

George W. Bush Presidential Library

Collection: Executive Clerk, Office of the

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

Folder Title: 10/11/2002 [S. 1175] [771491]

LAW_M

771491

FG006-01

Barcode Scanning Sheet



Collection Code: **SECLOG**

Staff Name:

Document Date:

Correspondent: **TIM SAUNDERS**

Subject/Description: **OVERSIZE ATTACHMENT # 9468 NARA # 9359 BOX 4
FOLDER 4A BILL FILE RECEIVED FROM THE OFFICE OF
THE EXECUTIVE CLERK - OCT 11 02 ENROLLED BILL S.
1175 - VICKSBURG NATIONAL MILITARY PARK
BOUNDARY MODIFICATION ACT OF 2002**



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

THE PRESIDENT HAS SEEN

APPROVED

October 4, 2002

OCT 11 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

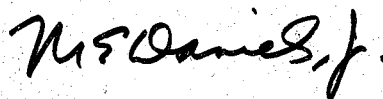
Pemberton's Headquarters is the building that Confederate Lt. General John C. Pemberton occupied during the siege of the city of Vicksburg, Mississippi, from May 23 to July 4, 1863. The building, a National Historic Landmark, is not currently included in the Vicksburg National Military Park because it is privately owned. DOI informally advises that the current owners would like to sell the property to the National Park Service.

S. 1175 would authorize DOI to acquire, by purchase, donation, or exchange and with the consent of the current owners, Pemberton's Headquarters, and up to one additional acre of nearby land for a parking facility. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service. The enrolled bill would authorize appropriations of such sums as may be necessary to carry out this Act.

Conclusion and Recommendations

Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

We join Interior in recommending approval of S. 1175, which passed the Senate by unanimous consent and the House by voice vote.



Mitchell E. Daniels, Jr.
Director

Enclosures

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 modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, and for other purposes.

*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 "Vicksburg National Military Park Boundary Modification Act of 2002".

SEC. 2. BOUNDARY MODIFICATION.

The boundary of Vicksburg National Military Park is modified to include the property known as Pemberton's Headquarters, as generally depicted on the map entitled "Boundary Map, Pemberton's Headquarters at Vicksburg National Military Park", numbered 306/80015A, and dated August, 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

SEC. 3. ACQUISITION OF PROPERTY.

(a) PEMBERTON'S HEADQUARTERS.—The Secretary of the Interior is authorized to acquire the properties described in section 2 and 3(b) by purchase, donation, or exchange, except that each property may only be acquired with the consent of the owner thereof.

(b) PARKING.—The Secretary is also authorized to acquire not more than one acre of land, or interest therein, adjacent to or near Pemberton's Headquarters for the purpose of providing parking and other facilities related to the operation of Pemberton's Headquarters. Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion.

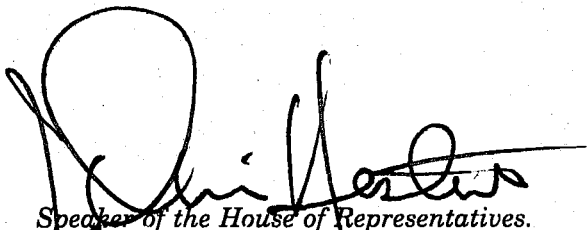
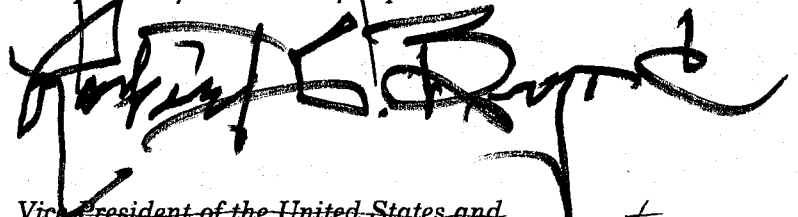
SEC. 4. ADMINISTRATION.

The Secretary shall administer any properties acquired under this Act as part of the Vicksburg National Military Park in accordance with applicable laws and regulations.

S. 1175—2

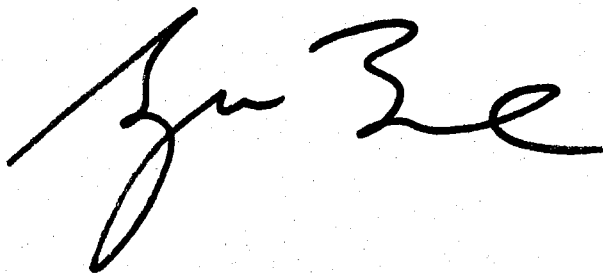
SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

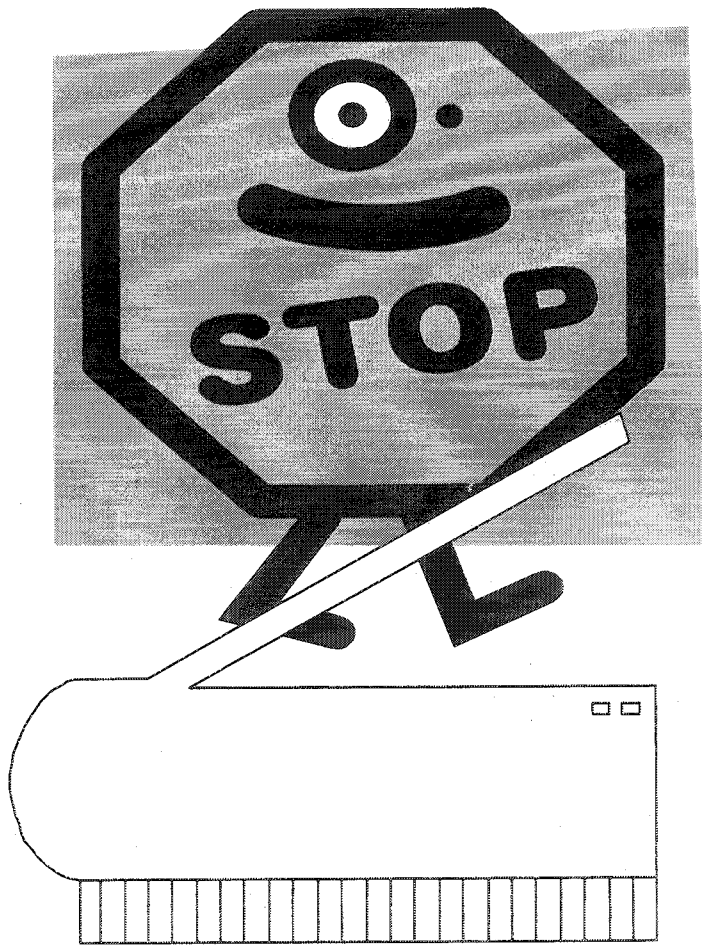

Speaker of the House of Representatives.

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

APPROVED

OCT 11 2002



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Scanning insert sheet



Remainder of case not scanned

Bills Received at the White House

Date received and
notification to OMB: **9/30/2002**
Last day for action: **10/11/2002**

Official Title		
S.1175	An Act to modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, and for other purposes.	521754

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM

Subject: ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
MODIFICATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT <i>Concurs</i>	☒	☐	HUBBARD <i>ok</i>	☒	☐
CARD <i>ok</i>	☒	☐	IRASTORZA	☐	☐
BARTLETT <i>ok</i>	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN <i>ML</i>	☒	☐	MARBURGER	☐	☐
BRIDGELAND <i>ok</i>	☒	☐	MIERS	☐	☒
CALIO <i>ok</i>	☒	☐	RICE	☒	☐
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DANIELS	☒	☐	ROVE <i>NIC</i>	☒	☐
FLEISCHER	☒	☐	SPELLINGS <i>ok</i>	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES <i>ok</i>	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 5:00 PM TODAY AND SEND A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

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

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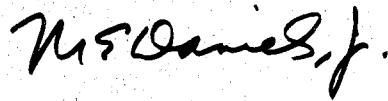
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Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

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CONNECTION ID		
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SS/ RM NO. 521753

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM

ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
 Subject: MODIFICATION ACT OF 2002

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VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
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RESPONSE:

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

 *** TX REPORT ***

TRANSMISSION OK

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SS/ RM NO. 521753

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HAWKINS	☒	☐		☐	☐

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 THE CHIEF SECRETARY. THANK YOU

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ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
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RESPONSE:

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

 *** TX REPORT ***

TRANSMISSION OK

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SS/ RM NO. 521753

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1672
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 10/04 14:12
 USAGE T 00'52
 PGS. SENT 3
 RESULT OK

SS/ RM NO. 521753

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 *** TX REPORT ***

TRANSMISSION OK

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BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☒	☐	MIERS	☐	☒
CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☒	☐	RIDGE	☒	☐
DANIELS	☒	☐	ROVE	☒	☐
FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 5:00 PM TODAY AND SEND A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

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

 *** ERROR TX REPORT ***

TX FUNCTION WAS NOT COMPLETED

TX/RX NO 1674
 CONNECTION TEL 6*090
 CONNECTION ID
 ST. TIME 10/04 14:21
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 RESULT NG #018

SS/ RM NO. 521753

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM

Subject: ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
MODIFICATION ACT OF 2002

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

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GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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PLEASE FORWARD YOUR COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 5:00 PM TODAY AND SEND A COPY TO THE 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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

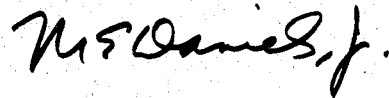
Pemberton's Headquarters is the building that Confederate Lt. General John C. Pemberton occupied during the siege of the city of Vicksburg, Mississippi, from May 23 to July 4, 1863. The building, a National Historic Landmark, is not currently included in the Vicksburg National Military Park because it is privately owned. DOI informally advises that the current owners would like to sell the property to the National Park Service.

S. 1175 would authorize DOI to acquire, by purchase, donation, or exchange and with the consent of the current owners, Pemberton's Headquarters, and up to one additional acre of nearby land for a parking facility. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service. The enrolled bill would authorize appropriations of such sums as may be necessary to carry out this Act.

Conclusion and Recommendations

Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

We join Interior in recommending approval of S. 1175, which passed the Senate by unanimous consent and the House by voice vote.

A handwritten signature in black ink, reading "Mr. Daniels, Jr." in a cursive style.

Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

SEP 27 2002

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

M. E. Daniels
Dear Mr. Daniels:

This responds to your request for the Department of the Interior's (Department) views on enrolled bill S. 1175, which would modify the boundary of Vicksburg National Military Park in Vicksburg, Mississippi, to include the property known as Pemberton's Headquarters. The enrolled bill would also enable the National Park Service to acquire this property from a willing seller and administer it as part of the park. We recommend that the President approve this enrolled bill.

Confederate Lt. General John C. Pemberton occupied this building during the siege of the city of Vicksburg led by Union Major General Ulysses S. Grant from May 23 to July 4, 1863. It was in this building that Pemberton held a council of his chief officers on July 3, 1863 to discuss plans for surrender of the city, which occurred the following day. The campaign for Vicksburg is considered by many military historians to have been the most critical campaign of the Civil War, as it severed the Confederacy geographically and cut vital supply lines to the Confederate states and thus was pivotal in bringing about the Confederacy's defeat.

The national significance of Pemberton's Headquarters was recognized through its designation as a National Historic Landmark in 1976. The building, which was constructed from 1834-1836, is located in Vicksburg's historic district. It is adjacent to Balfour House, which served as the headquarters for the Union occupation forces following the surrender and is open to the public. It is also four blocks from the historic Warren County Courthouse, where the military administration of the occupied city was conducted through Reconstruction.

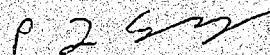
A visitor site at this location would give the National Park Service the opportunity not only to expand its interpretation of the siege of Vicksburg, but also to interpret historical events in the years immediately following the Union victory there. It would help the National Park Service fulfill legislation passed by Congress in 1990 calling on the park to "interpret the campaign and siege of Vicksburg from April 1862 to July 4, 1863, and the history of Vicksburg under Union Occupation during the Civil War and Reconstruction." Acquisition of Pemberton Headquarters

for inclusion in Vicksburg National Military Park would also fulfill the vision of the Union and Confederate veterans who, in 1895, petitioned Congress to establish a national military park at Vicksburg similar to those previously established at Chickamauga and Chattanooga, Antietam, Shiloh, and Gettysburg.

At the Senate hearing in July 2001, the Department recommended that the bill be amended to include language authorizing the Secretary of the Interior to acquire property near Pemberton's Headquarters for use as off-street parking and related visitor or administrative facilities. As a result, the bill was amended in Committee to provide for acquisition of not more than one acre of land adjacent to the headquarters for these uses. The enrolled version of the bill contains this provision.

We believe that Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area. Accordingly, we recommend that the President approve this enrolled bill.

Sincerely,



P. Lynn Scarlett
Assistant Secretary
Policy, Management and Budget

VICKSBURG NATIONAL MILITARY PARK BOUNDARY
MODIFICATION ACT OF 2001

JUNE 27, 2002.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 1175]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1175) to modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, and for other purposes, have considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vicksburg National Military Park Boundary Modification Act of 2002".

SEC. 2. BOUNDARY MODIFICATION.

The boundary of Vicksburg National Military Park is modified to include the property known as Pemberton's Headquarters, as generally depicted on the map entitled "Boundary Map, Pemberton's Headquarters at Vicksburg National Military Park", numbered 306/80015A, and dated August, 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

SEC. 3. ACQUISITION OF PROPERTY.

(a) **PEMBERTON'S HEADQUARTERS.**—The Secretary of the Interior is authorized to acquire the properties described in section 2 and 3(b) by purchase, donation, or exchange, except that each property may only be acquired with the consent of the owner thereof.

(b) **PARKING.**—The Secretary is also authorized to acquire not more than one acre of land, or interest therein, adjacent to or near Pemberton's Headquarters for the purpose of providing parking and other facilities related to the operation of Pemberton's Headquarters. Upon the acquisition of the property referenced in this subsection, the Secretary shall add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion.

SEC. 4. ADMINISTRATION.

The Secretary shall administer any properties acquired under this Act as part of the Vicksburg National Military Park in accordance with applicable laws and regulations.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

PURPOSE

The purpose of S. 1175 is to modify the boundary of Vicksburg National Military Park in Mississippi to include the property known as Pemberton's Headquarters.

BACKGROUND AND NEED

In 1895 Union and Confederate veterans organized the Vicksburg National Military Park Association to petition Congress to establish a national military park at Vicksburg. These associations recommended that the headquarters of both Union and Confederate commanders be included in the park. However, while the site of Union Major General Ulysses S. Grant's headquarters was included in the park, Confederate Lt. General John C. Pemberton's headquarters was left out because at the time the property was owned by a private party.

The Willis-Cowan house in the city of Vicksburg was built between 1834 and 1836. Between May 23 and July 4, 1863 the building served as the headquarters for Confederate Lt. General John C. Pemberton during the Union siege of the city of Vicksburg. It was in his first floor office that Pemberton met with his staff on July 3, 1863 and made the decision to surrender the city. The building is located adjacent to the Balfour House which later served as the headquarters for the Union occupation forces. Pemberton's Headquarters (Willis-Cowan House) received designation as a registered National Landmark in 1976.

In 1990 Congress enacted legislation (Public Law 101-442) which added as a new purpose to the interpretive program at Vicksburg National Military Park "the campaign and siege of Vicksburg from April 1862 to July 4, 1863, and the history of Vicksburg under Union occupation during the Civil War and Reconstruction." Currently the park lacks a site in Vicksburg for this purpose. The acquisition of Pemberton's Headquarters would provide such an opportunity.

LEGISLATIVE HISTORY

S. 1175 was introduced by Senators Lott and Cochran on July 12, 2001. The Subcommittee on National Parks held a hearing on the bill on July 31, 2001. The Committee on Energy and Natural Resources considered S. 1175 and adopted an amendment in the nature of a substitute at its business meeting on May 15, 2002. The Committee ordered the bill as amended favorably reported at its business meeting on June 5, 2002.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on June 5, 2002, by a voice vote of a quorum

present, recommends that the Senate pass S. 1175, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 1175, the Committee on Energy and Natural Resources recommended an amendment in the nature of a substitute. In addition to making clarifying and conforming changes, the amendment authorizes the Secretary of the Interior to purchase up to an acre of land for use as parking lot next to the site. The amendment is explained in detail in the section-by-section analysis below.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the Act the "Vicksburg National Military Park Boundary Modification Act of 2002."

Section 2 modifies the boundary of Vicksburg National Park to include the property known as Pemberton's Headquarters, as generally depicted on the referenced map.

Section 3(a) authorizes the Secretary of the Interior to acquire Pemberton's Headquarters site referenced in section 2 and the parking lot site referenced in subsection (b) by purchase, donation or exchange, except that each property may only be acquired from willing sellers.

Subsection (b) authorizes the Secretary up to an acre of land, or interest therein, adjacent to or near the Pemberton's Headquarters site to provide parking and other facilities related to the operation of the site. Upon acquisition of the parking site, the Secretary is directed to modify the boundaries of the park to reflect its inclusion.

Section 4 directs the Secretary to administer the properties acquired under this Act as part of Vicksburg National Military Park, in accordance with applicable laws and regulations.

Section 5 authorizes the appropriation of such sum as may be necessary to carry out the Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 17, 2002.

HON. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1175, the Vicksburg National Military Park Boundary Modification Act of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 1175—Vicksburg National Military Park Boundary Modification Act of 2002

S. 1175 would authorize the Department of the Interior to acquire an historic property, Pemberton's Headquarters, and an additional one acre of land (for a parking facility) in Vicksburg, Mississippi. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service (NPS).

CBO estimates that the cost of implementing S. 1175 would be about \$4 million, assuming appropriation of the necessary amounts. Of this amount, we estimate that less than \$1 million would be used to acquire Pemberton's Headquarters and the one-acre lot. The costs of restoring and interpreting the two properties and developing them for visitor use are uncertain because the NPS has not completed its planning and design process, but CBO estimates that such costs would probably be around \$3 million. Finally, we estimate that the costs to operate and maintain the house and lot would be about \$0.5 million annually. This estimate is based on information provided by the NPS.

The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 1175 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On June 14, 2002, CBO transmitted a cost estimate for H.R. 3307, the Vicksburg National Military Park Boundary Act, as ordered reported by the House Committee on Resources on May 22, 2002. The two versions of the legislation are very similar, and the costs are identical.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Peter H. Fontaine, Deputy Assistant for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1175. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1175.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF DENIS P. GALVIN, DEPUTY DIRECTOR,
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 1175, which would modify the boundary of Vicksburg National Military

Park in Vicksburg, Mississippi, to include the property known as Pemberton's Headquarters. S. 1175 would enable the National Park Service to acquire this property from a willing seller and administer it as part of the park. The bill authorizes such sums as necessary for this purpose.

The Department supports S. 1175, with an amendment. Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events the Vicksburg area.

Pemberton's Headquarters is the building that Confederate Lt. General John C. Pemberton occupied during the siege of the city of Vicksburg led by Union Major General Ulysses S. Grant from May 23 to July 4, 1863. It was in this building that Pemberton held a council of his chief officers on July 3, 1863 to discuss plans for surrender of the city, which occurred the following day. The campaign for Vicksburg is considered by many military historians to have been the most critical campaign of the Civil War, as it severed the Confederacy geographically and cut vital supply lines to the Confederate states and thus was pivotal in bringing about the Confederacy's defeat.

The national significance of Pemberton's Headquarters was recognized through its designation as a National Historic Landmark in 1976. The building, which was constructed from 1834-1836, is located in Vicksburg's historic district. It is adjacent to Balfour House, which served as the headquarters for the Union occupation forces following the surrender and is open to the public. And, it is four blocks from the historic Warren County Courthouse, where the military administration of the occupied city was conducted through Reconstruction. A visitor site at this location would give the National Park Service the opportunity not only to expand its interpretation of the siege of Vicksburg, but also to interpret historical events in the years immediately following the Union victory there. It would help the service fulfill legislation passed by Congress in 1990 calling on the park to "interpret the campaign and siege of Vicksburg from April 1862 to July 4, 1863, and the history of Vicksburg under Union Occupation during the Civil War and Reconstruction."

Acquisition of Pemberton Headquarters for inclusion in Vicksburg National Military Park would also fulfill the vision of the Union and Confederate veterans who, in 1895, petitioned Congress to establish a national military park at Vicksburg similar to those previously established at Chickamauga and Chattanooga, Antietam, Shiloh, and Gettysburg. Those veterans recommended that the headquarters of both Union and Confederate commanders be included in the park. However, while the site of Grant's headquarters was included in the park, that of Pemberton's was not due to the objections of the then-owner of the property. The current owner, who has used the building

for a bed-and-breakfast in recent years, would now like to sell the property to the National Park Service so that its place in history will be secure.

As you know, the Department is committed to the President's priority of eliminating the National Park Service's deferred maintenance backlog and is concerned about the development and life-cycle operational costs associated with expansion of parks already included in the National Park System. With that in mind, we have some concerns about the ability of the National Park Service to assume the costs of acquiring, preserving, and operating the Pemberton Headquarters property within current budget constraints.

The National Park Service has not yet done an appraisal of the property, but the agency's land acquisition experts have estimated that it might cost as much as \$700,000 to acquire. The service also does not have an estimate of the cost of preserving the building and the grounds and making the site accessible to visitors. Stabilizing the building alone would cost an estimated \$228,000, but the cost of more extensive preservation would need to be determined through studies. Those studies would cost an estimated \$191,000. The service has made a preliminary estimate that the cost of operating and maintaining the site would be approximately \$425,000 annually, but actual costs would depend on a number of unknown factors, including the extent of preservation done on the site.

The Department recommends that S. 1175 be amended to include language that would authorize the Secretary of the Interior to acquire property in the environs of Pemberton's Headquarters to use for off-street parking, as well as related visitor or administrative facilities, as no off-street parking currently exists at the site. This would increase acquisition, development, and operational costs of the site. We would be pleased to work with the committee to develop an amendment for that purpose.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 1175.

○

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 modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, and for other purposes.

*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 "Vicksburg National Military Park Boundary Modification Act of 2002".

SEC. 2. BOUNDARY MODIFICATION.

The boundary of Vicksburg National Military Park is modified to include the property known as Pemberton's Headquarters, as generally depicted on the map entitled "Boundary Map, Pemberton's Headquarters at Vicksburg National Military Park", numbered 306/80015A, and dated August, 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

SEC. 3. ACQUISITION OF PROPERTY.

(a) **PEMBERTON'S HEADQUARTERS.**—The Secretary of the Interior is authorized to acquire the properties described in section 2 and 3(b) by purchase, donation, or exchange, except that each property may only be acquired with the consent of the owner thereof.

(b) **PARKING.**—The Secretary is also authorized to acquire not more than one acre of land, or interest therein, adjacent to or near Pemberton's Headquarters for the purpose of providing parking and other facilities related to the operation of Pemberton's Headquarters. Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion.

SEC. 4. ADMINISTRATION.

The Secretary shall administer any properties acquired under this Act as part of the Vicksburg National Military Park in accordance with applicable laws and regulations.

S. 1175—2

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

Speaker of the House of Representatives.

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



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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

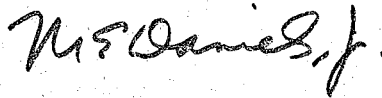
Pemberton's Headquarters is the building that Confederate Lt. General John C. Pemberton occupied during the siege of the city of Vicksburg, Mississippi, from May 23 to July 4, 1863. The building, a National Historic Landmark, is not currently included in the Vicksburg National Military Park because it is privately owned. DOI informally advises that the current owners would like to sell the property to the National Park Service.

S. 1175 would authorize DOI to acquire, by purchase, donation, or exchange and with the consent of the current owners, Pemberton's Headquarters, and up to one additional acre of nearby land for a parking facility. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service. The enrolled bill would authorize appropriations of such sums as may be necessary to carry out this Act.

Conclusion and Recommendations

Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

We join Interior in recommending approval of S. 1175, which passed the Senate by unanimous consent and the House by voice vote.

A handwritten signature in dark ink, reading "M. E. Daniels, Jr." in a cursive style.

Mitchell E. Daniels, Jr.
Director

Enclosures



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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

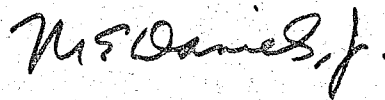
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S. 1175 would authorize DOI to acquire, by purchase, donation, or exchange and with the consent of the current owners, Pemberton's Headquarters, and up to one additional acre of nearby land for a parking facility. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service. The enrolled bill would authorize appropriations of such sums as may be necessary to carry out this Act.

Conclusion and Recommendations

Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

We join Interior in recommending approval of S. 1175, which passed the Senate by unanimous consent and the House by voice vote.

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Mitchell E. Daniels, Jr.
Director

Enclosures



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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

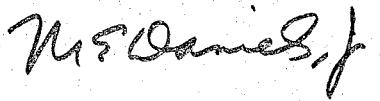
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S. 1175 would authorize DOI to acquire, by purchase, donation, or exchange and with the consent of the current owners, Pemberton's Headquarters, and up to one additional acre of nearby land for a parking facility. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service. The enrolled bill would authorize appropriations of such sums as may be necessary to carry out this Act.

Conclusion and Recommendations

Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

We join Interior in recommending approval of S. 1175, which passed the Senate by unanimous consent and the House by voice vote.

A handwritten signature in dark ink, reading "M. E. Daniels, Jr." in a cursive style.

Mitchell E. Daniels, Jr.
Director

Enclosures



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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

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Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

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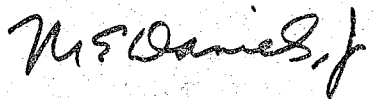
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Mitchell E. Daniels, Jr.
Director

Enclosures

SS/ RM NO. 521753

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM

Subject: ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
MODIFICATION ACT OF 2002

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

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 5:00 PM TODAY AND SEND A COPY TO THE STAFF SECRETARY. THANK YOU.

NO COMMENT

RESPONSE:

2002 OCT -4 PM 2:40
 EXEC. ORD. PRESIDENT
 WH STAFFING INITIATIVES

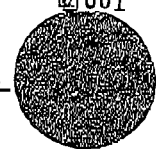
Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702

6

SS/ RM NO.

521753

CHRIS



WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM 10-4-02

ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY

Subject: MODIFICATION ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
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RESPONSE:

OK

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

SS/ RM NO. 521753

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM

ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
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GERSON	☐	☐	CLERK	☐	☒
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HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

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No Comment.

RESPONSE:

Philip A. Conely 10/4/02

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

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM

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MODIFICATION ACT OF 2002

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RESPONSE:

*Legislation Affair (Howard) - ok*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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

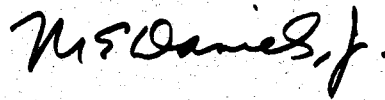
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Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

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Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM

Subject: ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
MODIFICATION ACT OF 2002

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OK - No Comment

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

October 4, 2002

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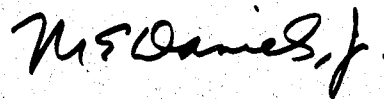
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RESPONSE:

See Card
Oh

Harriet E. Miers
Assistant to the President
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 4, 2002

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Council on Environmental Quality

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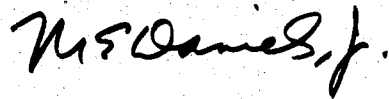
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Enclosures

SS/ RM NO. 521753

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MODIFICATION ACT OF 2002

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RESPONSE:

great!
ok

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

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RESPONSE:

OKTT

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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

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Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

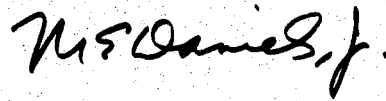
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Director

Enclosures

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FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 5:00 PM TODAY AND SEND A COPY TO THE STAFF SECRETARY. THANK YOU.

no comment

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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

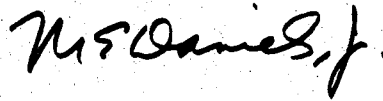
Pemberton's Headquarters is the building that Confederate Lt. General John C. Pemberton occupied during the siege of the city of Vicksburg, Mississippi, from May 23 to July 4, 1863. The building, a National Historic Landmark, is not currently included in the Vicksburg National Military Park because it is privately owned. DOI informally advises that the current owners would like to sell the property to the National Park Service.

S. 1175 would authorize DOI to acquire, by purchase, donation, or exchange and with the consent of the current owners, Pemberton's Headquarters, and up to one additional acre of nearby land for a parking facility. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service. The enrolled bill would authorize appropriations of such sums as may be necessary to carry out this Act.

Conclusion and Recommendations

Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

We join Interior in recommending approval of S. 1175, which passed the Senate by unanimous consent and the House by voice vote.



Mitchell E. Daniels, Jr.
Director

Enclosures

SS/ RM NO. 521753

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PM

Subject: ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
MODIFICATION ACT OF 2002

10/7/02 OCT 7 AM 10:44

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

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 5:00 PM TODAY AND SEND A COPY TO THE STAFF SECRETARY. THANK YOU.

Ok - Phillip Swager

RESPONSE:

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



OFFICE OF THE VICE PRESIDENT
WASHINGTON

October 7, 2002

MEMORANDUM FOR JIM JUKES
ASSISTANT DIRECTOR, OMB

'02 OCT 7 PM2:59

FROM: JONATHAN BURKS 
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

**SUBJECT: Statement Regarding S. 1175, The Vicksburg
National Military Park Boundary Modification Act**

The Office of the Vice President has reviewed the above-referenced draft and concurs in the issuance of the proposed signing statement.

cc: Harriet Miers
Staff Secretary

From: James J. Jukes on 10/07/2002 12:18:08 PM

Record Type: Record

To: Harriet Miers/WHO/EOP@EOP, Stuart W. Bowen/WHO/EOP@EOP

cc: See the distribution list at the bottom of this message

Subject: Update on S 1175 (Vicksburg) signing statement

We have asked the Justice and Interior Departments to take a look at the statement that was prepared by OVP. I expect to hear back from them this afternoon, and will close the loop with you once I do.

Message Copied To:

Debra D. Bird/WHO/EOP@EOP
Carolyn E. Cleveland/WHO/EOP@EOP
Barbara A. Barclay/WHO/EOP@EOP
Karen D. Cruson/WHO/EOP@EOP
G. Timothy Saunders/WHO/EOP@EOP
David E. Kalbaugh/WHO/EOP@EOP

10/10/02

Statement okay
w/ Jim Jukes

- Ex Clerk Brepanney

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PMSubject: STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
BOUNDARY MODIFICATION ACT

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

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, X53458, OR FAX 56148, BY 12:00 P.M.,
MONDAY, OCTOBER 7, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE.
THANK YOU.

RESPONSE:

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

DRAFT 10/4/02

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the Vicksburg National Military Park Boundary Modification Act. In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

The second sentence of Section 3(b) of the Act reads: "Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion." It is plain in reading the sentence that a word is missing between the words "Secretary" and "add."

Enrolled bill S. 1175 was presented to me bearing the signatures of the Speaker of the House of Representatives and the President Pro Tempore of the Senate in accordance with Section 106 of Title 1 of the United States Code, which attests that both Houses passed the bill. In accordance with the principles enunciated by the U.S. Supreme Court in Marshall Field & Co. v. Clark in 1892, I take the bill presented as being duly enrolled and shall not turn to the journals of either House, the reports of congressional committees, or other documents printed by the authority of Congress in an effort to determine whether an error in the enrollment of S. 1175 has occurred.

Recognizing that the second half of the sentence in issue provides that the Secretary "shall" modify park boundaries to reflect inclusion of the property in the Park, the most reasonable construction of the first half of the sentence is that, after the Secretary of the Interior acquires the property, addition of the property to the Park by the Secretary is mandatory. Accordingly, the executive branch shall implement the second sentence of section 3(b) of the Act in the same way it would implement the Act if the word "shall" appeared in that sentence between the words "Secretary" and "add." This construction is faithful to the legislative intent as evidenced by the content of the statute itself.



OFFICE OF THE VICE PRESIDENT
WASHINGTON

October 4, 2002

MEMORANDUM FOR JIM JUKES

ASSISTANT DIRECTOR, OMB

FROM: JONATHAN BURKS
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

**SUBJECT: Enrolled Bill S. 1175 – Vicksburg National Military
Park Boundary Modification Act of 2002**

The Office of the Vice President has reviewed the above-referenced draft and has no objection to the President signing the enrolled bill provided that a signing statement is issued to address the enrolling error. A draft signing statement is attached.

Attachment

cc: Harriet Miers
Staff Secretary

*Staff please -
Comments back to Jim Jukes
cc: to St Sec.
12:00 p.m. tomorrow*

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1695
 CONNECTION TEL 66073
 CONNECTION ID
 ST. TIME 10/06 18:31
 USAGE T 00'45
 PGS. SENT 2
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PM

STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
 Subject: BOUNDARY MODIFICATION ACT

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

REMARKS:

PI FASE FORWARD COMMENTS TO JIM JUKES, X53458, OR FAX 56148, BY 12:00 P.M.,
 MEMORANDUM OFFICE

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PMSubject: STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
BOUNDARY MODIFICATION ACT

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DANIELS	☐	☒	ROVE	☒	☐
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GERSON	☒	☐	CLERK	☐	☒
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HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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MONDAY, OCTOBER 7, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE.
THANK YOU.

RESPONSE:

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1696	
CONNECTION TEL		56958
CONNECTION ID		
ST. TIME	10/06 18:37	
USAGE T	00'46	
PGS. SENT	2	
RESULT	OK	

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CALIO	☒	☐	RICE	☒	☐
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HAWKINS	☒	☐	_____	☐	☐

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 MEMPHIS OFFICE

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FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☒	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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MONDAY, OCTOBER 7, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE.
THANK YOU.

RESPONSE: _____

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1697
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 10/06 18:38
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SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PM

Subject: STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
BOUNDARY MODIFICATION ACT

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GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
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WHITE HOUSE STAFFING MEMORANDUMDate: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PMSTATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
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GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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MONDAY, OCTOBER 7, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE.
THANK YOU.

RESPONSE: _____

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1698	
CONNECTION TEL		62710
CONNECTION ID	CEQ	
ST. TIME	10/06 18:39	
USAGE T	00'46	
PGS. SENT	2	
RESULT	OK	

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WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PM

STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
 Subject: BOUNDARY MODIFICATION ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☐	☐
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HAGIN	☐	☐	_____	☐	☐
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 THANK YOU.

RESPONSE:

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1699
 CONNECTION TEL 66212
 CONNECTION ID
 ST. TIME 10/06 18:40
 USAGE T 00'47
 PGS. SENT 2
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PM

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THANK YOU.

RESPONSE:

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

DRAFT 10/4/02

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the Vicksburg National Military Park Boundary Modification Act. In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

The second sentence of Section 3(b) of the Act reads: "Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion." It is plain in reading the sentence that a word is missing between the words "Secretary" and "add."

Enrolled bill S. 1175 was presented to me bearing the signatures of the Speaker of the House of Representatives and the President Pro Tempore of the Senate in accordance with Section 106 of Title 1 of the United States Code, which attests that both Houses passed the bill. In accordance with the principles enunciated by the U.S. Supreme Court in Marshall Field & Co. v. Clark in 1892, I take the bill presented as being duly enrolled and shall not turn to the journals of either House, the reports of congressional committees, or other documents printed by the authority of Congress in an effort to determine whether an error in the enrollment of S. 1175 has occurred.

Recognizing that the second half of the sentence in issue provides that the Secretary "shall" modify park boundaries to reflect inclusion of the property in the Park, the most reasonable construction of the first half of the sentence is that, after the Secretary of the Interior acquires the property, addition of the property to the Park by the Secretary is mandatory. Accordingly, the executive branch shall implement the second sentence of section 3(b) of the Act in the same way it would implement the Act if the word "shall" appeared in that sentence between the words "Secretary" and "add." This construction is faithful to the legislative intent as evidenced by the content of the statute itself.

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

102 OCT 7 AM 9:45

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PMSubject: STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
BOUNDARY MODIFICATION ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD →	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☐	☐
BOLTEN	☒	☐	MARBURGER	☒	☐
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DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☒	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, X53458, OR FAX 56148, BY 12:00 P.M.,
MONDAY, OCTOBER 7, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE.
THANK YOU.

Ok - Phillip Swager

RESPONSE:

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

SS/ RM NO.

02 OCT 7 AM 10:45

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PM

Subject: STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
BOUNDARY MODIFICATION ACT

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HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

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THANK YOU.

No Comment.

RESPONSE:

PA Cooney, CEQ
10/7/02

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

SS/ RM NO.

WHITE HOUSE STAFFING MEMORANDUM

CHRIS

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PM

Subject: STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
BOUNDARY MODIFICATION ACT

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GERSON	☒	☐	CLERK	☐	☒
GONZALES →	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

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THANK YOU.

RESPONSE:

OK

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

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUMDate: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PMSubject: STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
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GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

10/07/02 11:27 AM

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THANK YOU.

No comment

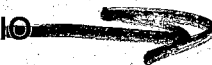
RESPONSE:

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

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PM

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THANK YOU.

RESPONSE:

Legislation Affo- (Howard) - ch

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

DRAFT 10/4/02

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the Vicksburg National Military Park Boundary Modification Act. In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

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Enrolled bill S. 1175 was presented to me bearing the signatures of the Speaker of the House of Representatives and the President Pro Tempore of the Senate in accordance with Section 106 of Title 1 of the United States Code, which attests that both Houses passed the bill. In accordance with the principles enunciated by the U.S. Supreme Court in Marshall Field & Co. v. Clark in 1892, I take the bill presented as being duly enrolled and shall not turn to the journals of either House, the reports of congressional committees, or other documents printed by the authority of Congress in an effort to determine whether an error in the enrollment of S. 1175 has occurred.

Recognizing that the second half of the sentence in issue provides that the Secretary "shall" modify park boundaries to reflect inclusion of the property in the Park, the most reasonable construction of the first half of the sentence is that, after the Secretary of the Interior acquires the property, addition of the property to the Park by the Secretary is mandatory. Accordingly, the executive branch shall implement the second sentence of section 3(b) of the Act in the same way it would implement the Act if the word "shall" appeared in that sentence between the words "Secretary" and "add." This construction is faithful to the legislative intent as evidenced by the content of the statute itself.

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THANK YOU.

RESPONSE:

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

DRAFT 10/4/02

STATEMENT BY THE PRESIDENT

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THANK YOU.

OK - No Comment

RESPONSE:

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

DRAFT 10/4/02

STATEMENT BY THE PRESIDENT

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Recognizing that the second half of the sentence in issue provides that the Secretary "shall" modify park boundaries to reflect inclusion of the property in the Park, the most reasonable construction of the first half of the sentence is that, after the Secretary of the Interior acquires the property, addition of the property to the Park by the Secretary is mandatory. Accordingly, the executive branch shall implement the second sentence of section 3(b) of the Act in the same way it would implement the Act if the word "shall" appeared in that sentence between the words "Secretary" and "add." This construction is faithful to the legislative intent as evidenced by the content of the statute itself.

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PMSTATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
Subject: BOUNDARY MODIFICATION ACT

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THANK YOU.

RESPONSE:

Handwritten: "Hall"
 Handwritten: HHC
 Handwritten: 10/7 0600

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

DRAFT 10/4/02

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the Vicksburg National Military Park Boundary Modification Act. In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

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STATEMENT BY THE PRESIDENT

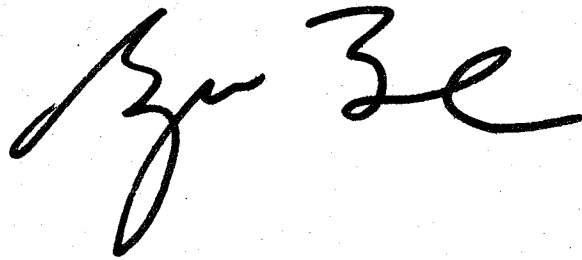
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A handwritten signature in dark ink, appearing to read "G. W. Bush", is centered on the page. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

THE WHITE HOUSE,

October 11, 2002.

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the "Vicksburg National Military Park Boundary Modification Act of 2002." In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

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THE WHITE HOUSE,

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the "Vicksburg National Military Park Boundary Modification Act of 2002." In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

The second sentence of section 3(b) of the Act reads: "Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion." It is plain in reading the sentence that a word is missing between the words "Secretary" and "add."

In accordance with section 106 of title 1 of the United States Code, enrolled bill S. 1175 was presented to me bearing the signatures of the Speaker of the House of Representatives and the President pro tempore of the Senate, which attests that both Houses passed the bill. In accordance with the principles enunciated by the U.S. Supreme Court in *Marshall Field & Co. v. Clark* in 1892, I take the bill presented as being duly enrolled and shall not turn to the journals of either House, the reports of congressional committees, or other documents printed by the authority of Congress in an effort to determine whether an error in the enrollment of S. 1175 has occurred.

Recognizing that the second half of the sentence in issue provides that the Secretary "shall" modify park boundaries to reflect inclusion of the property in the Park, the most

reasonable construction of the first half of the sentence is that, after the Secretary of the Interior acquires the property, addition of the property to the Park by the Secretary is mandatory. Accordingly, the executive branch shall implement the second sentence of section 3(b) of the Act in the same way it would implement the Act if the word "shall" appeared in that sentence between the words "Secretary" and "add." This construction is faithful to the legislative intent as evidenced by the content of the statute itself.

THE WHITE HOUSE,



David S. Addington
10/10/2002 10:23:27 AM

Record Type: Record

To: G. Timothy Saunders/WHO/EOP@EOP

cc:

Subject: Re: re Signing Statement for S. 1175 A small icon of a document with a checkmark, likely representing a signed or approved document.

Tim -- looks fine

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the "Vicksburg National Military Park Boundary Modification Act of 2002." In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

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Deleted: E

Deleted: in accordance with section 106 of title 1 of the United States Code.

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THE WHITE HOUSE,

of 202"

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to White House,

✓ J - check in w/ Jim Jones

WHITE HOUSE STAFFING MEMORANDUMDate: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PMENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
Subject: MODIFICATION ACT OF 2002

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

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 5:00 PM TODAY AND SEND A COPY TO THE 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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

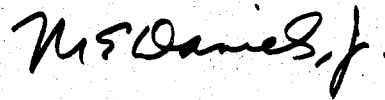
Pemberton's Headquarters is the building that Confederate Lt. General John C. Pemberton occupied during the siege of the city of Vicksburg, Mississippi, from May 23 to July 4, 1863. The building, a National Historic Landmark, is not currently included in the Vicksburg National Military Park because it is privately owned. DOI informally advises that the current owners would like to sell the property to the National Park Service.

S. 1175 would authorize DOI to acquire, by purchase, donation, or exchange and with the consent of the current owners, Pemberton's Headquarters, and up to one additional acre of nearby land for a parking facility. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service. The enrolled bill would authorize appropriations of such sums as may be necessary to carry out this Act.

Conclusion and Recommendations

Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

We join Interior in recommending approval of S. 1175, which passed the Senate by unanimous consent and the House by voice vote.



Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PMSTATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
Subject: BOUNDARY MODIFICATION ACT

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

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JONES, 53458, OR FAX 56148, BY 12:00 P.M.,
MONDAY, OCTOBER 7, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE.
THANK YOU.

RESPONSE:

Handwritten: "Hall"
 Handwritten: HHC
 Handwritten: 10/7 0600

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

From: James J. Jukes on 10/07/2002 12:18:08 PM

Record Type: Record

To: Harriet Miers/WHO/EOP@EOP, Stuart W. Bowen/WHO/EOP@EOP

cc: See the distribution list at the bottom of this message

Subject: Update on S 1175 (Vicksburg) signing statement

We have asked the Justice and Interior Departments to take a look at the statement that was prepared by OVP. I expect to hear back from them this afternoon, and will close the loop with you once I do.

Message Copied To:

Debra D. Bird/WHO/EOP@EOP
Carolyn E. Cleveland/WHO/EOP@EOP
Barbara A. Barclay/WHO/EOP@EOP
Karen D. Cruson/WHO/EOP@EOP
G. Timothy Saunders/WHO/EOP@EOP
David E. Kalbaugh/WHO/EOP@EOP



David S. Addington
10/04/2002 05:06:07 PM

Record Type: Record

To: Jonathan W. Burks/OVP/EOP@EOP
cc: G. Timothy Saunders/WHO/EOP@EOP
Subject:



signingstmts1175vicksburg.doc

Gentlemen:

Attached above is an electronic copy of the signing statement that I recommended in the staffing process on S. 1175, the Vicksburg Park bill.

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the Vicksburg National Military Park Boundary Modification Act. In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

The second sentence of Section 3(b) of the Act reads: "Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion." It is plain in reading the sentence that a word is missing between the words "Secretary" and "add."

Enrolled bill S. 1175 was presented to me bearing the signatures of the Speaker of the House of Representatives and the President Pro Tempore of the Senate in accordance with Section 106 of Title 1 of the United States Code, which attests that both Houses passed the bill. In accordance with the principles enunciated by the U.S. Supreme Court in Marshall Field & Co. v. Clark in 1892, I take the bill presented as being duly enrolled and shall not turn to the journals of either House, the reports of congressional committees, or other documents printed by the authority of Congress in an effort to determine whether an error in the enrollment of S. 1175 has occurred.

Recognizing that the second half of the sentence in issue provides that the Secretary "shall" modify park boundaries to reflect inclusion of the property in the Park, the most reasonable construction of the first half of the sentence is that, after the Secretary of the Interior acquires the property, addition of the property to the Park by the Secretary is mandatory. Accordingly, the executive branch shall implement the second sentence of section 3(b) of the Act in the same way it would implement the Act if the word "shall" appeared in that sentence between the words "Secretary" and "add." This construction is faithful to the legislative intent as evidenced by the content of the statute itself.

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 modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, and for other purposes.

*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 "Vicksburg National Military Park Boundary Modification Act of 2002".

SEC. 2. BOUNDARY MODIFICATION.

The boundary of Vicksburg National Military Park is modified to include the property known as Pemberton's Headquarters, as generally depicted on the map entitled "Boundary Map, Pemberton's Headquarters at Vicksburg National Military Park", numbered 306/80015A, and dated August, 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

SEC. 3. ACQUISITION OF PROPERTY.

(a) PEMBERTON'S HEADQUARTERS.—The Secretary of the Interior is authorized to acquire the properties described in section 2 and 3(b) by purchase, donation, or exchange, except that each property may only be acquired with the consent of the owner thereof.

(b) PARKING.—The Secretary is also authorized to acquire not more than one acre of land, or interest therein, adjacent to or near Pemberton's Headquarters for the purpose of providing parking and other facilities related to the operation of Pemberton's Headquarters. Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion.

SEC. 4. ADMINISTRATION.

The Secretary shall administer any properties acquired under this Act as part of the Vicksburg National Military Park in accordance with applicable laws and regulations.

Chuck at [Signature]
ve Dave [Signature]
Per Tom
Senate Enrolling Clerk
they know it won't
be fixed

S. 1175—2

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

Speaker of the House of Representatives.

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

From: James J. Jukes on 10/07/2002 10:26:25 AM

Record Type: Record

To: Sherman A. Williams/WHO/EOP@EOP

cc:

Subject: Draft of S 1175 signing statement per request -- this is still in WH and agency clearance (not yet cleared by OMB)

This was prepared by OVP.

----- Forwarded by James J. Jukes/OMB/EOP on 10/07/2002 10:23 AM -----

Jonathan W. Burks

10/04/2002 05:06:50 PM

Record Type: Record

To: James J. Jukes/OMB/EOP@EOP

cc:

Subject:

----- Forwarded by Jonathan W. Burks/OVP/EOP on 10/04/2002 05:09 PM -----



David S. Addington
10/04/2002 05:06:07 PM

Record Type: Record

To: Jonathan W. Burks/OVP/EOP@EOP

cc: G. Timothy Saunders/WHO/EOP@EOP

Subject:


signingstmts1175vicksburg.dc

Gentlemen:

Attached above is an electronic copy of the signing statement that I recommended in the staffing process on S. 1175, the Vicksburg Park bill.

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-06-02 6:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-07-02 12:00 PMSubject: STATEMENT REGARDING S.1175, THE VICKSBURG NATIONAL MILITARY PARK
BOUNDARY MODIFICATION ACT

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

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, X53458, OR FAX 56148, BY 12:00 P.M.,
MONDAY, OCTOBER 7, 2002, WITH A COPY TO THE STAFF SECRETARY'S OFFICE.
THANK YOU.

RESPONSE: _____

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

DRAFT 10/4/02

STATEMENT BY THE PRESIDENT

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OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE:

S.1175 - Vicksburg National Military Park
Boundary Modification Act of 2002

WFA 10/11/2002

TYPE DOCUMENT:

PROCLAMATION

LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER:

RECEIVED: (Advance: 10/7/02 Time: 10:26 a.m./p.m.)
In final: / /02 Time: a.m./p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: / /02 Time: a.m./p.m.)
In final: 10/7/02 Time: 10:45 a.m./p.m.

TO HARRIET MIERS' OFFICE:

(For staffing: 10/10/02 Time: 10:41 a.m./p.m.)
In final: / /02 Time: a.m./p.m.

*INFO, INCLUDING STENCIL AND DISC, TO PRESS OFFICE: Rachael Sunbarger

Date: 10/11/02 Time: 4:30 a.m./p.m.
POSTED: / /02 Time: a.m./p.m.

NOTIFICATIONS:

(Person/time) NSC (#____), when appropriate -- Desk Officer;
W.H. Situation Room -- x6-9425.

(Person/time) Ginger Gregory, x6-2230, Legislative Affairs
(for messages to the Congress)

(Person/time) (Other)

(Person/time) (Other)

OTHER INFORMATION:

[Handwritten signature]

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

October 11, 2002

STATEMENT BY THE PRESIDENT

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GEORGE W. BUSH

THE WHITE HOUSE,
October 11, 2002.

#

● Rachael L. Sunbarger

10/11/2002 04:49:02 PM

Record Type: Record

To:

CC:

Subject: STATEMENT BY THE PRESIDENT

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release
11, 2002

October

STATEMENT BY THE PRESIDENT

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In accordance with section 106 of title 1 of the United States Code, enrolled bill S. 1175 was presented to me bearing the signatures of the Speaker of the House of Representatives and the President pro tempore of the Senate, which attests that both Houses passed the bill. In accordance with the principles enunciated by the U.S. Supreme Court in *Marshall Field & Co. v. Clark* in 1892, I take the bill presented as being duly enrolled and shall not turn to the journals of either House, the reports of congressional committees, or other documents printed by the authority of Congress in an effort to determine whether an error in the enrollment of S. 1175 has occurred.

Recognizing that the second half of the sentence in issue provides that the Secretary "shall" modify park boundaries to reflect inclusion of the property in the Park, the most reasonable construction of the first half of the sentence is that, after the Secretary of the Interior acquires the property, addition of the property to the Park by the Secretary is mandatory. Accordingly, the executive branch shall implement the second sentence of section 3(b) of the Act in the same way it would implement the Act if the word "shall" appeared in that sentence between the words "Secretary" and "add." This construction is faithful to the legislative intent as evidenced by the content of the statute itself.

GEORGE W. BUSH

THE WHITE HOUSE,
October 11, 2002.

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THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

October 11, 2002

STATEMENT BY THE PRESIDENT

I have today signed into law S. 1175, the "Vicksburg National Military Park Boundary Modification Act of 2002." In 1863, union forces under the command of Major General Ulysses S. Grant and confederate forces under the command of Lieutenant General John C. Pemberton fought for control of Vicksburg, Mississippi, a strategic location on the lower Mississippi River. The Act authorizes the Secretary of the Interior to add the confederate commander's headquarters to the Park, which has included the union commander's headquarters for many decades. The Act will enable the Department of the Interior to preserve property for the education of Americans today, and in generations to come.

The second sentence of section 3(b) of the Act reads: "Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion." It is plain in reading the sentence that a word is missing between the words "Secretary" and "add."

In accordance with section 106 of title 1 of the United States Code, enrolled bill S. 1175 was presented to me bearing the signatures of the Speaker of the House of Representatives and the President pro tempore of the Senate, which attests that both Houses passed the bill. In accordance with the principles enunciated by the U.S. Supreme Court in *Marshall Field & Co. v. Clark* in 1892, I take the bill presented as being duly enrolled and shall not turn to the journals of either House, the reports of congressional committees, or other documents printed by the authority of Congress in an effort to determine whether an error in the enrollment of S. 1175 has occurred.

Recognizing that the second half of the sentence in issue provides that the Secretary "shall" modify park boundaries to reflect inclusion of the property in the Park, the most reasonable construction of the first half of the sentence is that, after the Secretary of the Interior acquires the property, addition of the property to the Park by the Secretary is mandatory. Accordingly, the executive branch shall implement the second sentence of section 3(b) of the Act in the same way it would implement the Act if the word "shall" appeared in that sentence between the words "Secretary" and "add." This construction is faithful to the legislative intent as evidenced by the content of the statute itself.

GEORGE W. BUSH

THE WHITE HOUSE,
October 11, 2002.

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WHITE HOUSE STAFFING MEMORANDUMDate: 10-4-02 1:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-4-02 6:00 PMSubject: ENROLLED BILL S. 1175 - VICKSBURG NATIONAL MILITARY PARK BOUNDARY
MODIFICATION ACT OF 2002

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

REMARKS:

PLEASE FORWARD YOUR COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 5:00 PM TODAY AND SEND A COPY TO THE 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

October 4, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1175 - Vicksburg National Military Park Boundary Modification
Act of 2002
Sponsors - Sen. Lott (R) MS and Sen. Cochran (R) MS

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Department of the Interior to acquire additional lands to be included within the boundaries of the Vicksburg National Military Park in Vicksburg, Mississippi.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

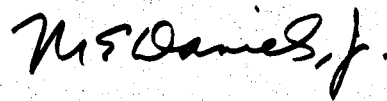
Pemberton's Headquarters is the building that Confederate Lt. General John C. Pemberton occupied during the siege of the city of Vicksburg, Mississippi, from May 23 to July 4, 1863. The building, a National Historic Landmark, is not currently included in the Vicksburg National Military Park because it is privately owned. DOI informally advises that the current owners would like to sell the property to the National Park Service.

S. 1175 would authorize DOI to acquire, by purchase, donation, or exchange and with the consent of the current owners, Pemberton's Headquarters, and up to one additional acre of nearby land for a parking facility. Once acquired, the properties would be included in the boundary of the Vicksburg National Military Park and administered by the National Park Service. The enrolled bill would authorize appropriations of such sums as may be necessary to carry out this Act.

Conclusion and Recommendations

Interior recommends approval of S. 1175, noting that "Pemberton's Headquarters is a nationally significant resource that is well-suited for use as a visitor site, and its inclusion in Vicksburg National Military Park would enable the National Park Service to add an important dimension to the interpretation of Civil War and post-Civil War events in the Vicksburg area."

We join Interior in recommending approval of S. 1175, which passed the Senate by unanimous consent and the House by voice vote.

A handwritten signature in dark ink, reading "M E Daniels, Jr." in a cursive style.

Mitchell E. Daniels, Jr.
Director

Enclosures