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Folder Title: 10/29/2002 [S. 1227] [771551]

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Collection Code: **SECLOG**

Staff Name:

Document Date:

Correspondent: **TIM SAUNDERS**

Subject/Description: **OVERSIZE ATTACHMENT # 9469 NARA # 9360 BOX 5
FOLDER 2F BILL FILE RECEIVED FROM THE OFFICE OF
THE EXECUTIVE CLERK - OCT 29 02 ENROLLED BILL S.
1227 - NIAGARA FALLS NATIONAL HERITAGE AREA
STUDY ACT**



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

THE DIRECTOR

October 23, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1227 - Niagara Falls National Heritage Area Study Act
Sponsors - Sen. Schumer (D) NY and Sen. Clinton (D) NY

Last Day for Action

November 4, 2002 - Monday

THE PRESIDENT HAS SEEN

10-29-02

Purpose

Requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

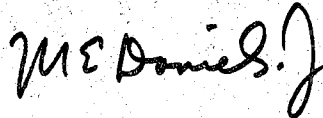
The Niagara River region comprises the river which flows for 35 miles between Lake Erie and Lake Ontario, and includes Niagara Falls, the 6-mile long Niagara Gorge, and eight parks operated by the State of New York along the river and within the gorge. The river forms the boundary between the United States and Canada. S. 1227 requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, along and in the vicinity of the Niagara River.

The proposed study is to include an analysis and documentation of whether the area: (1) contains resources that represent distinctive assets of American heritage; (2) reflects traditions and customs that are valuable national history; (3) provides conservation and recreational opportunities; and (4) has sufficient local support to promote a National Heritage Area. (National Heritage Areas are managed by local groups with technical and financial assistance from the National Park Service.) A report on the findings, conclusions, and recommendations of the study is to be submitted to specified congressional committees within three years of funding availability. The enrolled bill authorizes appropriations of \$300,000 to carry out the study.

Conclusion and Recommendations

In its views letter, DOI recommends approval of S. 1227, advising that the enrolled bill would "provide an opportunity to investigate the feasibility of establishing a national heritage area associated with one of the nation's most important and best-known natural resources."

We join DOI in recommending approval of S. 1227 which passed both the Senate and House 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 a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, 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 "Niagara Falls National Heritage Area Study Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) STUDY AREA.—The term "study area" means lands in Niagara County, New York, along and in the vicinity of the Niagara River.

SEC. 3. NIAGARA FALLS NATIONAL HERITAGE AREA STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of the suitability and feasibility of establishing a heritage area in the State of New York to be known as the "Niagara Falls National Heritage Area".

(b) ANALYSES AND DOCUMENTATION.—The study shall include analysis and documentation of whether the study area—

(1) contains an assemblage of natural, historical, scenic, and cultural resources that represent distinctive aspects of the heritage of the United States that—

(A) are worthy of recognition, conservation, interpretation, and continued use; and

(B) would best be managed—

(i) through partnerships among public and private entities; and

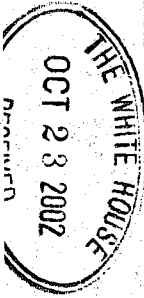
(ii) by combining diverse and sometimes noncontiguous resources and active communities;

(2) reflects traditions, customs, beliefs, and folklife that are a valuable part of the story of the United States;

(3) provides outstanding opportunities to conserve natural, historical, scenic, or cultural features;

(4) provides outstanding recreational and educational opportunities;

(5) contains resources important to the identified theme of the study area that retain a degree of integrity capable of supporting interpretation;



(6) includes residents, business interests, nonprofit organizations, and State and local governments that—

(A) are involved in planning a national heritage area;

(B) have developed a conceptual financial plan for a national heritage area that outlines the roles for all participants, including the Federal Government; and

(C) have demonstrated support for the concept of a national heritage area;

(7) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and State and local governments to develop a national heritage area consistent with continued State and local economic activity; and

(8) has a conceptual boundary map that is supported by the public.

(c) CONSULTATION.—In conducting the study, the Secretary shall consult with—

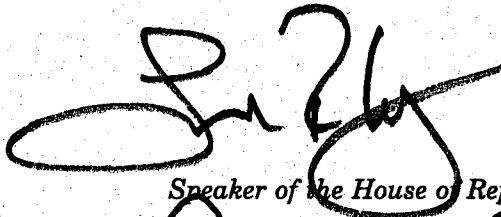
(1) State and local agencies; and

(2) interested organizations within the study area.

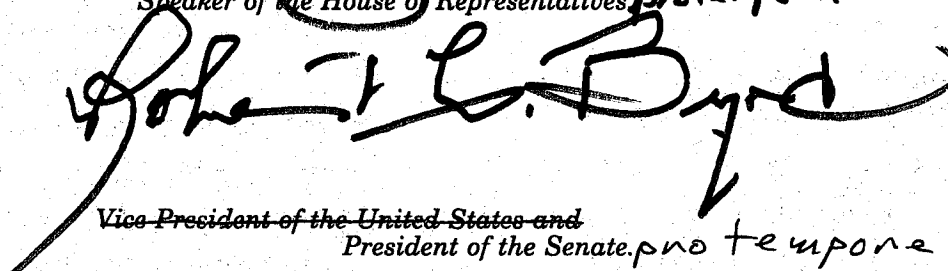
(d) REPORT.—Not later than 3 fiscal years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the findings, conclusions, and recommendations of the study under subsection (a).

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$300,000 to carry out this Act.



Speaker of the House of Representatives. pro tempore.

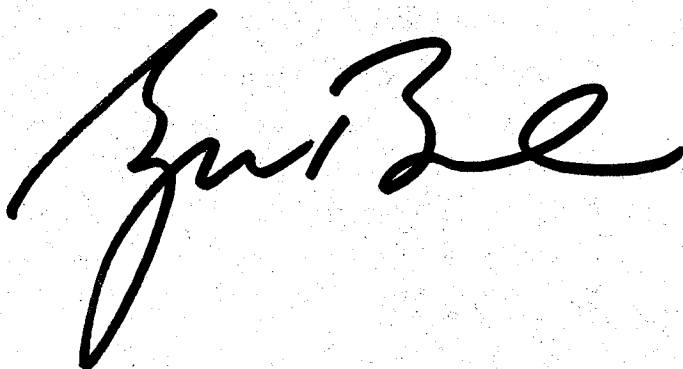


Vice President of the United States and

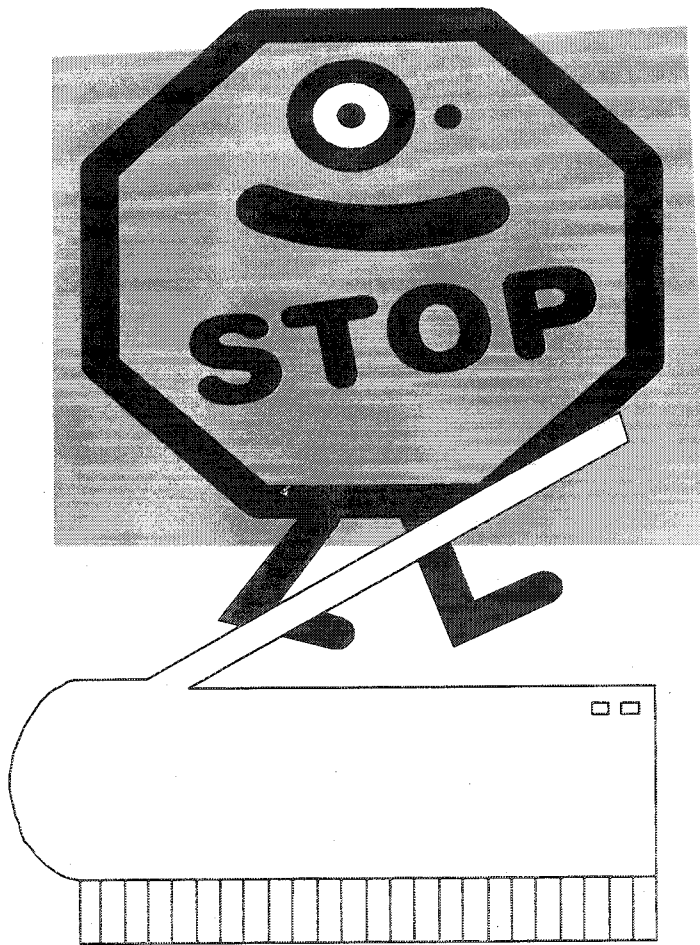
President of the Senate. pro tempore

APPROVED

OCT 29 2002



ORM
Scanning insert sheet



Remainder of case not scanned

Bills Received at the White House

Date received and
notification to OMB: **10/23/2002**
Last day for action: **11/4/2002**

S.1227

Official Title

An Act to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes.

OMB ENROL
BILL MEN
10/23/02

522274

WHITE HOUSE STAFFING MEMORANDUM

Date: 10-29-02 6:15 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-30-02 9:00 AMSubject: STATEMENT BY THE PRESIDENT ON S. 1227, THE NIAGARA FALLS NATIONAL HERITAGE AREA STUDY ACT

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

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO THE STAFF SECRETARY'S OFFICE, X62702, FAX X62215, BY 9:00 A.M., WEDNESDAY, OCTOBER 30, 2002, WITH A COPY TO THE EXECUTIVE CLERK. THANK YOU.

RESPONSE:

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

STATEMENT BY THE PRESIDENT

I have signed into law S. 1227, the Niagara Falls National Heritage Area Study Act. The Act requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, along and in the vicinity of the Niagara River.

Section 3(d) purports to require the Secretary of the Interior to submit to Congress recommendations related to legislation. The Executive Branch shall construe this provision in a manner consistent with the President's constitutional authority to submit for consideration to the Congress legislative proposals as the President judges are necessary and expedient.

Staff → for tomorrow
at 9:00 a.m.
Card
Bolton
Bartlett
Heischer

WHITE HOUSE STAFFING MEMORANDUMDate: 10-29-02 6:15 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10-30-02 9:00 AM

STATEMENT BY THE PRESIDENT ON S. 1227, THE NIAGARA FALLS NATIONAL
 Subject: HERITAGE AREA STUDY ACT

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RESPONSE:

0600

Be AHC 10/30

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Assistant to the President
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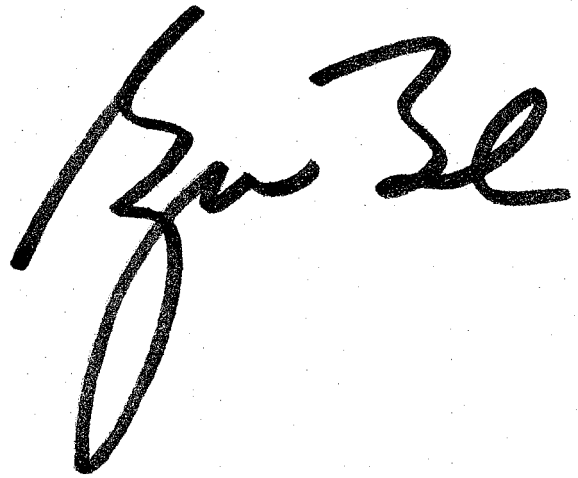
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OK - No Comment

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Assistant to the President
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WHITE HOUSE STAFFING MEMORANDUMDate: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AMSubject: ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY
ACT

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PLEASE FORWARD COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 11:00 AM TOMORROW, OCTOBER 29, AND SEND A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

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Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
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October 23, 2002

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Sponsors - Sen. Schumer (D) NY and Sen. Clinton (D) NY

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Council on Environmental Quality

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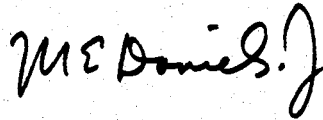
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Enclosures

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ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY

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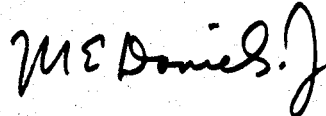
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Section 3(d) purports to require the Secretary of the Interior to submit to Congress recommendations related to legislation. The Executive Branch shall construe this provision in a manner consistent with the President's constitutional authority to submit for consideration to the Congress legislative proposals as the President judges are necessary and expedient.

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WHITE HOUSE STAFFING MEMORANDUM

Date: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AM

ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY

Subject: ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT <i>N/C</i>	☒	☐	HUBBARD <i>OK</i>	☒	☐
CARD <i>OK</i>	☒	☐	IRASTORZA	☐	☐
BARTLETT <i>OK</i>	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN <i>✓</i>	☒	☐	MARBURGER	☒	☐
BRIDGELAND	☐	☐	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>comments</i>	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 11:00 AM TOMORROW, OCTOBER 29, AND SEND A COPY TO THE STAFF SECRETARY'S OFFICE. THANK YOU.

RESPONSE: _____

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

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Ext. 62702



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

THE DIRECTOR

October 23, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1227 - Niagara Falls National Heritage Area Study Act
Sponsors - Sen. Schumer (D) NY and Sen. Clinton (D) NY

Last Day for Action

November 4, 2002 - Monday

Purpose

Requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

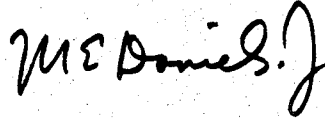
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The proposed study is to include an analysis and documentation of whether the area: (1) contains resources that represent distinctive assets of American heritage; (2) reflects traditions and customs that are valuable national history; (3) provides conservation and recreational opportunities; and (4) has sufficient local support to promote a National Heritage Area. (National Heritage Areas are managed by local groups with technical and financial assistance from the National Park Service.) A report on the findings, conclusions, and recommendations of the study is to be submitted to specified congressional committees within three years of funding availability. The enrolled bill authorizes appropriations of \$300,000 to carry out the study.

Conclusion and Recommendations

In its views letter, DOI recommends approval of S. 1227, advising that the enrolled bill would "provide an opportunity to investigate the feasibility of establishing a national heritage area associated with one of the nation's most important and best-known natural resources."

We join DOI in recommending approval of S. 1227 which passed both the Senate and House by unanimous consent.

A handwritten signature in black ink, reading "ME Daniels, Jr." with a stylized flourish at the end.

Mitchell E. Daniels, Jr.
Director

Enclosures



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

OCT 21 2002

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

Mitch
Dear ~~Mr.~~ Daniels:

This letter responds to your request for the views of the Department of the Interior on S. 1227, a bill to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York.

We recommend that the President approve the enrolled bill.

The Niagara River flows for 35 miles between Lake Erie and Lake Ontario and includes the rapids, Niagara Falls, and the Niagara River Gorge. Eight parks operated by the State of New York are located along the river and within the gorge. The river forms a boundary between the United States and Canada.

Niagara Falls is an internationally significant natural resource that attracts between 8 to 10 million visitors a year. It is one of the most well-known destination attractions in the United States and Canada. The Niagara River Gorge is an exceptionally scenic corridor, carved by the movement of the falls from its original location near Lewiston, New York (10,000 to 15,000 years ago) to its present location 10 miles upstream at the City of Niagara Falls. Besides its scenic values, the gorge has been cited as a world-class location of fossils from the Upper Ordovician and Silurian periods.

The Niagara River region contains a wide variety of flora and fauna. Recent inventories completed for the Canadian Niagara Escarpment Commission identified 1,623 plant species, including unique miniature old growth eastern white cedars. The commission's fauna inventories also include 50 mammal species, 17 amphibian species, 99 fish species, and 17 species of reptiles. Bird inventories identify 342 species including 19 separate species of gulls. One-day counts of gull populations have reached over 100,000 individuals. In recognition of this critical habitat, the National Audubon Society has designated the Niagara River as a Globally Important Bird Area.

The region is also rich in cultural resources related to the history of the United States and Canada. It has significant associations with Native American habitation and early European contact, the French and Indian War, the American Revolution, and the War of

-2-

1812. It was also a major link in the Underground Railroad for African Americans escaping slavery to enter Canada. The existence of ample water made it an early site for hydroelectric power, and it remains an important source to this day.

There is well-known national interest in the resources of the region. Three National Historic Landmarks have been designated along the Niagara River. The Adams Power Transformer House, built in 1895, is the only surviving structure of a hydroelectric facility and has been called, "the birthplace of the modern hydroelectric power station." The Niagara Reservation, originally designed by Frederick Law Olmsted, which includes the American Falls, was the first state park in the nation created under eminent domain. The Colonial Niagara Historic District, within the communities of Lewiston and Youngstown, was a key portage route linking interior North America and the Atlantic seaboard until the late 1700s. It also contains extant resources associated with Native American occupation and early European contact. Historic Fort Niagara on the shore of Lake Ontario is an important component of the district. Within the City of Niagara Falls and the communities of Lewiston and Youngstown there are 14 sites listed on the National Register of Historic Places.

The National Park Service has defined a national heritage area as a place designated by Congress where natural, cultural, historic and scenic resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. It is not the role of the National Park Service to manage or regulate a national heritage area, but to assist the variety of local partners and landowners who work together to achieve the common goal of protecting and interpreting important places where people live and work.

Despite the richness of the natural and cultural resources in the area, there is widespread belief that the United States side of the falls has never fully achieved its tremendous potential for visitors and for the local communities. A heritage partnership framework has been advocated as a way for the many important partners in the region to further the contribution of the Niagara Falls region to the United States and to the people of New York. We have found considerable support for this idea. The study would permit us to consider the opportunity further, and determine if a partnership framework is the best way to protect natural and cultural resources in the region.

At the request of Representative John J. LaFalce and Senator Charles E. Schumer, representatives of the National Park Service undertook reconnaissance visits to Niagara Falls in 2001 and met with State and local officials and representatives of interested organizations. These preliminary findings indicate that a national heritage area feasibility study could be justified.

In testimony given before the Senate Energy Subcommittee on National Parks on July 31, 2001, we stated that the Department supports enactment of this bill. However, we indicated that we would not request funding for this study so as to focus available time and resources on completing previously authorized studies. At the time we testified on

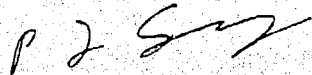
-3-

S. 1227, there were 42 authorized studies pending. We stated that we expected to complete only a few of those studies in 2001. (As of September 15, 2002, there were 34 studies pending.) We cautioned that our support for this legislation authorizing a study does not necessarily mean that the Department will support designation of this heritage area. The study would be undertaken with the full involvement of representatives of the State of New York, the City of Niagara Falls, other communities along the Niagara River, and interested organizations and citizens in the region.

We recommended one amendment to the bill to provide maximum flexibility with regard to the study area. That recommendation concerned the scope of the definition of the term "Study Area" as found in Section 2(2) of the bill. The bill was subsequently amended to our satisfaction.

If enacted, S. 1227 would provide an opportunity to investigate the feasibility of establishing a national heritage area associated with one of the nation's most important and best-known natural resources. Accordingly, the Department supports S. 1227 and recommends its approval to the President.

Sincerely,



P. Lynn Scarlett
Assistant Secretary for Policy,
Management and Budget

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 a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, 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 "Niagara Falls National Heritage Area Study Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) STUDY AREA.—The term "study area" means lands in Niagara County, New York, along and in the vicinity of the Niagara River.

SEC. 3. NIAGARA FALLS NATIONAL HERITAGE AREA STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of the suitability and feasibility of establishing a heritage area in the State of New York to be known as the "Niagara Falls National Heritage Area".

(b) ANALYSES AND DOCUMENTATION.—The study shall include analysis and documentation of whether the study area—

(1) contains an assemblage of natural, historical, scenic, and cultural resources that represent distinctive aspects of the heritage of the United States that—

(A) are worthy of recognition, conservation, interpretation, and continued use; and

(B) would best be managed—

(i) through partnerships among public and private entities; and

(ii) by combining diverse and sometimes noncontiguous resources and active communities;

(2) reflects traditions, customs, beliefs, and folklife that are a valuable part of the story of the United States;

(3) provides outstanding opportunities to conserve natural, historical, scenic, or cultural features;

(4) provides outstanding recreational and educational opportunities;

(5) contains resources important to the identified theme of the study area that retain a degree of integrity capable of supporting interpretation;

(6) includes residents, business interests, nonprofit organizations, and State and local governments that—

(A) are involved in planning a national heritage area;

(B) have developed a conceptual financial plan for a national heritage area that outlines the roles for all participants, including the Federal Government; and

(C) have demonstrated support for the concept of a national heritage area;

(7) has a potential management entity to work in partnership with residents, business interests, nonprofit organizations, and State and local governments to develop a national heritage area consistent with continued State and local economic activity; and

(8) has a conceptual boundary map that is supported by the public.

(c) CONSULTATION.—In conducting the study, the Secretary shall consult with—

(1) State and local agencies; and

(2) interested organizations within the study area.

(d) REPORT.—Not later than 3 fiscal years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the findings, conclusions, and recommendations of the study under subsection (a).

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$300,000 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

THE DIRECTOR

October 23, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1227 - Niagara Falls National Heritage Area Study Act
Sponsors - Sen. Schumer (D) NY and Sen. Clinton (D) NY

Last Day for Action

November 4, 2002 - Monday

Purpose

Requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

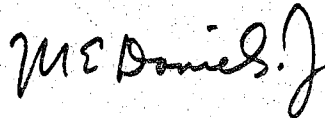
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Mitchell E. Daniels, Jr.
Director

Enclosures



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

THE DIRECTOR

October 23, 2002

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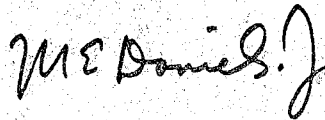
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 23, 2002

MEMORANDUM FOR THE PRESIDENT

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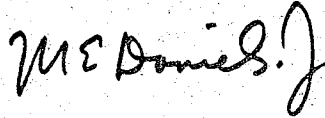
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 23, 2002

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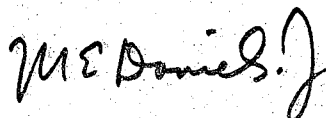
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Mitchell E. Daniels, Jr.
Director

Enclosures

NIAGARA FALLS NATIONAL HERITAGE AREA STUDY ACT

JUNE 26, 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. 1227]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1227) to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 2, lines 3 through 12, amended paragraph (2) to read as follows:

“(2) STUDY AREA.—The term ‘study area’ means lands in Niagara County, New York, along and in the vicinity of the Niagara River.”

2. On page 2, line 13, strike “RIVER” and insert “FALLS”.

3. On page 5, strike lines 1 through 3 and insert the following:

“SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated \$300,000 to carry out this Act.”

PURPOSE

The purpose of S. 1227 is to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York.

BACKGROUND AND NEED

The Niagara River Corridor includes the internationally renowned Niagara Falls, the 6-mile long Niagara Gorge, and the city of Niagara Falls. Besides its scenic gorge geology, the region includes National Landmarks such as the Niagara Reservation State Park, a Frederick Law Olmsted-designed resource which the National Park Service now lists as threatened/damaged, chiefly due to visual intrusions on the Canadian side of the river.

The National Park Service conducted a reconnaissance survey of the Niagara River Corridor between March 19 and 20, 2001, and the agency is now in the process of preparing a report on the results of its survey. A July 26, 2001 Draft Report examined possibilities for National Park Service involvement in the area.

The Draft Report preliminarily considered three possibilities for National Park Service involvement in the region. The first option proposed using existing authorities while the second considered designating the area as a unit of the National Park System. Neither option was recommended.

The third option proposed a study of the suitability and feasibility of establishing a Niagara Falls Heritage Area. Such a heritage area could lend Park Service assistance to restoring Olmsted's Niagara Reservation, providing cohesive planning to the state parks in the area, and helping the city of Niagara Falls develop pedestrian access to the river and otherwise rejuvenate itself based on the surrounding natural splendors. The Draft Report tentatively concluded that "[s]hould there be demonstrated local support for a partnership with the National Park Service in the region, Congress should authorize the Secretary of the Interior to undertake a National Heritage Area Feasibility Study."

LEGISLATIVE HISTORY

S. 1227 was introduced by Senators Schumer and Clinton on July 24, 2001. The House companion measure, H.R. 2609, was introduced by Representative John LaFalce on July 24, 2001. The Subcommittee on National Parks held a hearing on S. 1227 on July 31, 2001. The Committee on Energy and Natural Resources considered S. 1227 and adopted amendments to it 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. 1227, if amended as described herein.

COMMITTEE AMENDMENTS

During its consideration of S. 1227, Committee on Energy and Natural Resources recommended three amendments. Amendment #1 clarifies the definition of the study area of the proposed heritage area. Amendment #2 makes a conforming change to the section 3 heading. Finally, amendment #3 is a technical amendment redesignating the subsection authorizing appropriations for the study as a free-standing section.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the Act the "Niagara Falls National Heritage Area Study Act."

Section 2 provides definitions.

Section 3 directs the Secretary of the Interior to conduct a suitability and feasibility study, sets forth requirements for conducting the study and consultation, and provides that a report on the findings, conclusions, and recommendations of the study be submitted to certain committees within 3 fiscal years from the date on which funds are made available.

Section 4 authorizes \$300,000 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.

S. 1227—Niagra Falls National Heritage Area Study Act

S. 1227 would direct the Secretary of the Interior to conduct a study of the feasibility of establishing a Niagara Falls National Heritage Area in the state of New York. The study would identify cultural and other resources in the area and would determine if there is a suitable entity to manage it. The bill would authorize the appropriation of \$300,000 to conduct the study, and it would require the Secretary to report on its findings and recommendations within three years of receiving funds.

Assuming appropriation of the authorized amount, CBO estimates that implementing S. 1227 would cost the Federal Government \$300,000 over the next three years to complete the required study and report. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1227 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 for this estimate is Deborah Reis. The estimate was approved by Robert A. Sunshine, 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. 1227. 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. 1227.

EXECUTIVE COMMUNICATIONS

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

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

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 1227, a bill to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York. The bill authorizes \$300,000 to carry out this study. The Department supports enactment of this bill with one recommended amendment.

Although the Department supports enactment of this piece of legislation, we will not request funding for this study in this or the next fiscal year, so as to focus available time and resources on completing previously authorized studies. As of now, there are 42 authorized studies that are pending, and we only expect to complete a few of those this year. We caution that our support of this legislation authorizing a study does not necessarily mean that the Department will support designation of this heritage area. The study would be undertaken with the full involvement of representatives of the State of New York, the City of Niagara Falls, other communities along the Niagara River, and interested organizations and citizens in the region.

At the request of Representative John J. LaFalce and Senator Charles E. Schumer, representatives of the National Park Service undertook reconnaissance visits to Niagara Falls this year and met with state and local officials and representatives of interested organizations. These preliminary findings indicate that a national heritage area feasibility study could be justified.

The Niagara River flows for 35 miles between Lake Erie and Lake Ontario and includes the rapids, Niagara Falls, and the Niagara River Gorge. Eight parks operated by the State of New York are located along the river and within the gorge. The river forms a boundary between the United States and Canada.

Niagara Falls is an internationally significant natural resource that attracts between 8 to 10 million visitors a year. It is one of the most well-known destination attractions in the United States and Canada. The Niagara River Gorge is an exceptionally scenic corridor, carved by the movement of the falls from its original location near Lewiston, New York (10,000 to 15,000 years ago) to its present location 10 miles upstream at the City of Niagara Falls. Besides its scenic values, the gorge has been cited as a world-class location of fossils from the Upper Ordovician and Silurian periods.

The Niagara River region contains a wide variety of flora and fauna. Recent inventories completed for the Canadian Niagara Escarpment Commission identified 1,623 plant species including unique miniature old growth eastern white cedars. The commission's fauna inventories also

include 50 mammal species, 17 amphibian species, 99 fish species, and 17 species of reptiles. Bird inventories identify 342 species including 19 separate species of gulls. One-day counts of gull populations have reached over 100,000 individuals. In recognition of this critical habitat, the National Audubon Society has designated the Niagara River as a Globally Important Bird Area.

The region is also rich in cultural resources related to the history of the United States and Canada. It has significant associations with Native American habitation and early European contact, the French and Indian War, the American Revolution, and the War of 1812. It was also a major link in the Underground Railroad for African Americans escaping slavery to enter Canada. The existence of ample water made it an early site for hydroelectric power, and it remains an important source to this day.

There is well-known national interest in the resources of the region. Three National Historic Landmarks have been designated along the Niagara River. The Adams Power Transformer House, built in 1895, is the only surviving structure of a hydroelectric facility that has been called, "the birthplace of the modern hydroelectric power station." The Niagara Reservation, which includes the American Falls, was the first state park in the nation created under eminent domain, and originally designed by Frederick Law Olmsted. The Colonial Niagara Historic District, within the communities of Lewiston and Youngstown, was a key portage route linking interior North America and the Atlantic seaboard until the late 1700s. It also contains extant resources associated with Native American occupation and early European contact. Historic Fort Niagara on the shore of Lake Ontario is an important component of the district. Within the City of Niagara Falls and the communities of Lewiston and Youngstown there are 14 sites listed on the National Register of Historic Places.

The National Park Service has defined a national heritage area as a place designated by Congress where natural, cultural, historic and scenic resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. It is not the role of the National Park Service to manage or regulate a national heritage area, but to assist the variety of local partners and landowners who work together to achieve the common goal of protecting and interpreting important places where people live and work.

Despite the richness of the natural and cultural resources in the area, there is widespread belief that the United States side of the falls has never fully achieved its tremendous potential for visitors and for the local communities. A heritage partnership framework has been advocated as a way for the many important partners in the region to further the contribution of the Niagara Falls region to the United States and to the people of New York. We have found considerable support for this idea. The study would permit us to consider the opportunity further, and

determine if a partnership framework is the best way to protect natural and cultural resources in the region.

We would recommend one amendment to the bill to provide maximum flexibility with regard to the study area. Currently, Section 2(2) unnecessarily defines the study area as the segment of the Niagara River in Niagara County, New York that extends from Niagara Falls to the mouth of the Niagara River at Lake Ontario. The National Park Service study process provides for developing a focused study area addressing the full assemblage of resources relating to the potential heritage area themes, and including the strongest range of capable and enthusiastic partners. This approach permits an area to be focused enough to be manageable, but broad enough to include the key partners and resources necessary. We recommend that Section 2(2) be amended to avoid a specific study area boundary at this time to allow us to focus on all resources specifically related to the Niagara Falls theme and area.

Mr. Chairman, the Administration supports this bill with the recommended amendment. It provides an opportunity to investigate the feasibility of establishing a national heritage area associated with one of the nation's most important and best-known natural resources. We look forward to working in close partnership with the State of New York, the City of Niagara Falls, and the communities and organizations within the Niagara Falls region to explore the possibility of national heritage area designation.

Thank you for the opportunity to comment. This concludes my prepared remarks. I would be glad to answer any questions that you or the members of the committee 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 the bill S. 1227, as ordered reported.

NIAGARA FALLS NATIONAL HERITAGE AREA STUDY ACT

SEPTEMBER 23, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany S. 1227]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 1227) to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 1227 is to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Niagara Falls in western New York forms the boundary between the State and Canada and is internationally recognized as a very significant natural wonder. Between 8 and 10 million people visit the Falls each year. The Niagara River Gorge Corridor is also well known for its exceptional scenic views. The Gorge is also known to contain a world-class selection of fossils from the Upper Ordovician and Silurian periods. The Niagara River flows for 35 miles between Lake Erie and Lake Ontario and includes both the Niagara Falls and the Niagara River Gorge. The area encompasses eight parks located along the River and the Gorge that are operated by the State of New York.

The region is home to many cultural and historical resources relating to early American history. Included are sites and resources

relating to Native American habitation and early European contact, the French and Indian War, the American Revolutionary War, and the War of 1812. In addition, it includes an important route in the Underground Railroad which aided African-American slaves escaping to Canada.

In early 2001, the National Park Service (NPS) conducted a reconnaissance study of the Niagara River region in which possibilities for NPS involvement were explored. While the study did not recommend the area being studied for possible designation as a unit of the National Park System, it did conclude that one possible scenario was to have the area studied for its suitability and feasibility of being designated a National Heritage Area.

COMMITTEE ACTION

S. 1227 was introduced on July 24, 2001, by Senator Charles Schumer (D-NY). On August 1, 2002, the Senate passed the bill, with amendments, by unanimous consent. S. 1227 was referred to the Committee on Resources. On September 12, 2002, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and

section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

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

Hon. JAMES V. HANSEN,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1227, the Niagara Falls National Heritage Area Study Act.

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

Sincerely,

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

Enclosure.

S. 1227—Niagara Falls National Heritage Area Study Act

S. 1227 would direct the Secretary of the Interior to conduct a study of the feasibility of establishing a Niagara Falls National Heritage Area in the state of New York. The study would identify cultural and other resources in the area and would determine if there is a suitable entity to manage it. The act would authorize the appropriation of \$300,000 to conduct the study, and it would require the Secretary to report on its findings and recommendations within three years of receiving funds.

Assuming appropriation of the authorized amount, CBO estimates that implementing S. 1227 would cost the federal government \$300,000 over the next three years to complete the required study and report. The legislation would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1227 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.

On June 13, 2002, CBO submitted a cost estimate for S. 1227 as ordered reported by the Senate Committee on Energy and Natural Resources on June 5, 2002. The two versions of the legislation are identical, as are the cost estimates.

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

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.



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WHITE HOUSE STAFFING MEMORANDUM

Date: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AM

ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY
 Subject: ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☐	☐
BOLTEN	☒	☐	MARBURGER	☒	☐
BRIDGELAND	☐	☐	MIERS	☐	☒
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DANIELS	☐	☒	ROVE	☒	☐
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REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 11:00 AM

WHITE HOUSE STAFFING MEMORANDUMDate: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AMSubject: ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY
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THANK YOU.

RESPONSE:

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

 *** TX REPORT ***

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THANK YOU.

RESPONSE:

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

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WHITE HOUSE STAFFING MEMORANDUM

Date: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AM

Subject: ACT
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RESPONSE:

Harriet E. Miers
Assistant to the President
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Ext. 62702

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WHITE HOUSE STAFFING MEMORANDUM

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RESPONSE:

Harriet E. Miers
Assistant to the President
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WHITE HOUSE STAFFING MEMORANDUMDate: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AMSubject: ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY
ACT

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

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RESPONSE:

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

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1035	
CONNECTION TEL		67090
CONNECTION ID	ADMIN	
ST. TIME	10/28 02:21	
USAGE T	01'17	
PGS. SENT	3	
RESULT	OK	

SS/ RM NO. _____

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Harriet E. Miers
Assistant to the President
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Ext. 62702



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

THE DIRECTOR

October 23, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1227 - Niagara Falls National Heritage Area Study Act
Sponsors - Sen. Schumer (D) NY and Sen. Clinton (D) NY

Last Day for Action

November 4, 2002 - Monday

Purpose

Requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

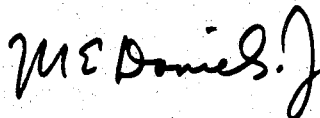
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Mitchell E. Daniels, Jr.
Director

Enclosures

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Handwritten: JC AKC 10/29

Handwritten: 2:15 PM

Harriet E. Miers
Assistant to the President
and Staff Secretary
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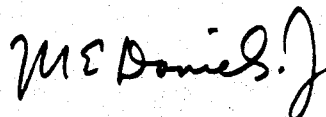
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OK No Comment

RESPONSE:

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



EXECUTIVE OFFICE OF THE PRESIDENT
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WASHINGTON, D.C. 20503

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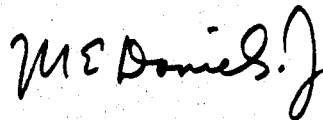
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Mitchell E. Daniels, Jr.
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Enclosures

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RESPONSE:

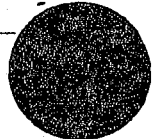
No comment
L7 for Carl Buchholz

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

TO JIM JUKES
FROM A

SS/ RM NO. _____

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No Comment.

RESPONSE:

*Phil Slooney, CEQ
10/28/02*

Harriet E. Miers
Assistant to the President
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Ext. 62702

SS/ RM NO.

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OK - Phillip Swager LFA

RESPONSE:

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Assistant to the President
and Staff Secretary
Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

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I would recommend approving with the

RESPONSE: following statement:

"Section 3(d) purports to require the Secretary of the Interior to submit to Congress recommendations relating to legislation. The executive branch shall construe this provision in a manner consistent with the President's constitutional authority to submit for Congress to the Congress measures as the President judges necessary and expedient."

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

Copy Sample
W HEO
6-5257

WHITE HOUSE STAFFING MEMORANDUM

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Legation Affi Howard) - sh

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Assistant to the President
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No objection (Informally)

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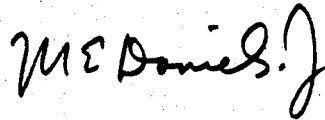
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BRIDGELAND	☐	☐	MIERS	☐	☒
CALIO	☒	☐	RICE	☐	☐
CONNAUGHTON	☒	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☐	☒	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS TO JIM JUKES, EXTENSION 53458/FAX 56148, BY 11:00 AM TOMORROW, OCTOBER 29, AND SEND A COPY TO THE STAFF SECRETARY'S OFFICE. 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

THE DIRECTOR

October 23, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1227 - Niagara Falls National Heritage Area Study Act
Sponsors - Sen. Schumer (D) NY and Sen. Clinton (D) NY

Last Day for Action

November 4, 2002 - Monday

Purpose

Requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)
Council on Environmental Quality

Approval
No objection (Informally)

Discussion

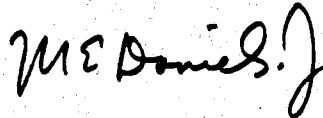
The Niagara River region comprises the river which flows for 35 miles between Lake Erie and Lake Ontario, and includes Niagara Falls, the 6-mile long Niagara Gorge, and eight parks operated by the State of New York along the river and within the gorge. The river forms the boundary between the United States and Canada. S. 1227 requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, along and in the vicinity of the Niagara River.

The proposed study is to include an analysis and documentation of whether the area: (1) contains resources that represent distinctive assets of American heritage; (2) reflects traditions and customs that are valuable national history; (3) provides conservation and recreational opportunities; and (4) has sufficient local support to promote a National Heritage Area. (National Heritage Areas are managed by local groups with technical and financial assistance from the National Park Service.) A report on the findings, conclusions, and recommendations of the study is to be submitted to specified congressional committees within three years of funding availability. The enrolled bill authorizes appropriations of \$300,000 to carry out the study.

Conclusion and Recommendations

In its views letter, DOI recommends approval of S. 1227, advising that the enrolled bill would "provide an opportunity to investigate the feasibility of establishing a national heritage area associated with one of the nation's most important and best-known natural resources."

We join DOI in recommending approval of S. 1227 which passed both the Senate and House by unanimous consent.

A handwritten signature in black ink, reading "ME Daniels, Jr." with a stylized flourish at the end.

Mitchell E. Daniels, Jr.
Director

Enclosures

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AMSubject: ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY
ACT

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

REMARKS:

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No Comment

RESPONSE: _____

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

WHITE HOUSE STAFFING MEMORANDUMDate: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AM**ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY**Subject: ACT

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

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

THE DIRECTOR

October 23, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill S. 1227 - Niagara Falls National Heritage Area Study Act
Sponsors - Sen. Schumer (D) NY and Sen. Clinton (D) NY

Last Day for Action

November 4, 2002 - Monday

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OFFICE OF THE VICE PRESIDENT
WASHINGTON

October 29, 2002

MEMORANDUM FOR JIM JUKES
ASSISTANT DIRECTOR, OMB

FROM: JONATHAN BURKS 
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

**SUBJECT: Enrolled Bill S. 1227 – Niagara Falls National Heritage
Area 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

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

October 30, 2002

STATEMENT BY THE PRESIDENT

I have signed into law S. 1227, the Niagara Falls National Heritage Area Study Act. The Act requires the Secretary of the Interior to study the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, along and in the vicinity of the Niagara River.

Section 3(d) purports to require the Secretary of the Interior to submit to the Congress recommendations related to legislation. The executive branch shall construe this provision in a manner consistent with the President's constitutional authority to submit for consideration to the Congress legislative proposals as the President judges are necessary and expedient.

GEORGE W. BUSH

THE WHITE HOUSE,
October 30, 2002.

#

OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE: S. 1227 - Niagara Falls

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: 10/29/02 Time: 5:35 a.m./(p.m.))
In final: / /02 Time: _____ a.m./p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: 10/29/02 Time: 5:35 a.m./(p.m.))
In final: / /02 Time: _____ a.m./p.m.

TO HARRIET MIERS' OFFICE:

(For staffing: / /02 Time: _____ a.m./p.m.)
In final: 10/30/02 Time: 10 a.m./p.m.

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

Date: 10/30/02 Time: 10:35 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:

SS/ RM NO.

WHITE HOUSE STAFFING MEMORANDUM

Date: 10/28/02 1:00 PM ACTION / CONCURRENCE / COMMENT DUE BY: 10/29/02 11:00 AM

Subject: ENROLLED BILL S. 1227 - NIAGARA FALLS NATIONAL HERITAGE AREA STUDY
ACT

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OSTP has no objection.

RESPONSE:

faxed to Jukes and Staff Sec 10/31/02
via phone to Jukes 10/29/02
dic

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