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Collection Code: **SECLOG**

Staff Name:

Document Date:

Correspondent: **TIM SAUNDERS**

Subject/Description: **OVERSIZE ATTACHMENT # 9468 NARA # 9359 BOX 4
FOLDER 4B BILL FILE RECEIVED FROM THE OFFICE OF
THE EXECUTIVE CLERK - OCT 11 02 ENROLLED BILL S.
238 - BURNT, MALHEUR, OWYHEE, AND POWDER RIVER
BASIN, OREGON, WATER OPTIMIZATION FEASABILITY
STUDY ACT**

OCT 11 2002



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

October 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D) OR and Smith (R) OR

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River basins, in northeastern Oregon.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)

Approval

Discussion

The Department of the Interior's Bureau of Reclamation developed the multi-purpose irrigation facilities located in the Burnt, Malheur, Owyhee, and Powder River basins in northeastern Oregon. These facilities are currently operated by local water users. The Bureau has identified water quality problems in the basins associated with excess nutrients in surface water, sedimentation, water temperatures, degraded fish habitat, low stream flows, and lack of adequate stream-side vegetation.

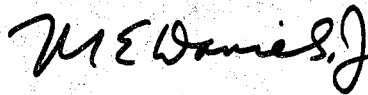
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S. 238 would authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River Basins, and authorize such sums as necessary for this purpose.

Conclusion and Recommendations

In its views letter, DOI recommends approval of S. 238, advising that without this legislation, "Reclamation cannot fully bring its experience and technical capabilities to the table to assist this locally based group in addressing its water resources management problems."

We join Interior in recommending the approval of S. 238, which passed the House by voice vote and the Senate by unanimous consent.

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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 authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

*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 "Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2002".

SEC. 2. STUDY.

The Secretary of the Interior may conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

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

Speaker of the House of Representatives.

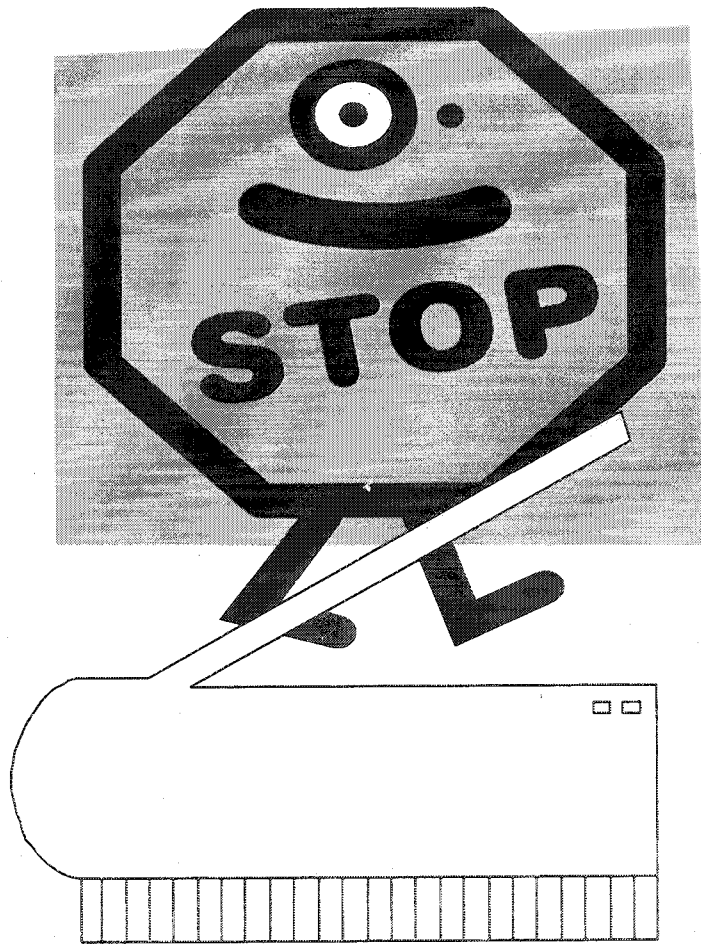
*Vice President of the United States and
President of the Senate pro Tempore.*

APPROVED

OCT 11 2002

By 32

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Scanning insert sheet



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Bills Received at the White House

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

S.238

Official Title

An Act to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

521753

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

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

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY NOON, THURSDAY, OCTOBER 3, 2002, WITH 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

02 OCT 2 PM 5:54

October 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
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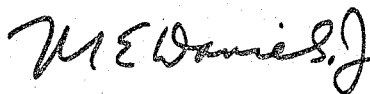
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Director

Enclosures

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VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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02 OCT 2 PM 5:13A

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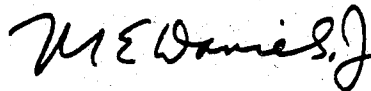
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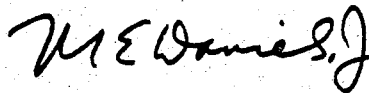
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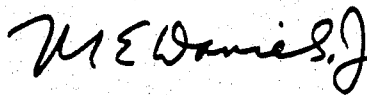
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Mitchell E. Daniels, Jr.
Director

Enclosures

BURNT, MALHEUR, OWYHEE, AND POWDER RIVER BASIN
WATER OPTIMIZATION FEASIBILITY STUDY ACT OF 2001

JUNE 5, 2001.—Ordered to be printed

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

REPORT

[To accompany S. 238]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 238) to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 238 is to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River basins, in northeastern Oregon.

BACKGROUND AND NEED

Watershed Councils (Councils) in the Malheur, Owyhee, Powder, and Burnt River basins bring together local farmers, ranchers, and other landowners; organized agricultural, industrial, environmental interests; and resource management agencies to develop action plans to implement measures that will improve the health of streams and make improvements to the overall environment of the areas while maintaining a viable economy.

Multi-purpose irrigation facilities located in the Malheur, Owyhee, Powder, and Burnt River basins were developed by the Bureau of Reclamation but are now operated by the local water users. Reclamation is involved with the Councils in these basins to help develop, review, and update action plans; perform construction design and survey work; conduct congressionally authorized feasi-

bility analysis for structural action plan items; and participate in public involvement activities.

The Councils are interested in involving Reclamation with small-scale construction projects to address resource management issues they tackle on a regular basis. Congressional authorization is necessary for Reclamation to participate and develop the feasibility reports necessary to submit to Congress for any work that would require construction authorization for federal assistance with these projects.

LEGISLATIVE HISTORY

S. 238 was introduced by Senators Wyden and Smith on February 1, 2001. S. 238 is identical to S. 2877, as it passed the Senate in the 106th Congress. A Subcommittee hearing was held last Congress on S. 2877, the bill was reported by the Full Committee with a technical amendment and the measure passed the Senate as amended on October 13, 2000. At the business meeting on May 16, 2001, the Committee on Energy and Natural Resources ordered S. 238, as amended, favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on May 16, 2001, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 238, if amended as described herein.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 22, 2001.

Hon. FRANK H. MURKOWSKI,
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. 238, the Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001.

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

Sincerely,

STEVEN M. LIEBERMAN,
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 238—Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001

S. 238 would authorize the Secretary of the Interior to conduct studies on the use of water in the basins of the Burnt River, Malheur River, Owyhee River, and Powder River in Oregon. CBO

estimates these studies would cost about \$500,000. Based on information from the Bureau of Reclamation, CBO expects the federal government would share this cost with the state of Oregon, local counties, and certain irrigation districts. Assuming appropriation of the necessary amounts, implementing S. 238 would cost \$250,000 over the 2002–2003 period. Enacting S. 238 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 238 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact is Rachel Milberg. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director 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. 238. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic 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. 238, as ordered reported.

EXECUTIVE COMMUNICATIONS

On May 25, 2001, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 238. These reports had not been received at the time the report on S. 238 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. At the hearing on S. 2387 in the 106th Congress, the Administration testified in support of the legislation.

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 the bill S. 238, as ordered reported.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

OCT - 1 2002

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

Dear Mr. Daniels:

This letter responds to your request for the views of the Department of the Interior with respect to enrolled bill S. 238, the Burnt, Malheur, Owyhee and Powder River Water Optimization Studies Act of 2001.

We recommend that the President approve the enrolled bill.

This legislation would authorize the Secretary of the Interior to work with the watershed council of the Burnt, Malheur, Owyhee and Powder River basins to undertake feasibility studies to improve the health of the streams associated with these basins and improve the ecosystems of the area while maintaining a viable and vibrant local economy. In addition, Bull trout is a listed species located in these basins.

This study proposal was initiated by the watershed councils which are locally based coalitions of state, local and Federal government representatives, farmers, private landowners, and other individuals and community groups which are developing an action plan to improve the health of the streams and the ecosystem while enhancing the economic base of the community.

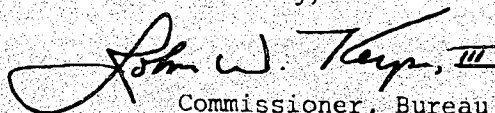
Reclamation has developed multipurpose irrigation facilities located in the Malheur, Owyhee, Powder and Burnt River basin. In recent years, in addition to the listing of the Bull trout, a number of water quality and fishery health problems have emerged, including excess nutrients and sediments in the water, degraded fish habitat, elevated water temperatures, lack of stream-side vegetation, and numerous fish passage problems due to push up diversions and the lack of fish screens associated with these facilities.

-2-

Unfortunately, because of the limits in Reclamation's authorities in this basin, Reclamation cannot fully bring its experience and technical capabilities to the table to assist this locally based group in addressing its water resources management problems. Enactment of S. 238 will authorize Reclamation to engage in the necessary feasibility studies to work with the community to address these problems.

Consequently, we recommend that the enrolled bill be signed.

Sincerely,

A handwritten signature in black ink, reading "John W. Thompson, III". The signature is fluid and cursive, with a large initial "J" and a stylized "W".

Commissioner, Bureau of Reclamation

One Hundred Seventh Congress
of the
United States of America

AT THE SECOND SESSION

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

An Act

To authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

*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 "Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2002".

SEC. 2. STUDY.

The Secretary of the Interior may conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are 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 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D) OR and Smith (R) OR

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River basins, in northeastern Oregon.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)

Approval

Discussion

The Department of the Interior's Bureau of Reclamation developed the multi-purpose irrigation facilities located in the Burnt, Malheur, Owyhee, and Powder River basins in northeastern Oregon. These facilities are currently operated by local water users. The Bureau has identified water quality problems in the basins associated with excess nutrients in surface water, sedimentation, water temperatures, degraded fish habitat, low stream flows, and lack of adequate stream-side vegetation.

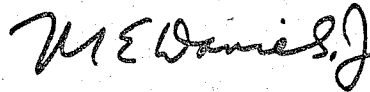
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S. 238 would authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River Basins, and authorize such sums as necessary for this purpose.

Conclusion and Recommendations

In its views letter, DOI recommends approval of S. 238, advising that without this legislation, "Reclamation cannot fully bring its experience and technical capabilities to the table to assist this locally based group in addressing its water resources management problems."

We join Interior in recommending the approval of S. 238, which passed the House by voice vote and the Senate by unanimous consent.

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Mitchell E. Daniels, Jr.
Director

Enclosures

COS



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

October 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
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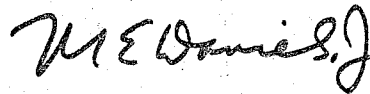
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Mitchell E. Daniels, Jr.
Director

Enclosures

Linda

102-001-2143184



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

October 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

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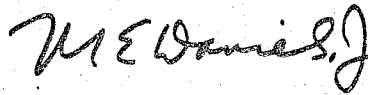
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Mitchell E. Daniels, Jr.
Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1617	
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CONNECTION ID	ADMIN	
ST. TIME	10/02 20:01	
USAGE T	00'52	
PGS. SENT	3	
RESULT	OK	

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUMDate: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

Subject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

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

REMARKS:

PI FASE FORWARD COMMENTS DIRECTLY TO JIM JUKES. X53458. FAX X56148. BY NOON.

WHITE HOUSE STAFFING MEMORANDUMDate: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
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GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY NOON, THURSDAY, OCTOBER 3, 2002, WITH 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 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D) OR and Smith (R) OR

Last Day for Action

October 11, 2002 - Friday

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Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)

Approval

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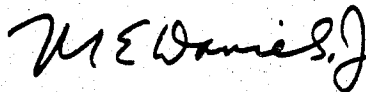
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Mitchell E. Daniels, Jr.
Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1616
 CONNECTION TEL 56958
 CONNECTION ID
 ST. TIME 10/02 20:00
 USAGE T 00'53
 PGS. SENT 3
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
 Subject: RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
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GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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WHITE HOUSE STAFFING MEMORANDUMDate: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

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VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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RESPONSE:

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



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

October 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D) OR and Smith (R) OR

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)

Approval

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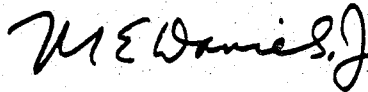
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Mitchell E. Daniels, Jr.
Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

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 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

Subject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

	ACTION	FYI		ACTION	FYI
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CARD	☒	☐	IRASTORZA	☐	☐
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GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
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October 2, 2002

THE DIRECTOR

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SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
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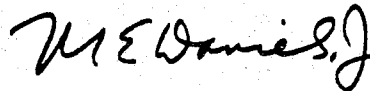
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Mitchell E. Daniels, Jr.
Director

Enclosures

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TRANSMISSION OK

TX/RX NO	1614	
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ST. TIME	10/02 19:57	
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PGS. SENT	3	
RESULT	OK	

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

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 RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

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WHITE HOUSE STAFFING MEMORANDUMDate: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY 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 DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY NOON, THURSDAY, OCTOBER 3, 2002, WITH 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 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D) OR and Smith (R) OR

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River basins, in northeastern Oregon.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)

Approval

Discussion

The Department of the Interior's Bureau of Reclamation developed the multi-purpose irrigation facilities located in the Burnt, Malheur, Owyhee, and Powder River basins in northeastern Oregon. These facilities are currently operated by local water users. The Bureau has identified water quality problems in the basins associated with excess nutrients in surface water, sedimentation, water temperatures, degraded fish habitat, low stream flows, and lack of adequate stream-side vegetation.

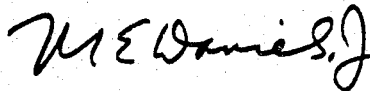
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S. 238 would authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River Basins, and authorize such sums as necessary for this purpose.

Conclusion and Recommendations

In its views letter, DOI recommends approval of S. 238, advising that without this legislation, "Reclamation cannot fully bring its experience and technical capabilities to the table to assist this locally based group in addressing its water resources management problems."

We join Interior in recommending the approval of S. 238, which passed the House by voice vote and the Senate by unanimous consent.

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

Mitchell E. Daniels, Jr.
Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1613
 CONNECTION TEL 69720
 CONNECTION ID
 ST. TIME 10/02 19:56
 USAGE T 00'51
 PGS. SENT 3
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUMDate: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
 Subject: RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
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CALIO	☒	☐	RICE	☒	☐
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GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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WHITE HOUSE STAFFING MEMORANDUMDate: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

	ACTION	FYI		ACTION	FYI
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RESPONSE:

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



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

October 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D) OR and Smith (R) OR

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)

Approval

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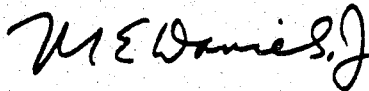
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Mitchell E. Daniels, Jr.
Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1612	
CONNECTION TEL		66212
CONNECTION ID		
ST. TIME	10/02 19:54	
USAGE T	00'54	
PGS. SENT	3	
RESULT	OK	

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUMDate: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
 Subject: RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
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GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

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RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

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RESPONSE:

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



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

October 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D)-OR and Smith (R) OR

Last Day for Action

October 11, 2002 - Friday

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Agency Recommendations

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Department of the Interior (DOI)

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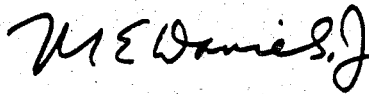
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Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

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

Handwritten: JH MTC 10/3 0700

Harriet E. Miers
Assistant to the President
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Ext. 62702



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

October 2, 2002

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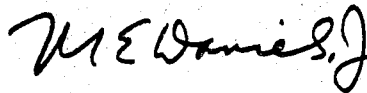
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Mitchell E. Daniels, Jr.
Director

Enclosures

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

Subject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

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

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No Comment.

RESPONSE:

*PA Caoney, CEQ
10/3/02*

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

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

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	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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GONZALES	☒	☐	_____	☐	☐
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RESPONSE:



Harriet E. Miers
Assistant to the President
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SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

02 OCT 3 AM 11:26

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
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CARD	☒	☐	IRASTORZA	☐	☐
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OK
RESPONSE: _____

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

SS/ RM NO. WAB/CHR

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

Subject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

	ACTION	FYI		ACTION	FYI
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CARD	☒	☐	IRASTORZA	☐	☐
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	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
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CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☒	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X53448, BY NOON, THURSDAY, OCTOBER 3, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

No comment

RESPONSE:

for Carl Buchholz

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 12702



OFFICE OF THE VICE PRESIDENT
WASHINGTON

02 OCT 03 PM 12:15

October 3, 2002

MEMORANDUM FOR JIM JUKES
ASSISTANT DIRECTOR, OMB

FROM: JONATHAN BURKS 
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

**SUBJECT: Enrolled bill Memo S. 238 – Burnt, Malheur, Owyhee,
and Powder River Basin, Oregon Water Optimization
Feasibility Study Act**

The Office of the Vice President has reviewed the above-referenced draft and has no objection to the President signing the enrolled bill.

cc: Harriet Miers
Staff Secretary

SS/ RM NO.

02 OCT 3 PM 12:15

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOON

Subject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☒	☐	MIERS	☐	☐
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GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY NOON, THURSDAY, OCTOBER 3, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

OK - Phillip Swager CEA

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

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
RIVER BASIN, OREGON, WATER OPTIMIZATION FEASIBILITY STUDY ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY NOON, THURSDAY, OCTOBER 3, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

legislation office (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 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D) OR and Smith (R) OR

Last Day for Action

October 11, 2002 - Friday

Purpose

Authorizes the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River basins, in northeastern Oregon.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)

Approval

Discussion

The Department of the Interior's Bureau of Reclamation developed the multi-purpose irrigation facilities located in the Burnt, Malheur, Owyhee, and Powder River basins in northeastern Oregon. These facilities are currently operated by local water users. The Bureau has identified water quality problems in the basins associated with excess nutrients in surface water, sedimentation, water temperatures, degraded fish habitat, low stream flows, and lack of adequate stream-side vegetation.

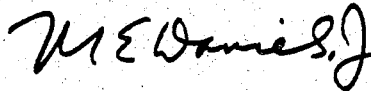
Local Watershed Councils, which represent the various area stakeholders, are responsible for developing and implementing measures to improve the environmental health and maintain the economic viability of the basins. The Councils would like the Bureau to participate with them in small-scale construction projects to address the basins' water quality issues. Congressional authorization is necessary for the Bureau to participate and develop the feasibility reports which must be submitted to Congress for any work requiring Federal assistance.

S. 238 would authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt, Malheur, Owyhee, and Powder River Basins, and authorize such sums as necessary for this purpose.

Conclusion and Recommendations

In its views letter, DOI recommends approval of S. 238, advising that without this legislation, "Reclamation cannot fully bring its experience and technical capabilities to the table to assist this locally based group in addressing its water resources management problems."

We join Interior in recommending the approval of S. 238, which passed the House by voice vote and the Senate by unanimous consent.

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

Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUMDate: 10-02-02 7:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-03-02 NOONSubject: ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
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	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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RESPONSE:

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



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

0200 2-98184

October 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 238 - Burnt, Malheur, Owyhee, and Powder River Basin,
Oregon, Water Optimization Feasibility Study Act
Sponsors - Sens. Wyden (D) OR and Smith (R) OR

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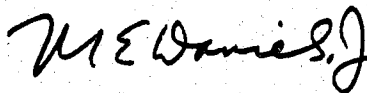
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Mitchell E. Daniels, Jr.
Director

Enclosures

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUMDate: **10-02-02 7:30 PM** ACTION / CONCURRENCE / COMMENT DUE BY: **10-03-02 NOON**Subject: **ENROLLED BILL MEMO S. 238 - BURNT, MALHEUR, OWYHEE, AND POWDER
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RESPONSE: _____

NO COMMENT

21 6 PM 2-136 2002
EX-100 PRESIDENT
INITIALS

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

WHITE HOUSE STAFFING MEMORANDUM

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RESPONSE:

cc say

OK TD

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 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

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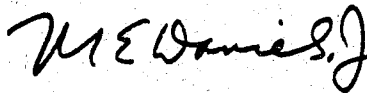
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Director

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