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Folder Title: 02/12/2002 [H.R. 700] [771113]

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Barcode Scanning Sheet	Asian Elephant Conservation Reauthorization 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. 700] [771113]

FRC ID:

6358

RESTRICTION CODES

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

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

- 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).

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- 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.

- 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

771113

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 4A BILL FILL RECEIVED FROM THE OFFICE OF
THE EXECUTIVE CLERK - FEB 12 02 ENROLLED BILL H.R.
700 - ASIAN ELEPHANT CONSERVATION
REAUTHORATION ACT OF 2002**



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

APPROVED

FEB 12 2002

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

THE PRESIDENT HAS SEEN
2-12-02

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
Council on Environmental Quality (CEQ)	Approval (Informally)
Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
Office of the United States Trade Representative	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

H.R. 700 makes changes to the Asian Elephant Conservation Act and the National Fish and Wildlife Foundation Establishment Act as described below.

Asian Elephant Conservation Act. The Asian elephant, of which only 40,000 are estimated to exist in the wild in thirteen South and Southeast Asian countries, is listed as an endangered species under the Endangered Species Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The decline of the species has resulted from several factors, including forest habitat reduction, poaching for ivory and meat, and capture for domestication.

In 1997, Congress enacted the Asian Elephant Conservation Act (P.L. 105-96), which authorized the Secretary of the Interior, in consultation with the AID Administrator, to make grants for Asian elephant conservation projects. The Act established the Asian Elephant Conservation Fund, consisting of appropriations and donations, to provide funding for conservation grants. The Act also authorized appropriations of up to \$5 million annually for FYs 1998 through 2002 for the Fund. For FY 2002, Congress appropriated \$1 million for the Fund, consistent with your Budget request.

H.R. 700 would extend the authorization of appropriations of up to \$5 million annually for the Asian Elephant Conservation Fund through FY 2007 and limit the amounts to be spent on administrative costs to the greater of three percent of available funds or \$80,000. The enrolled bill would require Interior, when evaluating which projects to fund, to consider those projects that ensure effective long-term conservation efforts. The Department would be authorized to establish an advisory panel comprised of individuals representing public and private organizations involved in the conservation of Asian elephants to increase public participation in the program.

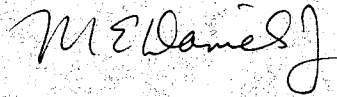
The enrolled bill also makes technical changes to the Multinational Species Conservation Fund, which was established to accept donations for assistance under the Rhinoceros and Tiger Conservation Act, the African Elephant Conservation Act, and the Asian Elephant Conservation Act.

National Fish and Wildlife Foundation. In 1984, P.L. 98-244 established the National Fish and Wildlife Foundation as a charitable, nonprofit corporation. It is authorized to accept and administer private, State, and local contributions to support conservation efforts of Interior's Fish and Wildlife Service and Commerce's National Oceanic and Atmospheric Administration. In support of these efforts, Congress has authorized appropriations for the Foundation to match these contributions on a one-to-one basis. In 2000, Congress authorized \$20 million to Interior and \$5 million to Commerce for each of FYs 2001 through 2003. H.R. 700 extends the appropriation authorizations for both agencies through FY 2005 and increases the amount authorized for Interior to \$25 million annually.

Conclusion and Recommendations

In its views letter, the Department of the Interior recommends approval, advising that implementation of the Asian Elephant Conservation program "has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species."

We join Interior, AID, and CEQ in recommending the approval of H.R. 700, which originally passed the House by voice vote and passed the Senate amended by unanimous consent. The House concurred in the Senate amendment by a vote of 349-23.

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

Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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

Dear Mr. Daniels:

This responds to your request for the Department of the Interior's (Department) views on enrolled bill H.R. 700, the Asian Elephant Conservation Reauthorization Act of 2001. We recommend that the President approve this enrolled bill.

Asian elephants have experienced dramatic population declines as a result of habitat loss and poaching. The loss of important forest cover to village and agricultural uses has fragmented elephant habitat and populations. It is currently believed that there are only about ten elephant populations with over 1,000 elephants. Half of these populations are found in India, and the majority are small, consisting of less than 100 elephants.

In response to concerns over the status of Asian elephants, Congress enacted the Asian Elephant Conservation Act in 1997. Like its predecessors, the African Elephant and Rhinoceros and Tiger Conservation Acts, it follows the small grants model as its blueprint for success. The Act has enabled the U.S. Fish and Wildlife Service (Service) to develop a grants program that encourages proposals for protection of at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, and support of efforts to decrease human-elephant conflicts.

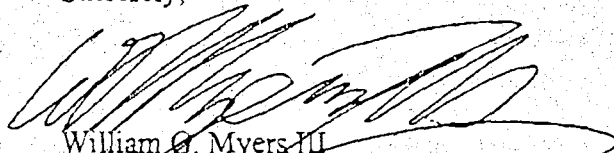
Like the two multi-species conservation fund programs mentioned above, this program employs a cooperative approach — each funded project is a concerted effort with local range country governments, non-governmental organizations, CITES Management Authorities, and private sector entities with experience in Asian elephant conservation. The program has also garnered significant support, and has leveraged a 1:1 financial match of appropriated funds, dramatically increasing its conservation impact.

The bill was amended in several respects after introduction. First, a provision was added at Section 4 to allow the Secretary of the Interior to appoint an advisory group to help

raise public awareness of and support for this program and its goals. The Department believes that this provision, modeled after similar provisions included in the conservation programs for great apes and neotropical migratory birds, will provide expanded private sector involvement in this conservation effort, further increasing the leveraging power of the grant program. Another change limited the amount of funds that may be spent by the Service on administrative expenses to the greater of 3 percent or \$80,000 of the amount made available each fiscal year to carry out the Act. Language was also added at Section 6 to reauthorize the National Fish and Wildlife Foundation (Foundation) until 2005 and increase the authorized appropriation to the Department for funding the Foundation to \$25 million a year for that period. Finally, a number of technical and conforming amendments were made.

The Department believes that implementation of this program and its focus on cooperative, on-the-ground, conservation projects has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species. Accordingly, we recommend that the President approve this enrolled bill.

Sincerely,



William G. Myers III
Solicitor



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

02 FEB 04 PM '02

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of
2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

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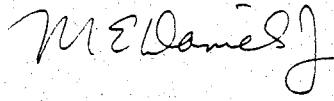
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Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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Director, Office of Management and Budget
Attention: Assistant Director for Legislative Resources
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In response to concerns over the status of Asian elephants, Congress enacted the Asian Elephant Conservation Act in 1997. Like its predecessors, the African Elephant and Rhinoceros and Tiger Conservation Acts, it follows the small grants model as its blueprint for success. The Act has enabled the U.S. Fish and Wildlife Service (Service) to develop a grants program that encourages proposals for protection of at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, and support of efforts to decrease human-elephant conflicts.

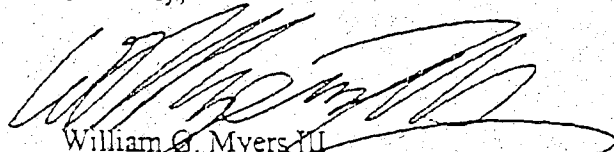
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Sincerely,



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WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PMSubject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
BRIDGELAND	☒	☐	LINDSEY	☒	☐
CALIO	☒	☐	MIERS	☐	☒
CONNAUGHTON	☒	☐	RICE	☒	☐
DANIELS	☐	☒	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO JIM JUKES, EXT. 53458, FAX 56148, NO LATER THAN 2:00 PM TUESDAY, 2-5-02, AND COPY TO STAFF SECRETARY. THANK YOU.

RESPONSE:

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 4 PM 3:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of
2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

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Department of Commerce	No objection (Informally)
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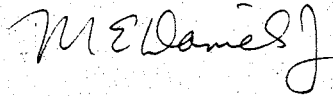
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Mitchell E. Daniels, Jr.
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Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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Attention: Assistant Director for Legislative Resources
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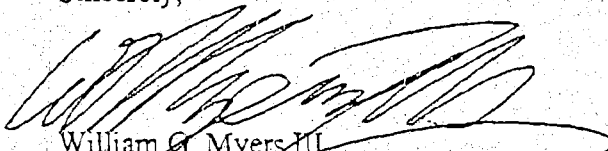
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Sincerely,



William G. Myers III
Solicitor

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

Subject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT <i>N/C</i>	☒	☐	HAWKINS	☒	☐
CARD <i>defers</i>	☒	☐	HUBBARD <i>N/C</i>	☒	☐
BARTLETT <i>ok</i>	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN <i>ok</i>	☒	☐	JOHNSON	☐	☐
BRIDGELAND	☒	☐	LINDSEY <i>ok</i>	☒	☐
CALIO <i>ok</i>	☒	☐	MIERS	☐	☒
CONNAUGHTON	☒	☐	RICE <i>N/C</i>	☒	☐
DANIELS	☐	☒	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☐	SPELLINGS <i>ok</i>	☒	☐
GONZALES <i>W/D</i>	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

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RESPONSE:

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 04 PM 5:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

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Office of Management and Budget	Approval
Department of the Interior	Approval
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Council on Environmental Quality (CEQ)	Approval (Informally)
Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
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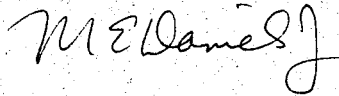
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We join Interior, AID, and CEQ in recommending the approval of H.R. 700, which originally passed the House by voice vote and passed the Senate amended by unanimous consent. The House concurred in the Senate amendment by a vote of 349-23.

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Mitchell E. Daniels, Jr.
Director

Enclosures



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

02 FEB 04 PM 5:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
Council on Environmental Quality (CEQ)	Approval (Informally)
Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
Office of the United States Trade Representative	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

H.R. 700 makes changes to the Asian Elephant Conservation Act and the National Fish and Wildlife Foundation Establishment Act as described below.

Asian Elephant Conservation Act. The Asian elephant, of which only 40,000 are estimated to exist in the wild in thirteen South and Southeast Asian countries, is listed as an endangered species under the Endangered Species Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The decline of the species has resulted from several factors, including forest habitat reduction, poaching for ivory and meat, and capture for domestication.

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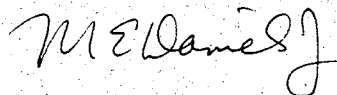
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Enclosures



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

02 FEB 11 PM 3:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

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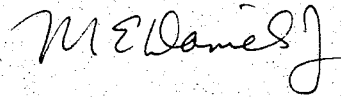
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Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PMSubject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
BRIDGELAND	☒	☐	LINDSEY	☒	☐
CALIO	☒	☐	MIERS	☐	☒
CONNAUGHTON	☒	☐	RICE	☒	☐
DANIELS	☐	☒	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO JIM JUKES, EXT. 53458, FAX 56148, NO LATER THAN 2:00 PM TUESDAY, 2-5-02, AND COPY TO STAFF SECRETARY. THANK YOU.

RESPONSE:

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 04 PM 5:52

February 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
Council on Environmental Quality (CEQ)	Approval (Informally)
Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
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Environmental Protection Agency	No comment (Informally)

Discussion

H.R. 700 makes changes to the Asian Elephant Conservation Act and the National Fish and Wildlife Foundation Establishment Act as described below.

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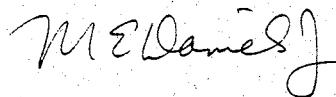
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Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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

Dear Mr. Daniels:

This responds to your request for the Department of the Interior's (Department) views on enrolled bill H.R. 700, the Asian Elephant Conservation Reauthorization Act of 2001. We recommend that the President approve this enrolled bill.

Asian elephants have experienced dramatic population declines as a result of habitat loss and poaching. The loss of important forest cover to village and agricultural uses has fragmented elephant habitat and populations. It is currently believed that there are only about ten elephant populations with over 1,000 elephants. Half of these populations are found in India, and the majority are small, consisting of less than 100 elephants.

In response to concerns over the status of Asian elephants, Congress enacted the Asian Elephant Conservation Act in 1997. Like its predecessors, the African Elephant and Rhinoceros and Tiger Conservation Acts, it follows the small grants model as its blueprint for success. The Act has enabled the U.S. Fish and Wildlife Service (Service) to develop a grants program that encourages proposals for protection of at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, and support of efforts to decrease human-elephant conflicts.

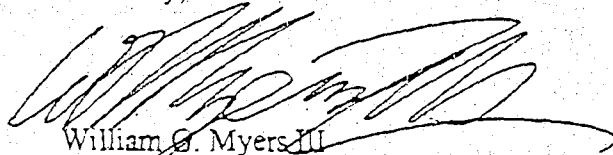
Like the two multi-species conservation fund programs mentioned above, this program employs a cooperative approach — each funded project is a concerted effort with local range country governments, non-governmental organizations, CITES Management Authorities, and private sector entities with experience in Asian elephant conservation. The program has also garnered significant support, and has leveraged a 1:1 financial match of appropriated funds, dramatically increasing its conservation impact.

The bill was amended in several respects after introduction. First, a provision was added at Section 4 to allow the Secretary of the Interior to appoint an advisory group to help

raise public awareness of and support for this program and its goals. The Department believes that this provision, modeled after similar provisions included in the conservation programs for great apes and neotropical migratory birds, will provide expanded private sector involvement in this conservation effort, further increasing the leveraging power of the grant program. Another change limited the amount of funds that may be spent by the Service on administrative expenses to the greater of 3 percent or \$80,000 of the amount made available each fiscal year to carry out the Act. Language was also added at Section 6 to reauthorize the National Fish and Wildlife Foundation (Foundation) until 2005 and increase the authorized appropriation to the Department for funding the Foundation to \$25 million a year for that period. Finally, a number of technical and conforming amendments were made.

The Department believes that implementation of this program and its focus on cooperative, on-the-ground, conservation projects has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species. Accordingly, we recommend that the President approve this enrolled bill.

Sincerely,



William G. Myers III
Solicitor

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION

Subject: REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
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GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO JIM JUKES, EXT. 53458, FAX 56148, NO LATER THAN 2:00 PM TUESDAY, 2-5-02, AND COPY TO STAFF SECRETARY. THANK YOU.

RESPONSE:

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 04 PM 5:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of
2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
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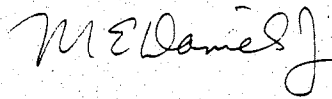
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Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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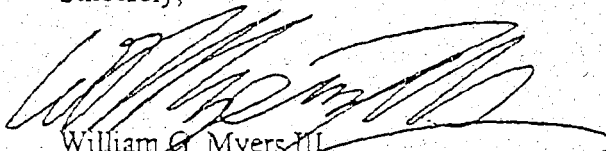
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William G. Myers III
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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1897	
CONNECTION TEL		66212
CONNECTION ID		
ST. TIME	02/05 01:39	
USAGE T	02'30	
PGS. SENT	6	
RESULT	OK	

SS/ RM NO. 505476

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
 Subject: REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
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HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

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WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
 Subject: REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT →	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
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GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO JIM JUKES, EXT. 53458, FAX 56148, NO LATER THAN 2:00 PM
 TUESDAY, 2-5-02, AND COPY TO STAFF SECRETARY. THANK YOU.

RESPONSE:

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 04 PM 5:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of
2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
Council on Environmental Quality (CEQ)	Approval (Informally)
Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
Office of the United States Trade Representative	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

H.R. 700 makes changes to the Asian Elephant Conservation Act and the National Fish and Wildlife Foundation Establishment Act as described below.

Asian Elephant Conservation Act. The Asian elephant, of which only 40,000 are estimated to exist in the wild in thirteen South and Southeast Asian countries, is listed as an endangered species under the Endangered Species Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The decline of the species has resulted from several factors, including forest habitat reduction, poaching for ivory and meat, and capture for domestication.

In 1997, Congress enacted the Asian Elephant Conservation Act (P.L. 105-96), which authorized the Secretary of the Interior, in consultation with the AID Administrator, to make grants for Asian elephant conservation projects. The Act established the Asian Elephant Conservation Fund, consisting of appropriations and donations, to provide funding for conservation grants. The Act also authorized appropriations of up to \$5 million annually for FYs 1998 through 2002 for the Fund. For FY 2002, Congress appropriated \$1 million for the Fund, consistent with your Budget request.

H.R. 700 would extend the authorization of appropriations of up to \$5 million annually for the Asian Elephant Conservation Fund through FY 2007 and limit the amounts to be spent on administrative costs to the greater of three percent of available funds or \$80,000. The enrolled bill would require Interior, when evaluating which projects to fund, to consider those projects that ensure effective long-term conservation efforts. The Department would be authorized to establish an advisory panel comprised of individuals representing public and private organizations involved in the conservation of Asian elephants to increase public participation in the program.

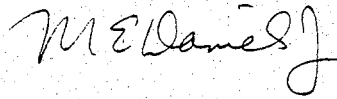
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National Fish and Wildlife Foundation. In 1984, P.L. 98-244 established the National Fish and Wildlife Foundation as a charitable, nonprofit corporation. It is authorized to accept and administer private, State, and local contributions to support conservation efforts of Interior's Fish and Wildlife Service and Commerce's National Oceanic and Atmospheric Administration. In support of these efforts, Congress has authorized appropriations for the Foundation to match these contributions on a one-to-one basis. In 2000, Congress authorized \$20 million to Interior and \$5 million to Commerce for each of FYs 2001 through 2003. H.R. 700 extends the appropriation authorizations for both agencies through FY 2005 and increases the amount authorized for Interior to \$25 million annually.

Conclusion and Recommendations

In its views letter, the Department of the Interior recommends approval, advising that implementation of the Asian Elephant Conservation program "has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species."

We join Interior, AID, and CEQ in recommending the approval of H.R. 700, which originally passed the House by voice vote and passed the Senate amended by unanimous consent. The House concurred in the Senate amendment by a vote of 349-23.

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Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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

Dear Mr. Daniels:

This responds to your request for the Department of the Interior's (Department) views on enrolled bill H.R. 700, the Asian Elephant Conservation Reauthorization Act of 2001. We recommend that the President approve this enrolled bill.

Asian elephants have experienced dramatic population declines as a result of habitat loss and poaching. The loss of important forest cover to village and agricultural uses has fragmented elephant habitat and populations. It is currently believed that there are only about ten elephant populations with over 1,000 elephants. Half of these populations are found in India, and the majority are small, consisting of less than 100 elephants.

In response to concerns over the status of Asian elephants, Congress enacted the Asian Elephant Conservation Act in 1997. Like its predecessors, the African Elephant and Rhinoceros and Tiger Conservation Acts, it follows the small grants model as its blueprint for success. The Act has enabled the U.S. Fish and Wildlife Service (Service) to develop a grants program that encourages proposals for protection of at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, and support of efforts to decrease human-elephant conflicts.

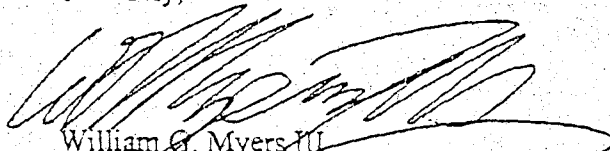
Like the two multi-species conservation fund programs mentioned above, this program employs a cooperative approach — each funded project is a concerted effort with local range country governments, non-governmental organizations, CITES Management Authorities, and private sector entities with experience in Asian elephant conservation. The program has also garnered significant support, and has leveraged a 1:1 financial match of appropriated funds, dramatically increasing its conservation impact.

The bill was amended in several respects after introduction. First, a provision was added at Section 4 to allow the Secretary of the Interior to appoint an advisory group to help

raise public awareness of and support for this program and its goals. The Department believes that this provision, modeled after similar provisions included in the conservation programs for great apes and neotropical migratory birds, will provide expanded private sector involvement in this conservation effort, further increasing the leveraging power of the grant program. Another change limited the amount of funds that may be spent by the Service on administrative expenses to the greater of 3 percent or \$80,000 of the amount made available each fiscal year to carry out the Act. Language was also added at Section 6 to reauthorize the National Fish and Wildlife Foundation (Foundation) until 2005 and increase the authorized appropriation to the Department for funding the Foundation to \$25 million a year for that period. Finally, a number of technical and conforming amendments were made.

The Department believes that implementation of this program and its focus on cooperative, on-the-ground, conservation projects has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species. Accordingly, we recommend that the President approve this enrolled bill.

Sincerely,



William G. Myers III
Solicitor

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1896	
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CONNECTION ID	CEQ	
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PGS. SENT	6	
RESULT	OK	

SS/ RM NO. 505476

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
 Subject: REAUTHORIZATION ACT OF 2002

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OFFICE OF MANAGEMENT AND BUDGET
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02 FEB 4 PM 152

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of
2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

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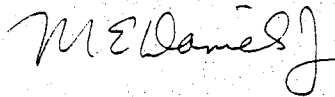
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Mitchell E. Daniels, Jr.
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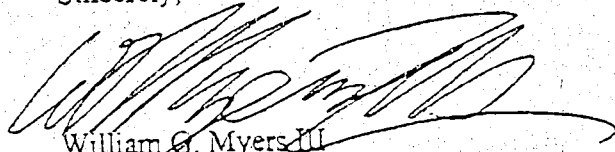
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William G. Myers III
Solicitor

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1895
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 02/05 01:33
 USAGE T 02'27
 PGS. SENT 6
 RESULT OK

SS/ RM NO. 505476

WHITE HOUSE STAFFING MEMORANDUM

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OFFICE OF MANAGEMENT AND BUDGET
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THE DIRECTOR

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SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

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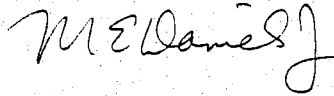
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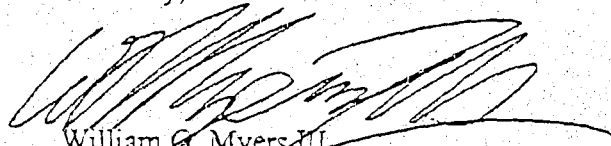
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TRANSMISSION OK

TX/RX NO 1894
 CONNECTION TEL 56958
 CONNECTION ID
 ST. TIME 02/05 01:29
 USAGE T 02'27
 PGS. SENT 6
 RESULT OK

SS/ RM NO. 505476

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
 Subject: REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
BRIDGELAND	☒	☐	LINDSEY	☒	☐
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FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO JIM JUKES, EXT. 53458, FAX 56148, NO LATER THAN 2:00 PM
 TUESDAY, 2-5-02, AND COPY TO STAFF SECRETARY. THANK YOU.

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PMSubject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
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RESPONSE:

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 04 PM 5:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of
2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
Council on Environmental Quality (CEQ)	Approval (Informally)
Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
Office of the United States Trade Representative	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

H.R. 700 makes changes to the Asian Elephant Conservation Act and the National Fish and Wildlife Foundation Establishment Act as described below.

Asian Elephant Conservation Act. The Asian elephant, of which only 40,000 are estimated to exist in the wild in thirteen South and Southeast Asian countries, is listed as an endangered species under the Endangered Species Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The decline of the species has resulted from several factors, including forest habitat reduction, poaching for ivory and meat, and capture for domestication.

In 1997, Congress enacted the Asian Elephant Conservation Act (P.L. 105-96), which authorized the Secretary of the Interior, in consultation with the AID Administrator, to make grants for Asian elephant conservation projects. The Act established the Asian Elephant Conservation Fund, consisting of appropriations and donations, to provide funding for conservation grants. The Act also authorized appropriations of up to \$5 million annually for FYs 1998 through 2002 for the Fund. For FY 2002, Congress appropriated \$1 million for the Fund, consistent with your Budget request.

H.R. 700 would extend the authorization of appropriations of up to \$5 million annually for the Asian Elephant Conservation Fund through FY 2007 and limit the amounts to be spent on administrative costs to the greater of three percent of available funds or \$80,000. The enrolled bill would require Interior, when evaluating which projects to fund, to consider those projects that ensure effective long-term conservation efforts. The Department would be authorized to establish an advisory panel comprised of individuals representing public and private organizations involved in the conservation of Asian elephants to increase public participation in the program.

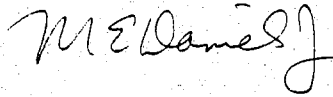
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National Fish and Wildlife Foundation. In 1984, P.L. 98-244 established the National Fish and Wildlife Foundation as a charitable, nonprofit corporation. It is authorized to accept and administer private, State, and local contributions to support conservation efforts of Interior's Fish and Wildlife Service and Commerce's National Oceanic and Atmospheric Administration. In support of these efforts, Congress has authorized appropriations for the Foundation to match these contributions on a one-to-one basis. In 2000, Congress authorized \$20 million to Interior and \$5 million to Commerce for each of FYs 2001 through 2003. H.R. 700 extends the appropriation authorizations for both agencies through FY 2005 and increases the amount authorized for Interior to \$25 million annually.

Conclusion and Recommendations

In its views letter, the Department of the Interior recommends approval, advising that implementation of the Asian Elephant Conservation program "has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species."

We join Interior, AID, and CEQ in recommending the approval of H.R. 700, which originally passed the House by voice vote and passed the Senate amended by unanimous consent. The House concurred in the Senate amendment by a vote of 349-23.

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

Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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

Dear Mr. Daniels:

This responds to your request for the Department of the Interior's (Department) views on enrolled bill H.R. 700, the Asian Elephant Conservation Reauthorization Act of 2001. We recommend that the President approve this enrolled bill.

Asian elephants have experienced dramatic population declines as a result of habitat loss and poaching. The loss of important forest cover to village and agricultural uses has fragmented elephant habitat and populations. It is currently believed that there are only about ten elephant populations with over 1,000 elephants. Half of these populations are found in India, and the majority are small, consisting of less than 100 elephants.

In response to concerns over the status of Asian elephants, Congress enacted the Asian Elephant Conservation Act in 1997. Like its predecessors, the African Elephant and Rhinoceros and Tiger Conservation Acts, it follows the small grants model as its blueprint for success. The Act has enabled the U.S. Fish and Wildlife Service (Service) to develop a grants program that encourages proposals for protection of at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, and support of efforts to decrease human-elephant conflicts.

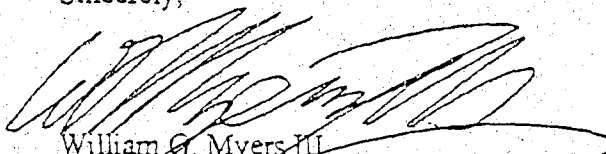
Like the two multi-species conservation fund programs mentioned above, this program employs a cooperative approach — each funded project is a concerted effort with local range country governments, non-governmental organizations, CITES Management Authorities, and private sector entities with experience in Asian elephant conservation. The program has also garnered significant support, and has leveraged a 1:1 financial match of appropriated funds, dramatically increasing its conservation impact.

The bill was amended in several respects after introduction. First, a provision was added at Section 4 to allow the Secretary of the Interior to appoint an advisory group to help

raise public awareness of and support for this program and its goals. The Department believes that this provision, modeled after similar provisions included in the conservation programs for great apes and neotropical migratory birds, will provide expanded private sector involvement in this conservation effort, further increasing the leveraging power of the grant program. Another change limited the amount of funds that may be spent by the Service on administrative expenses to the greater of 3 percent or \$80,000 of the amount made available each fiscal year to carry out the Act. Language was also added at Section 6 to reauthorize the National Fish and Wildlife Foundation (Foundation) until 2005 and increase the authorized appropriation to the Department for funding the Foundation to \$25 million a year for that period. Finally, a number of technical and conforming amendments were made.

The Department believes that implementation of this program and its focus on cooperative, on-the-ground, conservation projects has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species. Accordingly, we recommend that the President approve this enrolled bill.

Sincerely,

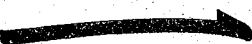


William G. Myers III
Solicitor

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PMSubject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
REAUTHORIZATION ACT OF 2002

OFFICE OF THE

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD 	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
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RESPONSE:

John ARC

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 04 PM 152

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
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Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
Office of the United States Trade Representative	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

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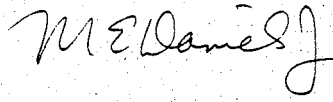
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United States Department of the Interior

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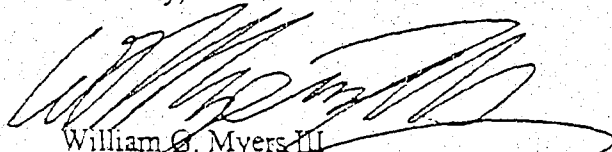
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Sincerely,



William G. Myers III
Solicitor

SS/ RM NO.

505476

02 FEB 5 AM 8:57

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02

ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION

Subject: REAUTHORIZATION ACT OF 2002

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RESPONSE:

No comments
ref

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

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

02 FEB 5 AM 9:06

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION

Subject: REAUTHORIZATION ACT OF 2002

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RESPONSE:

cc Jay
Jim C

Harriet E. Miers
Assistant to the President
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Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
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February 4, 2002

MEMORANDUM FOR THE PRESIDENT

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Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
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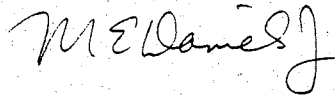
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Mitchell E. Daniels, Jr.
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Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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Director, Office of Management and Budget
Attention: Assistant Director for Legislative Resources
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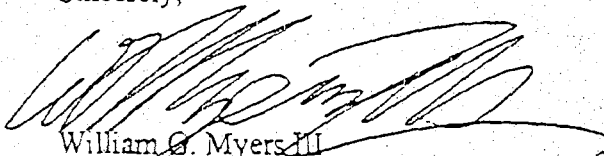
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Solicitor

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PMSubject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
REAUTHORIZATION ACT OF 2002

'02 FEB 5 AM 10:19

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
BRIDGELAND	☒	☐	LINDSEY	☒	☐
CALIO 	☒	☐	MIERS	☐	☒
CONNAUGHTON	☒	☐	RICE	☒	☐
DANIELS	☐	☒	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO JIM JUKES, EXT. 53458, FAX 56148, NO LATER THAN 2:00 PM TUESDAY, 2-5-02, AND COPY TO STAFF SECRETARY. THANK YOU.

RESPONSE:

*Legislation Affair (Howard) - sh*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 04 PM 152

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
Council on Environmental Quality (CEQ)	Approval (Informally)
Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
Office of the United States Trade Representative	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

H.R. 700 makes changes to the Asian Elephant Conservation Act and the National Fish and Wildlife Foundation Establishment Act as described below.

Asian Elephant Conservation Act. The Asian elephant, of which only 40,000 are estimated to exist in the wild in thirteen South and Southeast Asian countries, is listed as an endangered species under the Endangered Species Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The decline of the species has resulted from several factors, including forest habitat reduction, poaching for ivory and meat, and capture for domestication.

In 1997, Congress enacted the Asian Elephant Conservation Act (P.L. 105-96), which authorized the Secretary of the Interior, in consultation with the AID Administrator, to make grants for Asian elephant conservation projects. The Act established the Asian Elephant Conservation Fund, consisting of appropriations and donations, to provide funding for conservation grants. The Act also authorized appropriations of up to \$5 million annually for FYs 1998 through 2002 for the Fund. For FY 2002, Congress appropriated \$1 million for the Fund, consistent with your Budget request.

H.R. 700 would extend the authorization of appropriations of up to \$5 million annually for the Asian Elephant Conservation Fund through FY 2007 and limit the amounts to be spent on administrative costs to the greater of three percent of available funds or \$80,000. The enrolled bill would require Interior, when evaluating which projects to fund, to consider those projects that ensure effective long-term conservation efforts. The Department would be authorized to establish an advisory panel comprised of individuals representing public and private organizations involved in the conservation of Asian elephants to increase public participation in the program.

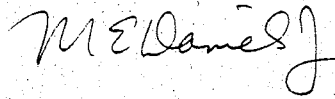
The enrolled bill also makes technical changes to the Multinational Species Conservation Fund, which was established to accept donations for assistance under the Rhinoceros and Tiger Conservation Act, the African Elephant Conservation Act, and the Asian Elephant Conservation Act.

National Fish and Wildlife Foundation. In 1984, P.L. 98-244 established the National Fish and Wildlife Foundation as a charitable, nonprofit corporation. It is authorized to accept and administer private, State, and local contributions to support conservation efforts of Interior's Fish and Wildlife Service and Commerce's National Oceanic and Atmospheric Administration. In support of these efforts, Congress has authorized appropriations for the Foundation to match these contributions on a one-to-one basis. In 2000, Congress authorized \$20 million to Interior and \$5 million to Commerce for each of FYs 2001 through 2003. H.R. 700 extends the appropriation authorizations for both agencies through FY 2005 and increases the amount authorized for Interior to \$25 million annually.

Conclusion and Recommendations

In its views letter, the Department of the Interior recommends approval, advising that implementation of the Asian Elephant Conservation program "has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species."

We join Interior, AID, and CEQ in recommending the approval of H.R. 700, which originally passed the House by voice vote and passed the Senate amended by unanimous consent. The House concurred in the Senate amendment by a vote of 349-23.

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

Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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

Dear Mr. Daniels:

This responds to your request for the Department of the Interior's (Department) views on enrolled bill H.R. 700, the Asian Elephant Conservation Reauthorization Act of 2001. We recommend that the President approve this enrolled bill.

Asian elephants have experienced dramatic population declines as a result of habitat loss and poaching. The loss of important forest cover to village and agricultural uses has fragmented elephant habitat and populations. It is currently believed that there are only about ten elephant populations with over 1,000 elephants. Half of these populations are found in India, and the majority are small, consisting of less than 100 elephants.

In response to concerns over the status of Asian elephants, Congress enacted the Asian Elephant Conservation Act in 1997. Like its predecessors, the African Elephant and Rhinoceros and Tiger Conservation Acts, it follows the small grants model as its blueprint for success. The Act has enabled the U.S. Fish and Wildlife Service (Service) to develop a grants program that encourages proposals for protection of at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, and support of efforts to decrease human-elephant conflicts.

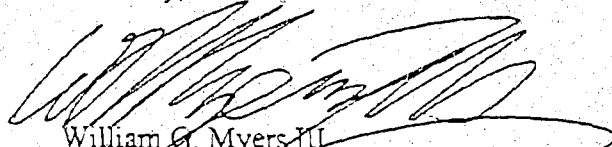
Like the two multi-species conservation fund programs mentioned above, this program employs a cooperative approach — each funded project is a concerted effort with local range country governments, non-governmental organizations, CITES Management Authorities, and private sector entities with experience in Asian elephant conservation. The program has also garnered significant support, and has leveraged a 1:1 financial match of appropriated funds, dramatically increasing its conservation impact.

The bill was amended in several respects after introduction. First, a provision was added at Section 4 to allow the Secretary of the Interior to appoint an advisory group to help

raise public awareness of and support for this program and its goals. The Department believes that this provision, modeled after similar provisions included in the conservation programs for great apes and neotropical migratory birds, will provide expanded private sector involvement in this conservation effort, further increasing the leveraging power of the grant program. Another change limited the amount of funds that may be spent by the Service on administrative expenses to the greater of 3 percent or \$80,000 of the amount made available each fiscal year to carry out the Act. Language was also added at Section 6 to reauthorize the National Fish and Wildlife Foundation (Foundation) until 2005 and increase the authorized appropriation to the Department for funding the Foundation to \$25 million a year for that period. Finally, a number of technical and conforming amendments were made.

The Department believes that implementation of this program and its focus on cooperative, on-the-ground, conservation projects has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species. Accordingly, we recommend that the President approve this enrolled bill.

Sincerely,



William G. Myers III
Solicitor

SS/ RM NO. 505476

EXEC. OFC. PRESIDENT
COUNSEL TO THE PRESIDENT
WHITE HOUSE STAFFING MEMORANDUM

Ryle

Date: 2-4-02 707 FEB -5 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

Subject: **ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
REAUTHORIZATION ACT OF 2002**

02 FEB 5 PM 12:10

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
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GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

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WHCO has no objection.

RESPONSE:

JS

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

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION

02 FEB 5 PM 2:34

Subject: REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
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GONZALES	☒	☐	CLERK	☐	☒
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OK-NEC

RESPONSE:

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 04 15:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

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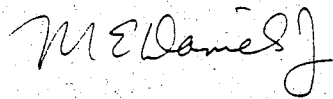
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Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

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Attention: Assistant Director for Legislative Resources
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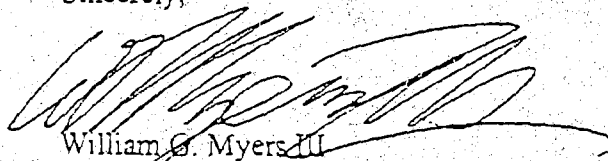
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Sincerely,



William G. Myers III
Solicitor



OFFICE OF THE VICE PRESIDENT
WASHINGTON

'02 FEB 5 PM 2:25

February 5, 2002

MEMORANDUM FOR JAMES JUKES

ASSISTANT DIRECTOR, OMB

FROM:

JONATHAN BURKS *JB*

DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT:

**Enrolled Bill H.R. 700 – Asian Elephant Conservation
Reauthorization Act of 2002**

The Office of the Vice President has reviewed the above-referenced draft and has no comments.

**cc: Harriet Miers
Staff Secretary**

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

7:07 FEB 5 PM '02

Subject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
 REAUTHORIZATION ACT OF 2002

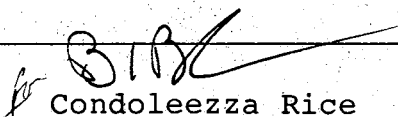
	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
BRIDGELAND	☒	☐	LINDSEY	☒	☐
CALIO	☒	☐	MIERS	☐	☒
CONNAUGHTON	☒	☐	RICE 	☒	☐
DANIELS	☐	☒	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

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February 5, 2002

RESPONSE: NSC has no comment.


 Condoleezza Rice
 Assistant to the President
 for National Security
 Affairs

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 04 09:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

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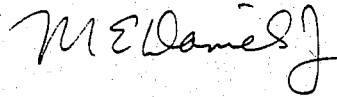
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Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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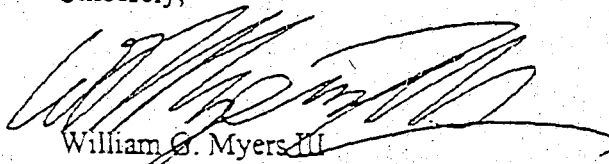
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William G. Myers III
Solicitor

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PMSubject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
REAUTHORIZATION ACT OF 2002

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BRIDGELAND	☒	☐	LINDSEY	☒	☐
CALIO	☒	☐	MIERS	☒	☒
CONNAUGHTON	☒	☐	RICE	☒	☐
DANIELS	☐	☒	RIDGE	☐	☐
FLEISCHER	☒	☐	ROVE	☒	☐
GERSON	☐	☐	SPELLINGS	☒	☐
GONZALES	☒	☐	CLERK	☐	☒
HAGIN	☐	☐	OTHER	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO JIM JUKES, EXT. 53458, FAX 56148, NO LATER THAN 2:00 PM TUESDAY, 2-5-02, AND COPY TO STAFF SECRETARY. THANK YOU.

RESPONSE:

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 04 PM 5:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of
2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

Purpose

Reauthorizes appropriations for: (1) the Asian Elephant Conservation Fund through FY 2007; and (2) the National Fish and Wildlife Foundation through FY 2005.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
Council on Environmental Quality (CEQ)	Approval (Informally)
Department of Commerce	No objection (Informally)
Department of Justice	No objection (Informally)
Department of State	No objection (Informally)
Department of the Treasury	No objection (Informally)
Office of the United States Trade Representative	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

H.R. 700 makes changes to the Asian Elephant Conservation Act and the National Fish and Wildlife Foundation Establishment Act as described below.

Asian Elephant Conservation Act. The Asian elephant, of which only 40,000 are estimated to exist in the wild in thirteen South and Southeast Asian countries, is listed as an endangered species under the Endangered Species Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The decline of the species has resulted from several factors, including forest habitat reduction, poaching for ivory and meat, and capture for domestication.

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H.R. 700 would extend the authorization of appropriations of up to \$5 million annually for the Asian Elephant Conservation Fund through FY 2007 and limit the amounts to be spent on administrative costs to the greater of three percent of available funds or \$80,000. The enrolled bill would require Interior, when evaluating which projects to fund, to consider those projects that ensure effective long-term conservation efforts. The Department would be authorized to establish an advisory panel comprised of individuals representing public and private organizations involved in the conservation of Asian elephants to increase public participation in the program.

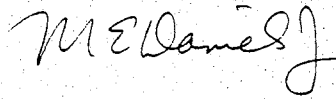
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Conclusion and Recommendations

In its views letter, the Department of the Interior recommends approval, advising that implementation of the Asian Elephant Conservation program "has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species."

We join Interior, AID, and CEQ in recommending the approval of H.R. 700, which originally passed the House by voice vote and passed the Senate amended by unanimous consent. The House concurred in the Senate amendment by a vote of 349-23.

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Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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

Dear Mr. Daniels:

This responds to your request for the Department of the Interior's (Department) views on enrolled bill H.R. 700, the Asian Elephant Conservation Reauthorization Act of 2001. We recommend that the President approve this enrolled bill.

Asian elephants have experienced dramatic population declines as a result of habitat loss and poaching. The loss of important forest cover to village and agricultural uses has fragmented elephant habitat and populations. It is currently believed that there are only about ten elephant populations with over 1,000 elephants. Half of these populations are found in India, and the majority are small, consisting of less than 100 elephants.

In response to concerns over the status of Asian elephants, Congress enacted the Asian Elephant Conservation Act in 1997. Like its predecessors, the African Elephant and Rhinoceros and Tiger Conservation Acts, it follows the small grants model as its blueprint for success. The Act has enabled the U.S. Fish and Wildlife Service (Service) to develop a grants program that encourages proposals for protection of at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, and support of efforts to decrease human-elephant conflicts.

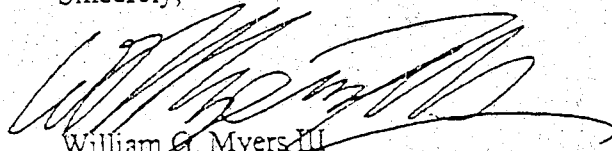
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The bill was amended in several respects after introduction. First, a provision was added at Section 4 to allow the Secretary of the Interior to appoint an advisory group to help

raise public awareness of and support for this program and its goals. The Department believes that this provision, modeled after similar provisions included in the conservation programs for great apes and neotropical migratory birds, will provide expanded private sector involvement in this conservation effort, further increasing the leveraging power of the grant program. Another change limited the amount of funds that may be spent by the Service on administrative expenses to the greater of 3 percent or \$80,000 of the amount made available each fiscal year to carry out the Act. Language was also added at Section 6 to reauthorize the National Fish and Wildlife Foundation (Foundation) until 2005 and increase the authorized appropriation to the Department for funding the Foundation to \$25 million a year for that period. Finally, a number of technical and conforming amendments were made.

The Department believes that implementation of this program and its focus on cooperative, on-the-ground, conservation projects has had a positive impact on the conservation of the Asian elephant, and has played an indirect role in the conservation of numerous other species. Accordingly, we recommend that the President approve this enrolled bill.

Sincerely,



William G. Myers III
Solicitor

WHITE HOUSE STAFFING MEMORANDUM

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PMSubject: ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
REAUTHORIZATION ACT OF 2002

02 FEB 5 PM 4:33

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
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Harriet E. Miers
 Assistant to the President
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 Ext. 62702



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

02 FEB 04 PM 5:52

THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 700 - Asian Elephant Conservation Reauthorization Act of 2002
Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

February 12, 2002 - Tuesday

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Office of Management and Budget	Approval
Department of the Interior	Approval
Agency for International Development (AID)	Approval (Informally)
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Environmental Protection Agency	No comment (Informally)

Discussion

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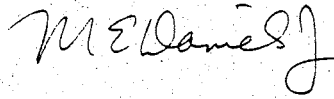
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Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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

Dear Mr. Daniels:

This responds to your request for the Department of the Interior's (Department) views on enrolled bill H.R. 700, the Asian Elephant Conservation Reauthorization Act of 2001. We recommend that the President approve this enrolled bill.

Asian elephants have experienced dramatic population declines as a result of habitat loss and poaching. The loss of important forest cover to village and agricultural uses has fragmented elephant habitat and populations. It is currently believed that there are only about ten elephant populations with over 1,000 elephants. Half of these populations are found in India, and the majority are small, consisting of less than 100 elephants.

In response to concerns over the status of Asian elephants, Congress enacted the Asian Elephant Conservation Act in 1997. Like its predecessors, the African Elephant and Rhinoceros and Tiger Conservation Acts, it follows the small grants model as its blueprint for success. The Act has enabled the U.S. Fish and Wildlife Service (Service) to develop a grants program that encourages proposals for protection of at-risk elephant populations, habitat and ecosystem conservation and management, applied research including surveys and monitoring, conservation education, protected area management, and support of efforts to decrease human-elephant conflicts.

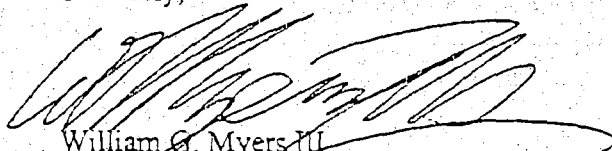
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Sincerely,



William G. Myers III
Solicitor

WHITE HOUSE STAFFING MEMORANDUM

02 FEB 5 PM 5:18

Date: 2-4-02 ACTION / CONCURRENCE / COMMENT DUE BY: 2-5-02, 2:00 PM

ENROLLED BILL H.R. 700 -- ASIAN ELEPHANT CONSERVATION
 Subject: REAUTHORIZATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HAWKINS	☒	☐
CARD	☒	☐	HUBBARD	☒	☐
BARTLETT	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
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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

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THE DIRECTOR

February 4, 2002

MEMORANDUM FOR THE PRESIDENT

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Sponsors - Rep. Saxton (R) NJ and 2 others

Last Day for Action

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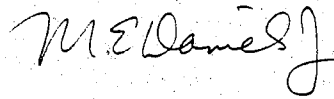
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Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

JAN 28 2002

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Director, Office of Management and Budget
Attention: Assistant Director for Legislative Resources
Washington, D.C. 20503

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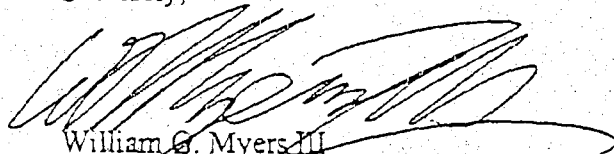
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Sincerely,



William G. Myers III
Solicitor

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 reauthorize the Asian Elephant Conservation Act of 1997.

*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 "Asian Elephant Conservation Reauthorization Act of 2002".

SEC. 2. REAUTHORIZATION OF ASIAN ELEPHANT CONSERVATION ACT OF 1997.

Section 7 of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4266) is amended by striking "1998" and all that follows through "2002" and inserting "2001, 2002, 2003, 2004, 2005, 2006, and 2007".

SEC. 3. LIMITATION ON ADMINISTRATIVE EXPENSES.

Section 7 of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4266) is further amended—

(1) by striking "There are authorized" and inserting "(a) IN GENERAL.—There is authorized"; and

(2) by adding at the end the following:

"(b) ADMINISTRATIVE EXPENSES.—Of amounts available each fiscal year to carry out this Act, the Secretary may expend not more than 3 percent or \$80,000, whichever is greater, to pay the administrative expenses necessary to carry out this Act."

SEC. 4. COOPERATION.

The Asian Elephant Conservation Act of 1997 is further amended by redesignating section 7 (16 U.S.C. 4266) as section 8, and by inserting after section 6 the following:

"SEC. 7. ADVISORY GROUP.

"(a) IN GENERAL.—To assist in carrying out this Act, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of Asian elephants.

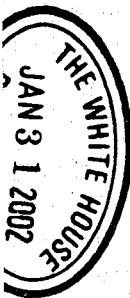
"(b) PUBLIC PARTICIPATION.—

"(1) MEETINGS.—The Advisory Group shall—

"(A) ensure that each meeting of the advisory group is open to the public; and

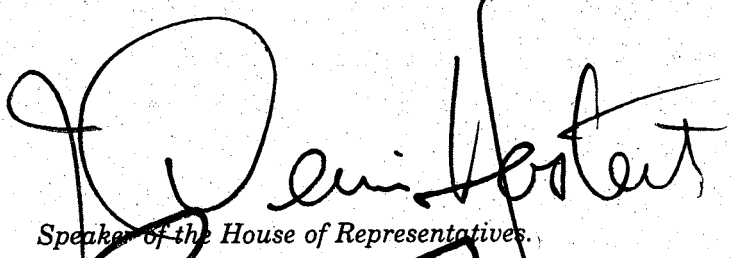
"(B) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

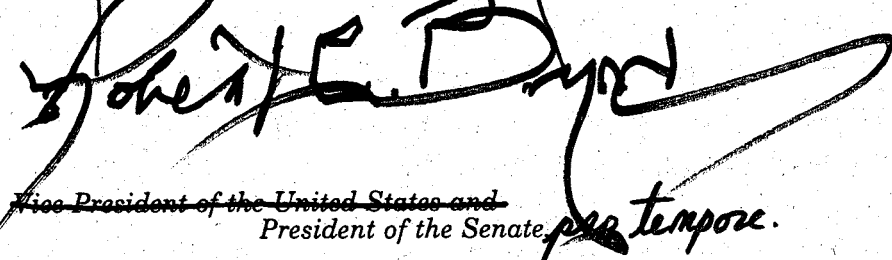
"(2) NOTICE.—The Secretary shall provide to the public timely notice of each meeting of the advisory group.



H. R. 700—3

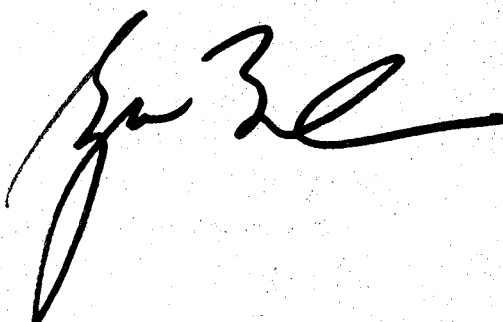
(2) in subparagraph (A), by striking "\$20,000,000" and inserting "\$25,000,000".


Speaker of the House of Representatives.

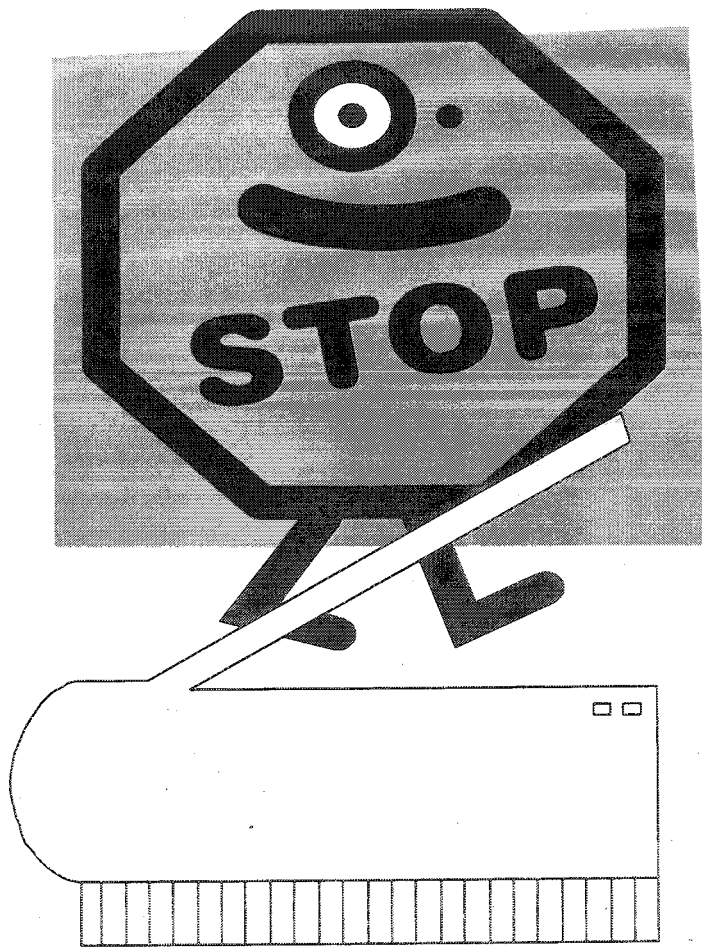

~~Vice President of the United States and~~
President of the Senate, *per tempore*.

APPROVED

FEB 12 2002



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Scanning insert sheet



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For Immediate Release

February 12, 2002

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.

George W. Bush Presidential Library

Collection: Executive Clerk, Office of the

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

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

Withdrawn/Redacted Material

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)]

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

- 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 advise 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).

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- 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 06 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)

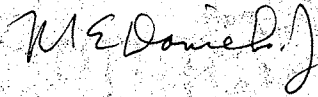
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H.R. 1937 would authorize the Secretary of the Interior to conduct three studies to investigate the feasibility of providing drinking water and water distribution systems to meet the future water needs of three Indian Tribes in Washington State. Specifically, 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



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

*Began 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: 2-6-02

ACTION / 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

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VICE PRESIDENT	☐	☐	HAWKINS	☐	☐
CARD	☒	☒	HUBBARD	☐	☐
BARTLETT	☐	☐	HUGHES	☐	☐
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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)

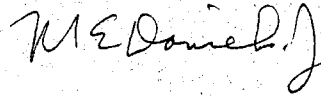
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H.R. 1937 would authorize the Secretary of the Interior to conduct three studies to investigate the feasibility of providing drinking water and water distribution systems to meet the future water needs of three Indian Tribes in Washington State. Specifically, 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.

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Mitchell E. Daniels, Jr.
Director

Enclosures



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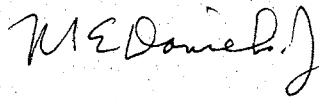
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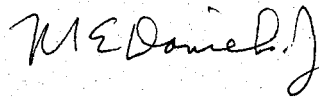
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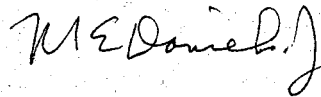
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Subject: OF 2002

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REMARKS:

For your information only.

RESPONSE:

Harriet E. Miers
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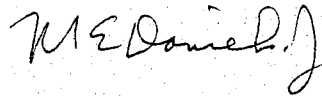
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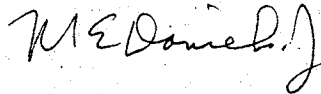
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Enclosures

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AT THE SECOND SESSION

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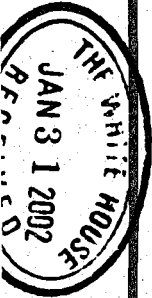
Speaker of the House of Representatives.

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

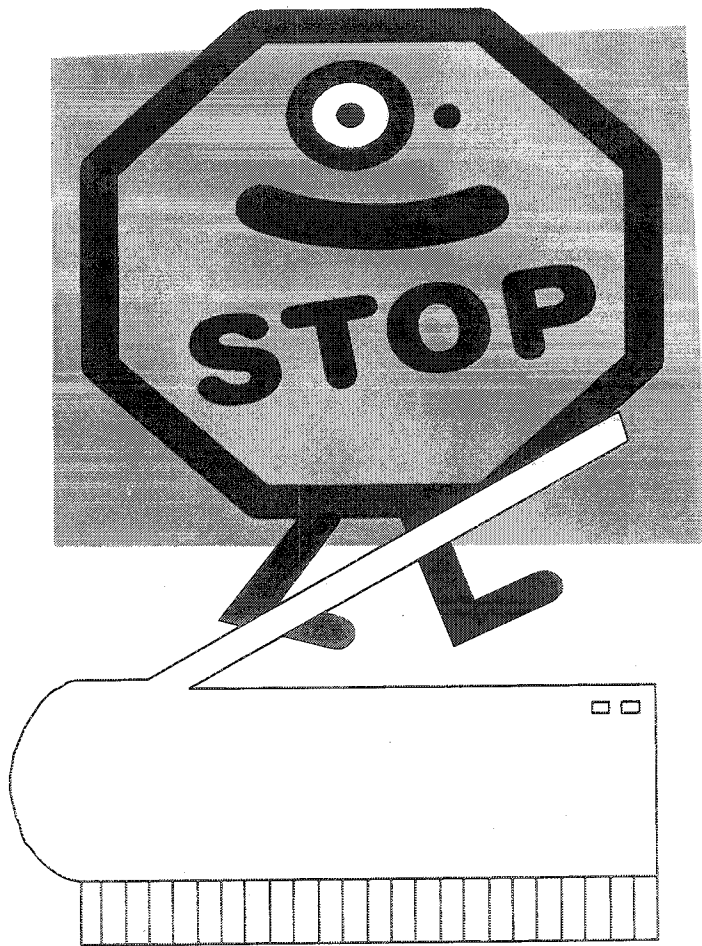
APPROVED

FEB 12 2002

[Signature]



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

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

February 12, 2002

STATEMENT BY THE PRESS SECRETARY

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