drinking water and water distribution systems to meet the future water needs of three Indian Tribes in Washington State. Specifically, the Secretary would be authorized to undertake two studies to identify ways to meet the residential and commercial water needs of the Tulalip Indian Reservation on the Eastern Shore of Puget Sound and the Makah Indian Tribe on the Olympic Peninsula. The third study would seek to identify additional rural water supply sources for the Lower Elwha Indian Reservation, which is also located on the Olympic Peninsula. Interior would be required to make the results of each study public and publish in the Federal Register notice that they are available.

Conclusion and Recommendations

In its views letter, Interior recommends approval of H.R. 1937, advising that "these studies will help the Department in meeting its important goal of assisting tribes in water resources planning, development and management, as well as in meeting its obligation to protect Indian trust assets."

We join Interior in recommending the approval of H.R. 1937, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

Honorable Mitchell E. Daniels, Jr.
Director, Office of Management and Budget
Attention: Assistant Director for Legislative Reference
Washington, DC 20503

JAN 29 2002

Dear Mr. Daniels:

This letter responds to your request for the views of the Department of the Interior with respect to enrolled bill H.R. 1913, "To require the valuation of nontribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation, and for other purposes."

We recommend that the President approve the enrolled bill.

H.R. 1913 would direct the Secretary of the Interior to conduct a valuation and exchange of non-tribal subsurface rights within the boundaries of the Acoma Pueblo Indian Reservation. Mineral interests could be acquired through either a land exchange, a direct purchase, or by using transferable bidding credits (interest free). H.R. 1913 also provides for a cost-sharing arrangement if either an exchange or purchase takes place. The Department would have 3 years after the date of enactment of this Act to conduct an exchange.

When the United States created the Acoma Pueblo Reservation, minerals within the reservation lands were already in private ownership and were never transferred to the Acoma Pueblo. Exploration for minerals on the reservation would disrupt the Acoma Pueblo's traditional way of life and leaders of the Acoma Pueblo have long expressed their desire to have their land rights, both surface and mineral estate, intact.

The owner of the mineral estate has informed the Acoma Pueblo that a trade for land of equal value would be acceptable. The non-tribal interest ownership of the mineral estate within the boundaries of the Acoma Pueblo Indian Reservation is approximately 68,000 acres and consists primarily of sand and gravel but also has the potential for oil and gas. While the private mineral owners have estimated the cost of an outright purchase of their mineral estate within the Reservation to be between \$1 million and \$1.7 million, a federally-approved appraisal of the mineral estate interest has not been completed and it is possible that the actual value is less than the estimate.

In testimony given by the Department at a hearing before the House Resources Subcommittee on Energy and Minerals on September 13, 2001, the Department's witness requested a purchase option, a transferable bidding credit, and a cost share arrangement be added to the bill. The requested changes have been made to the legislation. Accordingly, the Department of the Interior supports H.R. 1913 and recommends that the President approve the enrolled bill.

Sincerely,

Neal A. McCaleb

Assistant Secretary for Indian Affairs

One Hundred Seventh Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
the twenty-third day of January, two thousand and two*

An Act

To authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pacific Northwest Feasibility Studies Act of 2002".

SEC. 2. AUTHORIZATION OF FEASIBILITY STUDIES.

(a) IN GENERAL.—The Secretary of the Interior may engage in the following feasibility studies:

(1) The Tulalip Tribes Water Quality Feasibility Study, to identify ways to meet future domestic and commercial water distribution needs of the Tulalip Indian Reservation on the Eastern Shore of Puget Sound, Washington.

(2) The Lower Elwha Klallam Rural Water Supply Feasibility Study, to identify additional rural water supply sources for the Lower Elwha Indian Reservation on the Olympic Peninsula, Washington.

(3) The Makah Community Water Source Project Feasibility Study, to identify ways to meet the current and future domestic and commercial water supply and distribution needs of the Makah Indian Tribe on the Olympic Peninsula, Washington.

(b) PUBLIC AVAILABILITY OF RESULTS.—The Secretary of the Interior shall make available to the public, upon request, the results of each feasibility study authorized under subsection (a), and shall promptly publish in the Federal Register a notice of the availability of those results.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-6-02ACTION / CONCURRENCE / COMMENT DUE BY: -----

ENROLLED BILL H.R. 1937 - PACIFIC NORTHWEST FEASIBILITY STUDIES ACT

Subject: OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	HAWKINS	☐	☐
CARD <i>OK</i>	☐	☒	HUBBARD	☐	☐
BARTLETT	☐	☐	HUGHES	☐	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☐	☒	JOHNSON	☐	☐
BRIDGELAND	☐	☐	LINDSEY	☐	☐
CALIO	☐	☐	MIERS	☐	☒
CONNAUGHTON	☐	☐	RICE	☐	☐
DANIELS	☐	☐	RIDGE	☐	☐
FLEISCHER	☐	☐	ROVE	☐	☐
GERSON	☐	☐	SPELLINGS	☐	☐
GONZALES <i>[Redacted]</i>	☐	☐	CLERK	☐	☐
HAGIN <i>[Redacted]</i>	☐	☐	OTHER	☐	☐

REMARKS:

For your information only.

RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-6-02

ACTION / CONCURRENCE / COMMENT DUE BY: _____

02 FEB 6 PM 5:48

ENROLLED BILL H.R. 1937 - PACIFIC NORTHWEST FEASIBILITY STUDIES ACT

Subject: OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☐	☐	HAWKINS	☐	☐
CARD	☐	☒	HUBBARD	☐	☐
BARTLETT	☐	☐	HUGHES	☐	☐
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BOLTEN	☐	☒	JOHNSON	☐	☐
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GONZALES	☐	☐	CLERK	☐	☐
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

For your information only.

RESPONSE:

okay HC

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 FEB 6 AM 10:20

THE DIRECTOR

February 6, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 1937 - Pacific Northwest Feasibility Studies Act of 2002
Sponsors - Rep. Larsen (D) WA and 3 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Authorizes the Secretary of the Interior to conduct three feasibility studies of water resource projects in Washington State.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval

Department of Justice

No objection (Informally)

Council on Environmental Quality (CEQ)

No comment (Informally)

Environmental Protection Agency

No comment (Informally)

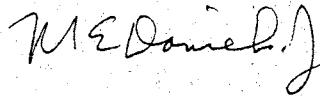
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H.R. 1937 would authorize the Secretary of the Interior to conduct three studies to investigate the feasibility of providing drinking water and water distribution systems to meet the future water needs of three Indian Tribes in Washington State. Specifically, the Secretary would be authorized to undertake two studies to identify ways to meet the residential and commercial water needs of the Tulalip Indian Reservation on the Eastern Shore of Puget Sound and the Makah Indian Tribe on the Olympic Peninsula. The third study would seek to identify additional rural water supply sources for the Lower Elwha Indian Reservation, which is also located on the Olympic Peninsula. Interior would be required to make the results of each study public and publish in the Federal Register notice that they are available.

Conclusion and Recommendations

In its views letter, Interior recommends approval of H.R. 1937, advising that "these studies will help the Department in meeting its important goal of assisting tribes in water resources planning, development and management, as well as in meeting its obligation to protect Indian trust assets."

We join Interior in recommending the approval of H.R. 1937, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 FEB 05 AM 10:20

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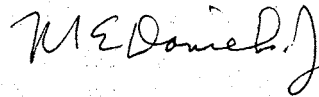
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A handwritten signature in dark ink, appearing to read "M E Daniels, Jr.", with a stylized flourish at the end.

Mitchell E. Daniels, Jr.
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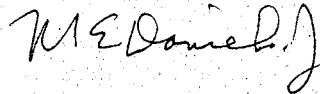
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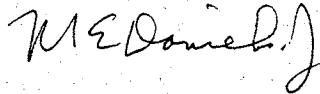
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WHITE HOUSE STAFFING MEMORANDUM

Date: 2-6-02

ACTION / CONCURRENCE / COMMENT DUE BY: _____

ENROLLED BILL H.R. 1937 - PACIFIC NORTHWEST FEASIBILITY STUDIES ACT

Subject: OF 2002

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REMARKS:

For your information only.

RESPONSE: _____

Harriet E. Miers
 Assistant to the President
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No objection (Informally)

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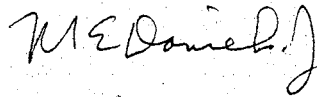
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102 FEB 6 AM 10:20

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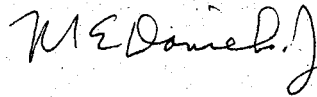
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Enclosures

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AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
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An Act

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of water resource projects in the State of Washington.

*Be it enacted by the Senate and House of Representatives of
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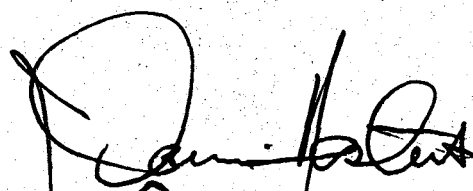
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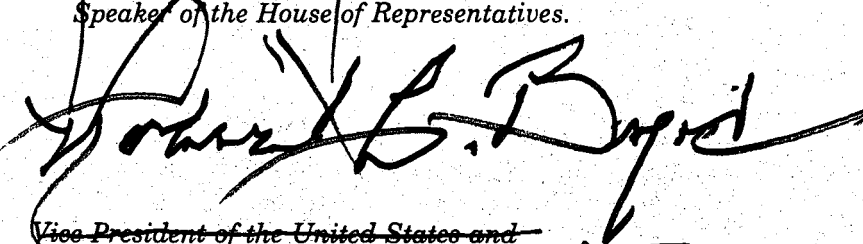
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Speaker of the House of Representatives.

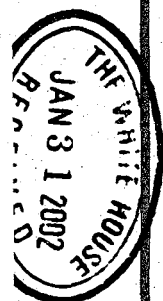
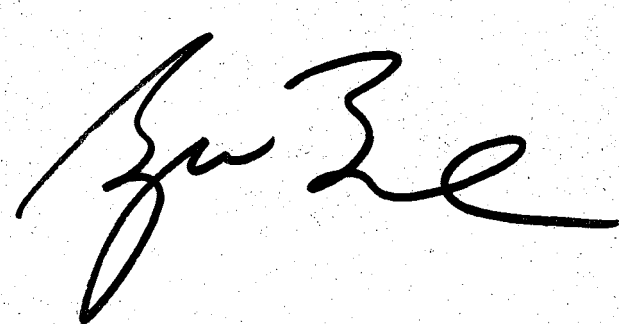


~~Vice President of the United States and~~

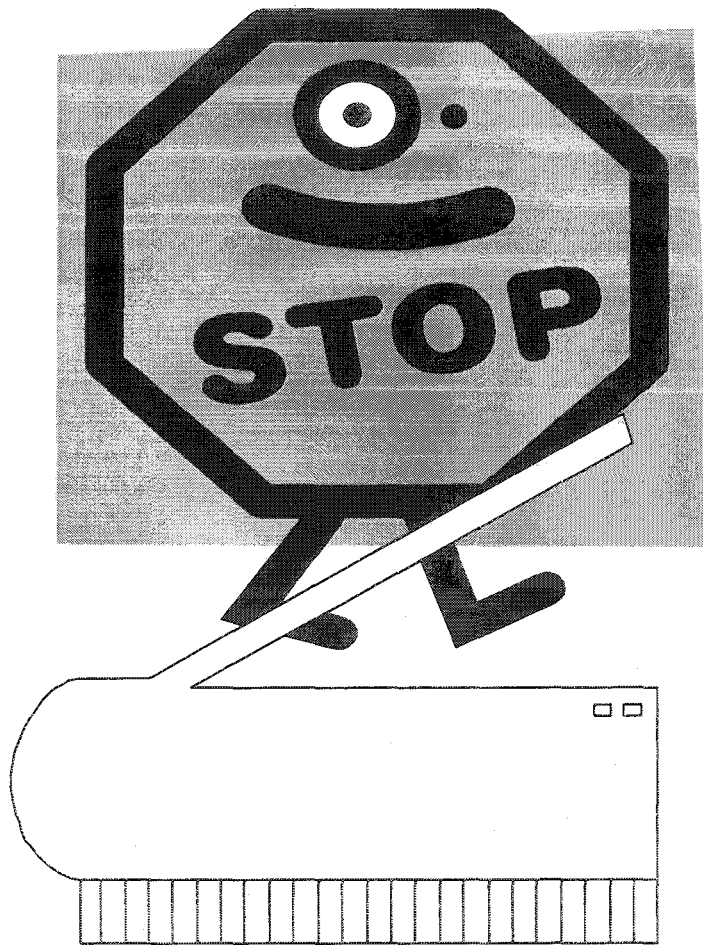
President of the Senate *Pro Tempore*.

APPROVED

FEB 1 2 2002



ORM
Scanning insert sheet



Remainder of case not scanned

For Immediate Release

February 12, 2002

On Tuesday, February 12th, 2002, the President signed into law:

H.R. 700, ^{which} reauthorizes appropriations for the Asian Elephant Conservation Fund through FY 2007 and the National Fish and Wildlife Foundation through FY 2005;

H.R. 1937, which authorizes the Secretary of the Interior to conduct three feasibility studies of water resource projects in Washington State.

✓ H.R.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

February 12, 2002

STATEMENT BY THE PRESS SECRETARY

On Tuesday, February 12, 2002, the President signed into law:

H.R. 700, which reauthorizes appropriations for the Asian Elephant Conservation Fund through FY 2007, and the National Fish and Wildlife Foundation through FY 2005;

H.R. 1937, which authorizes the Secretary of the Interior to conduct three feasibility studies of water resource projects in Washington State.

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