

George W. Bush Presidential Library

Collection: Executive Clerk, Office of the

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

Folder Title: 11/05/2001 [H. R. 2217]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
003	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
004	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
005	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
006	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
007	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
008	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
009	Statement	Statement by the President - From: POTUS	1	N.D.	P5;

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Executive Clerk, Office Of the

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Saunders, G. Timothy (Tim) - Bill Files

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11/05/2001 [H. R. 2217]

FRC ID:

779

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

Deed of Gift Restrictions

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

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

- b(1) National security classified information [(b)(1) of the FOIA]
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010	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
011	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
012	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
013	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
014	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
015	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
016	Note	[Note re: Statement by the President] - From: Bob McNally	1	N.D.	P5;

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
017	Routing Memo	H.R. 2217, Department of the Interior and Related Agencies Appropriations Act, FY 2002 - To: Staff Secretary - From: Bob McNally	1	11/02/2001	P5;
018	Statement	Statement by the President - From: POTUS	1	11/02/2001	P5;
019	Statement	Statement by the President - From: POTUS	1	11/02/2001	P5;
020	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
021	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
022	Statement	Statement by the President - From: POTUS	1	N.D.	P5;
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T002	Statement	[Re: H. R. 2217]	1	11/05/2001	Transferred

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THE DIRECTOR

THE PRESIDENT HAS SEEN
11-5-01

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

01 NOV 1 14:37

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

Funding for the agencies and accounts covered by the enrolled bill is currently provided under H.J. Res. 70, the fourth FY 2002 Continuing Resolution, which will expire at midnight on Friday, November 16th.

Purpose

Provides FY 2002 appropriations for the Department of the Interior, various programs of the Department of Energy, the Forest Service (Department of Agriculture), the Indian Health Service (Department of Health and Human Services), and several smaller agencies.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of Health and Human Services	Approval
Department of Energy	Approval
Smithsonian Institution	Approval
Other affected agencies	Approval (assumed)

Discussion

Overall, the enrolled bill provides \$19.1 billion in FY 2002 discretionary budget authority, \$1.0 billion above your request and \$0.1 billion above the FY 2001 level. Of this amount, \$0.4 billion has been designated as contingent emergency funding, which is primarily for repayment of funds advanced for wildfire emergencies in FY 2001. We will continue to work with the Congress to ensure the policy and program content of each of the thirteen appropriations bills is acceptable to you and that the bill totals are within the recently agreed upon aggregate funding level of \$686 billion.

The enrolled bill provides most of the funding you requested for energy conservation, Indian school construction, the arts, and other key recreation and conservation programs. The bill retains an objectionable provision on the use of funds to conduct mineral pre-leasing and related activities within certain national monuments. However, through negotiations with the Congress, several other objectionable language provisions have been successfully removed from the bill.

The conference report on H.R. 2217 passed the House and Senate on October 17th by votes of 380 to 28 and 95 to 3, respectively.

Presidential Initiatives

The enrolled bill addresses your FY 2002 requests for several key initiatives: the Land and Water Conservation Fund (LWCF); the National Park Service deferred maintenance backlog; the Clean Coal Power Initiative; Weatherization Grants; and the Northeast Home Heating Oil Reserve.

The Congress provides a net \$683 million for LWCF, \$217 million below your request. (The total is comprised of a \$718 million FY 2002 appropriation, less a \$25 million rescission of a FY 2001 appropriation.) Within the total, State LWCF grants were reduced by \$306 million below the request, which is still a 60-percent increase over FY 2001.

The enrolled bill provides \$356 million of discretionary funding for the National Park Service deferred maintenance backlog, \$17 million above your request. Regrettably, this includes over \$70 million for unrequested projects. The bill extends the recreation fee demonstration program for two years, which provides about \$100 million annually for deferred maintenance needs.

As requested, the Congress fully funds, at \$150 million, your initiative to create a new and innovative Clean Coal Power program, which will allow better use of our most abundant domestic energy source. However, language was included that may restrict the innovative implementation proposed for this initiative, and we will work with the Department of Energy to increase the involvement of the private sector in using these funds, as proposed. H.R. 2217 does support your request for the Northeast Home Heating Oil Reserve to help assure families in the Northeast that home heating oil will be available for the winter season. However, your initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 by the Congress. This reduction will deny program benefits for over 17,000 low-income families, compared with your request.

Department of the Interior

The enrolled bill provides a total of \$9.4 billion to the Department of the Interior (DOI), which includes \$54 million in unrequested emergency funding to address wildland fire management. The overall level of funding is \$0.3 billion above your request and includes full

funding for key programs, such as the National Park Services' Natural Resource Challenge and the Save America's Treasures program, administration of the Endangered Species Act and the National Wildlife Refuge System, and the Bureau of Indian Affairs education and school construction programs.

The bill provides \$292 million, as requested, for Indian school construction, keeping DOI on the five-year path to eliminate the 2001 school repair and maintenance backlog by 2006.

Department of Health and Human Services

H.R. 2217 provides an overall funding level of \$2.8 billion for the Indian Health Services (IHS), \$52 million above your request and \$130 million above the FY 2001 enacted level. This level includes \$49 million more than your request for construction of health care facilities on the IHS priority rankings list.

Department of Agriculture

The enrolled bill provides an overall funding level of \$4.1 billion for the Forest Service, \$0.4 billion above your request and \$0.3 billion below the FY 2001 enacted level. The bill includes \$346 million in unrequested emergency funds for wildland fire management. The funding levels provided for the Forest Service will help to address many priority operational needs identified in your budget, including wildfire preparedness; habitat improvements for threatened, endangered, and sensitive species on a quarter million acres; and bioenergy research.

Department of Energy

Fossil energy research and development is funded at \$622 million, \$173 million over your request, and includes a number of new programs, unrequested increases, and 10 earmarks totaling \$33 million. Although we are concerned with some of these increases and earmarks, we can, on balance, accept their inclusion. As requested, the enrolled bill includes \$8 million for the Northeast Heating Oil Reserve.

Regrettably, the bill does not reflect your proposal to reverse the misleading budget practice of using advance appropriations to avoid spending limitation. The bill includes a \$36 million advance appropriation for FY 2003 for the Elk Hills School Lands Fund. There is no programmatic justification for an advance appropriation for Elk Hills. The advance appropriation of \$36 million enacted in FY 2001 will fund the program in FY 2002. Energy conservation programs are funded at \$913 million in the bill, \$157 million, or 21 percent, above your original request. However, the Administration has accepted this increase in funding as consistent with the National Energy Policy report of May 2001.

National Endowment for the Arts, National Endowment for the Humanities, Institute of Museum and Library Services

H.R. 2217 includes \$115 million for the National Endowment for the Arts, \$10 million above both your request and the FY 2001 enacted level. The \$10 million increase is for the Challenge America initiative, which emphasizes arts education and outreach to under-served communities across America. For the National Endowment for the Humanities, the enrolled bill includes \$125 million, \$4 million above your request and \$5 million above the FY 2001 enacted level. The bill funds the Institute of Museum and Library Services Office of Museum Services at \$27 million, \$2 million above both the request and the FY 2001 enacted levels.

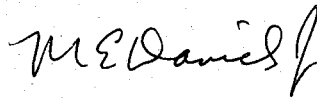
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The enrolled bill funds the Smithsonian Institution at \$497 million, \$3 million above your request and \$42 million above the FY 2001 enacted level. In addition, the John F. Kennedy Center for the Performing Arts, the National Gallery of Art, the U.S. Holocaust Memorial Museum, the Institute of American Indian Arts, the Office of Navajo and Hopi Indian Relocation, and the Woodrow Wilson Center are funded at or above requested levels.

Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,

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

Mitchell E. Daniels, Jr.
Director

Attachment



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OFFICE OF MANAGEMENT AND BUDGET
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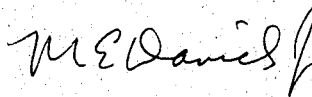
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Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,



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Withdrawal Marker

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For a complete list of items withdrawn from this folder, see the
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STATEMENT BY THE PRESIDENT

Today I have signed into law H.R. 2217, the "Department of the Interior and Related Agencies Appropriations Act, 2002."

I appreciate the bipartisan effort that has gone into producing this Act. The bill abides by the agreed upon aggregate funding level for Fiscal Year 2002 of \$686 billion and supports several of my Administration's key initiatives with:

- funding from the Land and Water Conservation Fund to acquire and conserve lands in national parks, forests, refuges, and public lands, and assist States in promoting conservation and outdoor recreation;
- funding to reduce the National Park Service deferred maintenance backlog and meet the growing demands on park facilities and resources;
- funding for Indian school construction to keep us on the 5-year path to eliminate the current school repair and maintenance backlog by 2006; and
- full funding for key energy programs, such as the Clean Coal Power initiative, to work in partnership with industry to direct research towards reducing the environmental impact of coal used for power generation in the United States.

I am disappointed that my initiative to increase the Low-Income Weatherization Assistance Program by \$120 million was reduced by \$43 million in the final version of this bill. This reduction will deny program benefits for over 17,000 low-income families, compared with my request.

Several provisions in the bill purport to require congressional approval before executive branch execution of aspects of the bill. I will interpret such provisions to require notification only, since any other interpretation would contradict the Supreme Court ruling in *INS v. Chadha*.

THE WHITE HOUSE,

November 5, 2001.



Preservation Copy - George W. Bush Handwriting

One Hundred Seventh Congress
of the
United States of America

AT THE FIRST SESSION

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

An Act

Making appropriations for the Department of the Interior and related agencies
for the fiscal year ending September 30, 2002, and for other purposes.

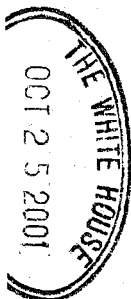
*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled, That the
following sums are appropriated, out of any money in the Treasury
not otherwise appropriated, for the Department of the Interior
and related agencies for the fiscal year ending September 30, 2002,
and for other purposes, namely:*

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

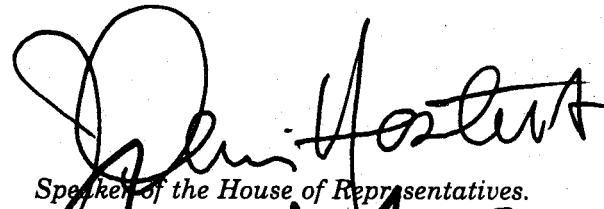
MANAGEMENT OF LANDS AND RESOURCES

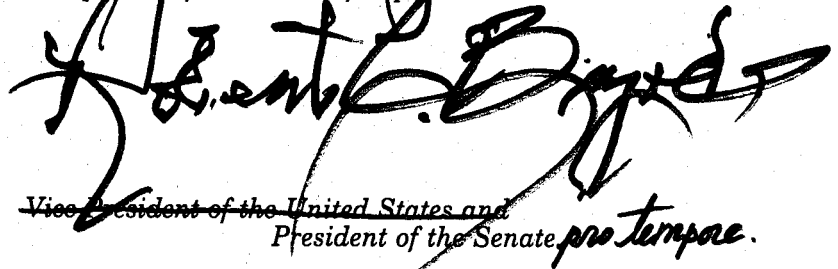
For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$775,632,000, to remain available until expended, of which \$1,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act; of which \$4,000,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96-487 (16 U.S.C. 3150); and of which not to exceed \$1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-6a(i)); and of which \$3,000,000 shall be available in fiscal year 2002 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, \$32,298,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended; to be reduced by amounts collected by the Bureau and credited to this appropriation



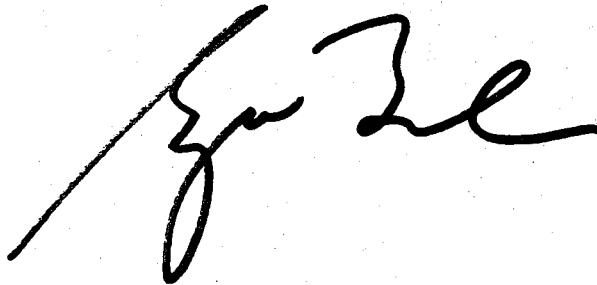
H. R. 2217—60

This Act may be cited as the "Department of the Interior
and Related Agencies Appropriations Act, 2002".


Speaker of the House of Representatives.


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

APPROVED
NOV - 5 2001



Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

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For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

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

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

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11/5/01
Version

STATEMENT BY THE PRESIDENT

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I appreciate the bipartisan effort that has gone into producing this Act. The bill abides by the agreed upon aggregate funding level for Fiscal Year 2002 of \$686 billion and supports several of my Administration's key initiatives with:

- funding from the Land and Water Conservation Fund to acquire and conserve lands in national parks, forests, refuges, and public lands, and assist States in promoting conservation and outdoor recreation;
- funding to reduce the National Park Service deferred maintenance backlog and meet the growing demands on park facilities and resources;
- ✓ • funding for Indian school construction to keep us on the ⁵⁻five-year path to eliminate the current school repair and maintenance backlog by 2006, and ~~and~~;
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- funding for Indian school construction to keep us on the five-year path to eliminate the 2001 school repair and maintenance backlog by 2006; and,
- full funding for key energy programs, such as the Clean Coal Power initiative to work in partnership with industry to direct research towards reducing the environmental impact of coal used for power generation in the United States.

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THE WHITE HOUSE,

STATEMENT BY THE PRESIDENT

11/5/01
Version

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Clerk
edits
11/5/01

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PMH.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
Subject: APPROPRIATIONS ACT, FY 2002

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

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 1:00 PM FRIDAY,
11-2-01, WITH COPY TO BETH ROSSMAN. 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

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

Funding for the agencies and accounts covered by the enrolled bill is currently provided under H.J. Res. 70, the fourth FY 2002 Continuing Resolution, which will expire at midnight on Friday, November 16th.

Purpose

Provides FY 2002 appropriations for the Department of the Interior, various programs of the Department of Energy, the Forest Service (Department of Agriculture), the Indian Health Service (Department of Health and Human Services), and several smaller agencies.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of Health and Human Services	Approval
Department of Energy	Approval
Smithsonian Institution	Approval
Other affected agencies	Approval (assumed)

Discussion

Overall, the enrolled bill provides \$19.1 billion in FY 2002 discretionary budget authority, \$1.0 billion above your request and \$0.1 billion above the FY 2001 level. Of this amount, \$0.4 billion has been designated as contingent emergency funding, which is primarily for repayment of funds advanced for wildfire emergencies in FY 2001. We will continue to work with the Congress to ensure the policy and program content of each of the thirteen appropriations bills is acceptable to you and that the bill totals are within the recently agreed upon aggregate funding level of \$686 billion.

The enrolled bill provides most of the funding you requested for energy conservation, Indian school construction, the arts, and other key recreation and conservation programs. The bill retains an objectionable provision on the use of funds to conduct mineral pre-leasing and related activities within certain national monuments. However, through negotiations with the Congress, several other objectionable language provisions have been successfully removed from the bill.

The conference report on H.R. 2217 passed the House and Senate on October 17th by votes of 380 to 28 and 95 to 3, respectively.

Presidential Initiatives

The enrolled bill addresses your FY 2002 requests for several key initiatives: the Land and Water Conservation Fund (LWCF); the National Park Service deferred maintenance backlog; the Clean Coal Power Initiative; Weatherization Grants; and the Northeast Home Heating Oil Reserve.

The Congress provides a net \$683 million for LWCF, \$217 million below your request. (The total is comprised of a \$718 million FY 2002 appropriation, less a \$25 million rescission of a FY 2001 appropriation.) Within the total, State LWCF grants were reduced by \$306 million below the request, which is still a 60-percent increase over FY 2001.

The enrolled bill provides \$356 million of discretionary funding for the National Park Service deferred maintenance backlog, \$17 million above your request. Regrettably, this includes over \$70 million for unrequested projects. The bill extends the recreation fee demonstration program for two years, which provides about \$100 million annually for deferred maintenance needs.

As requested, the Congress fully funds, at \$150 million, your initiative to create a new and innovative Clean Coal Power program, which will allow better use of our most abundant domestic energy source. However, language was included that may restrict the innovative implementation proposed for this initiative, and we will work with the Department of Energy to increase the involvement of the private sector in using these funds, as proposed. H.R. 2217 does support your request for the Northeast Home Heating Oil Reserve to help assure families in the Northeast that home heating oil will be available for the winter season. However, your initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 by the Congress. This reduction will deny program benefits for over 17,000 low-income families, compared with your request.

Department of the Interior

The enrolled bill provides a total of \$9.4 billion to the Department of the Interior (DOI), which includes \$54 million in unrequested emergency funding to address wildland fire management. The overall level of funding is \$0.3 billion above your request and includes full

funding for key programs, such as the National Park Services' Natural Resource Challenge and the Save America's Treasures program, administration of the Endangered Species Act and the National Wildlife Refuge System, and the Bureau of Indian Affairs education and school construction programs.

The bill provides \$292 million, as requested, for Indian school construction, keeping DOI on the five-year path to eliminate the 2001 school repair and maintenance backlog by 2006.

Department of Health and Human Services

H.R. 2217 provides an overall funding level of \$2.8 billion for the Indian Health Services (IHS), \$52 million above your request and \$130 million above the FY 2001 enacted level. This level includes \$49 million more than your request for construction of health care facilities on the IHS priority rankings list.

Department of Agriculture

The enrolled bill provides an overall funding level of \$4.1 billion for the Forest Service, \$0.4 billion above your request and \$0.3 billion below the FY 2001 enacted level. The bill includes \$346 million in unrequested emergency funds for wildland fire management. The funding levels provided for the Forest Service will help to address many priority operational needs identified in your budget, including wildfire preparedness; habitat improvements for threatened, endangered, and sensitive species on a quarter million acres; and bioenergy research.

Department of Energy

Fossil energy research and development is funded at \$622 million, \$173 million over your request, and includes a number of new programs, unrequested increases, and 10 earmarks totaling \$33 million. Although we are concerned with some of these increases and earmarks, we can, on balance, accept their inclusion. As requested, the enrolled bill includes \$8 million for the Northeast Heating Oil Reserve.

Regrettably, the bill does not reflect your proposal to reverse the misleading budget practice of using advance appropriations to avoid spending limitation. The bill includes a \$36 million advance appropriation for FY 2003 for the Elk Hills School Lands Fund. There is no programmatic justification for an advance appropriation for Elk Hills. The advance appropriation of \$36 million enacted in FY 2001 will fund the program in FY 2002. Energy conservation programs are funded at \$913 million in the bill, \$157 million, or 21 percent, above your original request. However, the Administration has accepted this increase in funding as consistent with the National Energy Policy report of May 2001.

National Endowment for the Arts, National Endowment for the Humanities, Institute of Museum and Library Services

H.R. 2217 includes \$115 million for the National Endowment for the Arts, \$10 million above both your request and the FY 2001 enacted level. The \$10 million increase is for the Challenge America initiative, which emphasizes arts education and outreach to under-served communities across America. For the National Endowment for the Humanities, the enrolled bill includes \$125 million, \$4 million above your request and \$5 million above the FY 2001 enacted level. The bill funds the Institute of Museum and Library Services Office of Museum Services at \$27 million, \$2 million above both the request and the FY 2001 enacted levels.

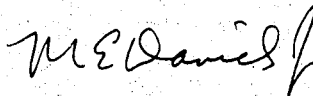
Other Cultural Agencies

The enrolled bill funds the Smithsonian Institution at \$497 million, \$3 million above your request and \$42 million above the FY 2001 enacted level. In addition, the John F. Kennedy Center for the Performing Arts, the National Gallery of Art, the U.S. Holocaust Memorial Museum, the Institute of American Indian Arts, the Office of Navajo and Hopi Indian Relocation, and the Woodrow Wilson Center are funded at or above requested levels.

Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,

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

Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

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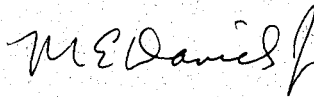
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Recommendation

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Sincerely,

A handwritten signature in black ink, appearing to read "M E Daniels Jr", written in a cursive style.

Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

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Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

Subject: APPROPRIATIONS ACT, FY 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD <i>N/c</i>	☒	☐
CARD <i>(OK)</i>	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN <i>N/c</i>	☒	☐	JOHNSON	☐	☐
CALIO <i>OK</i>	☒	☐	LINDSEY <i>(see changes)</i>	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☐	☒	RIDGE <i>N/c</i>	☒	☐
GERSON	☐	☐	ROVE	☒	☐
GONZALES <i>NC</i>	☒	☐	SPELLINGS <i>OK</i>	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 1:00 PM FRIDAY, 11-2-01, WITH COPY TO BETH ROSSMAN. THANK YOU.

Staff
1:00 P.M.
Back to Staff Secy
cc: Beth

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

01 NOV 1 PM 3:37

THE DIRECTOR

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

Funding for the agencies and accounts covered by the enrolled bill is currently provided under H.J. Res. 70, the fourth FY 2002 Continuing Resolution, which will expire at midnight on Friday, November 16th.

Purpose

Provides FY 2002 appropriations for the Department of the Interior, various programs of the Department of Energy, the Forest Service (Department of Agriculture), the Indian Health Service (Department of Health and Human Services), and several smaller agencies.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of Health and Human Services	Approval
Department of Energy	Approval
Smithsonian Institution	Approval
Other affected agencies	Approval (assumed)

Discussion

Overall, the enrolled bill provides \$19.1 billion in FY 2002 discretionary budget authority, \$1.0 billion above your request and \$0.1 billion above the FY 2001 level. Of this amount, \$0.4 billion has been designated as contingent emergency funding, which is primarily for repayment of funds advanced for wildfire emergencies in FY 2001. We will continue to work with the Congress to ensure the policy and program content of each of the thirteen appropriations bills is acceptable to you and that the bill totals are within the recently agreed upon aggregate funding level of \$686 billion.

The enrolled bill provides most of the funding you requested for energy conservation, Indian school construction, the arts, and other key recreation and conservation programs. The bill retains an objectionable provision on the use of funds to conduct mineral pre-leasing and related activities within certain national monuments. However, through negotiations with the Congress, several other objectionable language provisions have been successfully removed from the bill.

The conference report on H.R. 2217 passed the House and Senate on October 17th by votes of 380 to 28 and 95 to 3, respectively.

Presidential Initiatives

The enrolled bill addresses your FY 2002 requests for several key initiatives: the Land and Water Conservation Fund (LWCF); the National Park Service deferred maintenance backlog; the Clean Coal Power Initiative; Weatherization Grants; and the Northeast Home Heating Oil Reserve.

The Congress provides a net \$683 million for LWCF, \$217 million below your request. (The total is comprised of a \$718 million FY 2002 appropriation, less a \$25 million rescission of a FY 2001 appropriation.) Within the total, State LWCF grants were reduced by \$306 million below the request, which is still a 60-percent increase over FY 2001.

The enrolled bill provides \$356 million of discretionary funding for the National Park Service deferred maintenance backlog, \$17 million above your request. Regrettably, this includes over \$70 million for unrequested projects. The bill extends the recreation fee demonstration program for two years, which provides about \$100 million annually for deferred maintenance needs.

As requested, the Congress fully funds, at \$150 million, your initiative to create a new and innovative Clean Coal Power program, which will allow better use of our most abundant domestic energy source. However, language was included that may restrict the innovative implementation proposed for this initiative, and we will work with the Department of Energy to increase the involvement of the private sector in using these funds, as proposed. H.R. 2217 does support your request for the Northeast Home Heating Oil Reserve to help assure families in the Northeast that home heating oil will be available for the winter season. However, your initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 by the Congress. This reduction will deny program benefits for over 17,000 low-income families, compared with your request.

Department of the Interior

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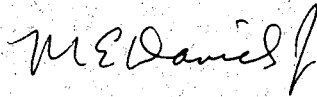
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Sincerely,



Mitchell E. Daniels, Jr.
Director

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The George W. Bush Library

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FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

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

01 NOV 1 14:37

THE DIRECTOR

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2001

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

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November 6, 2001 -- Tuesday

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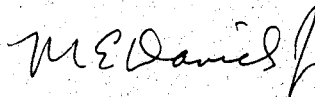
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H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
Subject: APPROPRIATIONS ACT, FY 2002

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CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
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GERSON	☐	☐	ROVE	☒	☐
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HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

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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

01 NOV 14 0137

THE DIRECTOR

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

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Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

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As requested, the Congress fully funds, at \$150 million, your initiative to create a new and innovative Clean Coal Power program, which will allow better use of our most abundant domestic energy source. However, language was included that may restrict the innovative implementation proposed for this initiative, and we will work with the Department of Energy to increase the involvement of the private sector in using these funds, as proposed. H.R. 2217 does support your request for the Northeast Home Heating Oil Reserve to help assure families in the Northeast that home heating oil will be available for the winter season. However, your initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 by the Congress. This reduction will deny program benefits for over 17,000 low-income families, compared with your request.

Department of the Interior

The enrolled bill provides a total of \$9.4 billion to the Department of the Interior (DOI), which includes \$54 million in unrequested emergency funding to address wildland fire management. The overall level of funding is \$0.3 billion above your request and includes full

funding for key programs, such as the National Park Services' Natural Resource Challenge and the Save America's Treasures program, administration of the Endangered Species Act and the National Wildlife Refuge System, and the Bureau of Indian Affairs education and school construction programs.

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H.R. 2217 provides an overall funding level of \$2.8 billion for the Indian Health Services (IHS), \$52 million above your request and \$130 million above the FY 2001 enacted level. This level includes \$49 million more than your request for construction of health care facilities on the IHS priority rankings list.

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Fossil energy research and development is funded at \$622 million, \$173 million over your request, and includes a number of new programs, unrequested increases, and 10 earmarks totaling \$33 million. Although we are concerned with some of these increases and earmarks, we can, on balance, accept their inclusion. As requested, the enrolled bill includes \$8 million for the Northeast Heating Oil Reserve.

Regrettably, the bill does not reflect your proposal to reverse the misleading budget practice of using advance appropriations to avoid spending limitation. The bill includes a \$36 million advance appropriation for FY 2003 for the Elk Hills School Lands Fund. There is no programmatic justification for an advance appropriation for Elk Hills. The advance appropriation of \$36 million enacted in FY 2001 will fund the program in FY 2002. Energy conservation programs are funded at \$913 million in the bill, \$157 million, or 21 percent, above your original request. However, the Administration has accepted this increase in funding as consistent with the National Energy Policy report of May 2001.

National Endowment for the Arts, National Endowment for the Humanities, Institute of Museum and Library Services

H.R. 2217 includes \$115 million for the National Endowment for the Arts, \$10 million above both your request and the FY 2001 enacted level. The \$10 million increase is for the Challenge America initiative, which emphasizes arts education and outreach to under-served communities across America. For the National Endowment for the Humanities, the enrolled bill includes \$125 million, \$4 million above your request and \$5 million above the FY 2001 enacted level. The bill funds the Institute of Museum and Library Services Office of Museum Services at \$27 million, \$2 million above both the request and the FY 2001 enacted levels.

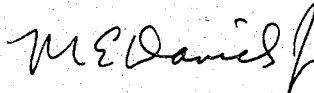
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Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "ME Daniels", written in a cursive style.

Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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

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

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0673
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 CONNECTION ID
 ST. TIME 11/02 01:58
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 PGS. SENT 6
 RESULT OK

SS/ RM NO. 499588

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

Subject: APPROPRIATIONS ACT, FY 2002

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

REMARKS:

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 11-2-01, WITH COPY TO BETH ROSSMAN. THANK YOU.

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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

01/NOV 1 4 5137

THE DIRECTOR

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

Funding for the agencies and accounts covered by the enrolled bill is currently provided under H.J. Res. 70, the fourth FY 2002 Continuing Resolution, which will expire at midnight on Friday, November 16th.

Purpose

Provides FY 2002 appropriations for the Department of the Interior, various programs of the Department of Energy, the Forest Service (Department of Agriculture), the Indian Health Service (Department of Health and Human Services), and several smaller agencies.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of Health and Human Services	Approval
Department of Energy	Approval
Smithsonian Institution	Approval
Other affected agencies	Approval (assumed)

Discussion

Overall, the enrolled bill provides \$19.1 billion in FY 2002 discretionary budget authority, \$1.0 billion above your request and \$0.1 billion above the FY 2001 level. Of this amount, \$0.4 billion has been designated as contingent emergency funding, which is primarily for repayment of funds advanced for wildfire emergencies in FY 2001. We will continue to work with the Congress to ensure the policy and program content of each of the thirteen appropriations bills is acceptable to you and that the bill totals are within the recently agreed upon aggregate funding level of \$686 billion.

The enrolled bill provides most of the funding you requested for energy conservation, Indian school construction, the arts, and other key recreation and conservation programs. The bill retains an objectionable provision on the use of funds to conduct mineral pre-leasing and related activities within certain national monuments. However, through negotiations with the Congress, several other objectionable language provisions have been successfully removed from the bill.

The conference report on H.R. 2217 passed the House and Senate on October 17th by votes of 380 to 28 and 95 to 3, respectively.

Presidential Initiatives

The enrolled bill addresses your FY 2002 requests for several key initiatives: the Land and Water Conservation Fund (LWCF); the National Park Service deferred maintenance backlog; the Clean Coal Power Initiative; Weatherization Grants; and the Northeast Home Heating Oil Reserve.

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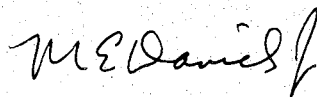
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Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,

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Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0672
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 11/02 01:55
 USAGE T 02'41
 PGS. SENT 6
 RESULT OK

SS/ RM NO. 499588

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
 Subject: APPROPRIATIONS ACT, FY 2002

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

REMARKS:

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RESPONSE:

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



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

THE DIRECTOR

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

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Smithsonian Institution	Approval
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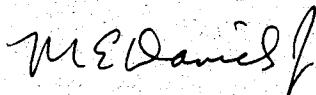
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Sincerely,

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Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0671
 CONNECTION TEL 56958
 CONNECTION ID
 ST. TIME 11/02 01:51
 USAGE T 02'41
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 RESULT OK

SS/ RM NO. 499588

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
 Subject: APPROPRIATIONS ACT, FY 2002

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

REMARKS:

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RESPONSE:

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



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

THE DIRECTOR

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

Funding for the agencies and accounts covered by the enrolled bill is currently provided under H.J. Res. 70, the fourth FY 2002 Continuing Resolution, which will expire at midnight on Friday, November 16th.

Purpose

Provides FY 2002 appropriations for the Department of the Interior, various programs of the Department of Energy, the Forest Service (Department of Agriculture), the Indian Health Service (Department of Health and Human Services), and several smaller agencies.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of Health and Human Services	Approval
Department of Energy	Approval
Smithsonian Institution	Approval
Other affected agencies	Approval (assumed)

Discussion

Overall, the enrolled bill provides \$19.1 billion in FY 2002 discretionary budget authority, \$1.0 billion above your request and \$0.1 billion above the FY 2001 level. Of this amount, \$0.4 billion has been designated as contingent emergency funding, which is primarily for repayment of funds advanced for wildfire emergencies in FY 2001. We will continue to work with the Congress to ensure the policy and program content of each of the thirteen appropriations bills is acceptable to you and that the bill totals are within the recently agreed upon aggregate funding level of \$686 billion.

The enrolled bill provides most of the funding you requested for energy conservation, Indian school construction, the arts, and other key recreation and conservation programs. The bill retains an objectionable provision on the use of funds to conduct mineral pre-leasing and related activities within certain national monuments. However, through negotiations with the Congress, several other objectionable language provisions have been successfully removed from the bill.

The conference report on H.R. 2217 passed the House and Senate on October 17th by votes of 380 to 28 and 95 to 3, respectively.

Presidential Initiatives

The enrolled bill addresses your FY 2002 requests for several key initiatives: the Land and Water Conservation Fund (LWCF); the National Park Service deferred maintenance backlog; the Clean Coal Power Initiative; Weatherization Grants; and the Northeast Home Heating Oil Reserve.

The Congress provides a net \$683 million for LWCF, \$217 million below your request. (The total is comprised of a \$718 million FY 2002 appropriation, less a \$25 million rescission of a FY 2001 appropriation.) Within the total, State LWCF grants were reduced by \$306 million below the request, which is still a 60-percent increase over FY 2001.

The enrolled bill provides \$356 million of discretionary funding for the National Park Service deferred maintenance backlog, \$17 million above your request. Regrettably, this includes over \$70 million for unrequested projects. The bill extends the recreation fee demonstration program for two years, which provides about \$100 million annually for deferred maintenance needs.

As requested, the Congress fully funds, at \$150 million, your initiative to create a new and innovative Clean Coal Power program, which will allow better use of our most abundant domestic energy source. However, language was included that may restrict the innovative implementation proposed for this initiative, and we will work with the Department of Energy to increase the involvement of the private sector in using these funds, as proposed. H.R. 2217 does support your request for the Northeast Home Heating Oil Reserve to help assure families in the Northeast that home heating oil will be available for the winter season. However, your initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 by the Congress. This reduction will deny program benefits for over 17,000 low-income families, compared with your request.

Department of the Interior

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funding for key programs, such as the National Park Services' Natural Resource Challenge and the Save America's Treasures program, administration of the Endangered Species Act and the National Wildlife Refuge System, and the Bureau of Indian Affairs education and school construction programs.

The bill provides \$292 million, as requested, for Indian school construction, keeping DOI on the five-year path to eliminate the 2001 school repair and maintenance backlog by 2006.

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H.R. 2217 provides an overall funding level of \$2.8 billion for the Indian Health Services (IHS), \$52 million above your request and \$130 million above the FY 2001 enacted level. This level includes \$49 million more than your request for construction of health care facilities on the IHS priority rankings list.

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The enrolled bill provides an overall funding level of \$4.1 billion for the Forest Service, \$0.4 billion above your request and \$0.3 billion below the FY 2001 enacted level. The bill includes \$346 million in unrequested emergency funds for wildland fire management. The funding levels provided for the Forest Service will help to address many priority operational needs identified in your budget, including wildfire preparedness; habitat improvements for threatened, endangered, and sensitive species on a quarter million acres; and bioenergy research.

Department of Energy

Fossil energy research and development is funded at \$622 million, \$173 million over your request, and includes a number of new programs, unrequested increases, and 10 earmarks totaling \$33 million. Although we are concerned with some of these increases and earmarks, we can, on balance, accept their inclusion. As requested, the enrolled bill includes \$8 million for the Northeast Heating Oil Reserve.

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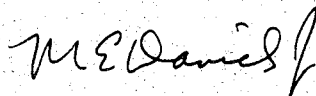
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Recommendation

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Sincerely,



Mitchell E. Daniels, Jr.
Director

Attachment

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The George W. Bush Library

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Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

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WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
 Subject: APPROPRIATIONS ACT, FY 2002

NOV 2 AM '02

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
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GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
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RESPONSE:



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

01 NOV 1 1991

THE DIRECTOR

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

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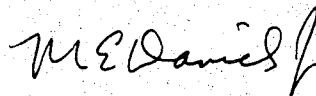
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Mitchell E. Daniels, Jr.
Director

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OFFICE OF THE VICE PRESIDENT
WASHINGTON

November 2, 2001

MEMORANDUM FOR HARRIET MIERS
STAFF SECRETARY

FROM: JONATHAN BURKS 
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: H.R. 2217, Department of the Interior and Related
Agencies Appropriations Act, FY 2002

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

'01 NOV 2 PM 1:01

SS/ RM NO. 499588

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
Subject: APPROPRIATIONS ACT, FY 2002

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

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 1:00 PM FRIDAY,
11-2-01, WITH COPY TO BETH ROSSMAN. THANK YOU.

RESPONSE:

CEA has no comment.

DH

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

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
Subject: APPROPRIATIONS ACT, FY 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☒
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
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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

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

Funding for the agencies and accounts covered by the enrolled bill is currently provided under H.J. Res. 70, the fourth FY 2002 Continuing Resolution, which will expire at midnight on Friday, November 16th.

Purpose

Provides FY 2002 appropriations for the Department of the Interior, various programs of the Department of Energy, the Forest Service (Department of Agriculture), the Indian Health Service (Department of Health and Human Services), and several smaller agencies.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of Health and Human Services	Approval
Department of Energy	Approval
Smithsonian Institution	Approval
Other affected agencies	Approval (assumed)

Discussion

Overall, the enrolled bill provides \$19.1 billion in FY 2002 discretionary budget authority, \$1.0 billion above your request and \$0.1 billion above the FY 2001 level. Of this amount, \$0.4 billion has been designated as contingent emergency funding, which is primarily for repayment of funds advanced for wildfire emergencies in FY 2001. We will continue to work with the Congress to ensure the policy and program content of each of the thirteen appropriations bills is acceptable to you and that the bill totals are within the recently agreed upon aggregate funding level of \$686 billion.

The enrolled bill provides most of the funding you requested for energy conservation, Indian school construction, the arts, and other key recreation and conservation programs. The bill retains an objectionable provision on the use of funds to conduct mineral pre-leasing and related activities within certain national monuments. However, through negotiations with the Congress, several other objectionable language provisions have been successfully removed from the bill.

The conference report on H.R. 2217 passed the House and Senate on October 17th by votes of 380 to 28 and 95 to 3, respectively.

Presidential Initiatives

The enrolled bill addresses your FY 2002 requests for several key initiatives: the Land and Water Conservation Fund (LWCF); the National Park Service deferred maintenance backlog; the Clean Coal Power Initiative; Weatherization Grants; and the Northeast Home Heating Oil Reserve.

The Congress provides a net \$683 million for LWCF, \$217 million below your request. (The total is comprised of a \$718 million FY 2002 appropriation, less a \$25 million rescission of a FY 2001 appropriation.) Within the total, State LWCF grants were reduced by \$306 million below the request, which is still a 60-percent increase over FY 2001.

The enrolled bill provides \$356 million of discretionary funding for the National Park Service deferred maintenance backlog, \$17 million above your request. Regrettably, this includes over \$70 million for unrequested projects. The bill extends the recreation fee demonstration program for two years, which provides about \$100 million annually for deferred maintenance needs.

As requested, the Congress fully funds, at \$150 million, your initiative to create a new and innovative Clean Coal Power program, which will allow better use of our most abundant domestic energy source. However, language was included that may restrict the innovative implementation proposed for this initiative, and we will work with the Department of Energy to increase the involvement of the private sector in using these funds, as proposed. H.R. 2217 does support your request for the Northeast Home Heating Oil Reserve to help assure families in the Northeast that home heating oil will be available for the winter season. However, your initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 by the Congress. This reduction will deny program benefits for over 17,000 low-income families, compared with your request.

Department of the Interior

The enrolled bill provides a total of \$9.4 billion to the Department of the Interior (DOI), which includes \$54 million in unrequested emergency funding to address wildland fire management. The overall level of funding is \$0.3 billion above your request and includes full

funding for key programs, such as the National Park Services' Natural Resource Challenge and the Save America's Treasures program, administration of the Endangered Species Act and the National Wildlife Refuge System, and the Bureau of Indian Affairs education and school construction programs.

The bill provides \$292 million, as requested, for Indian school construction, keeping DOI on the five-year path to eliminate the 2001 school repair and maintenance backlog by 2006.

Department of Health and Human Services

H.R. 2217 provides an overall funding level of \$2.8 billion for the Indian Health Services (IHS), \$52 million above your request and \$130 million above the FY 2001 enacted level. This level includes \$49 million more than your request for construction of health care facilities on the IHS priority rankings list.

Department of Agriculture

The enrolled bill provides an overall funding level of \$4.1 billion for the Forest Service, \$0.4 billion above your request and \$0.3 billion below the FY 2001 enacted level. The bill includes \$346 million in unrequested emergency funds for wildland fire management. The funding levels provided for the Forest Service will help to address many priority operational needs identified in your budget, including wildfire preparedness; habitat improvements for threatened, endangered, and sensitive species on a quarter million acres; and bioenergy research.

Department of Energy

Fossil energy research and development is funded at \$622 million, \$173 million over your request, and includes a number of new programs, unrequested increases, and 10 earmarks totaling \$33 million. Although we are concerned with some of these increases and earmarks, we can, on balance, accept their inclusion. As requested, the enrolled bill includes \$8 million for the Northeast Heating Oil Reserve.

Regrettably, the bill does not reflect your proposal to reverse the misleading budget practice of using advance appropriations to avoid spending limitation. The bill includes a \$36 million advance appropriation for FY 2003 for the Elk Hills School Lands Fund. There is no programmatic justification for an advance appropriation for Elk Hills. The advance appropriation of \$36 million enacted in FY 2001 will fund the program in FY 2002. Energy conservation programs are funded at \$913 million in the bill, \$157 million, or 21 percent, above your original request. However, the Administration has accepted this increase in funding as consistent with the National Energy Policy report of May 2001.

National Endowment for the Arts, National Endowment for the Humanities, Institute of Museum and Library Services

H.R. 2217 includes \$115 million for the National Endowment for the Arts, \$10 million above both your request and the FY 2001 enacted level. The \$10 million increase is for the Challenge America initiative, which emphasizes arts education and outreach to under-served communities across America. For the National Endowment for the Humanities, the enrolled bill includes \$125 million, \$4 million above your request and \$5 million above the FY 2001 enacted level. The bill funds the Institute of Museum and Library Services Office of Museum Services at \$27 million, \$2 million above both the request and the FY 2001 enacted levels.

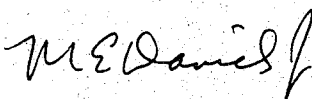
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The enrolled bill funds the Smithsonian Institution at \$497 million, \$3 million above your request and \$42 million above the FY 2001 enacted level. In addition, the John F. Kennedy Center for the Performing Arts, the National Gallery of Art, the U.S. Holocaust Memorial Museum, the Institute of American Indian Arts, the Office of Navajo and Hopi Indian Relocation, and the Woodrow Wilson Center are funded at or above requested levels.

Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "M E Daniels Jr".

Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

**This marker identifies the original location of the withdrawn item listed above.
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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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

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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
 Subject: APPROPRIATIONS ACT, FY 2002

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REMARKS:

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no comment

RESPONSE:

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



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

01 NOV 1 2001

THE DIRECTOR

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

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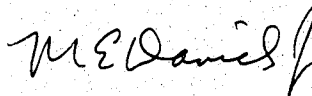
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Sincerely,

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Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

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

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0680
 CONNECTION TEL 53729
 CONNECTION ID
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 RESULT OK

SS/ RM NO. 499588

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
 Subject: APPROPRIATIONS ACT, FY 2002

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REMARKS:

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See changes

RESPONSE:

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

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Note	[Note re: Statement by the President] - From: Bob McNally	1	N.D.	P5;

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11/05/2001 [H. R. 2217]

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The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Routing Memo	H.R. 2217, Department of the Interior and Related Agencies Appropriations Act, FY 2002 - To: Staff Secretary - From: Bob McNally	1	11/02/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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Withdrawal Marker

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SS/ RM NO. 499588

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM ^{11/2 PM 1:50}

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
Subject: APPROPRIATIONS ACT, FY 2002

Helgi

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

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 1:00 PM FRIDAY,
11-2-01, WITH COPY TO BETH ROSSMAN. THANK YOU.

No comments

RESPONSE:

*Helgi Walker
wtko*

6-7361

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

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

Funding for the agencies and accounts covered by the enrolled bill is currently provided under H.J. Res. 70, the fourth FY 2002 Continuing Resolution, which will expire at midnight on Friday, November 16th.

Purpose

Provides FY 2002 appropriations for the Department of the Interior, various programs of the Department of Energy, the Forest Service (Department of Agriculture), the Indian Health Service (Department of Health and Human Services), and several smaller agencies.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of Health and Human Services	Approval
Department of Energy	Approval
Smithsonian Institution	Approval
Other affected agencies	Approval (assumed)

Discussion

Overall, the enrolled bill provides \$19.1 billion in FY 2002 discretionary budget authority, \$1.0 billion above your request and \$0.1 billion above the FY 2001 level. Of this amount, \$0.4 billion has been designated as contingent emergency funding, which is primarily for repayment of funds advanced for wildfire emergencies in FY 2001. We will continue to work with the Congress to ensure the policy and program content of each of the thirteen appropriations bills is acceptable to you and that the bill totals are within the recently agreed upon aggregate funding level of \$686 billion.

The enrolled bill provides most of the funding you requested for energy conservation, Indian school construction, the arts, and other key recreation and conservation programs. The bill retains an objectionable provision on the use of funds to conduct mineral pre-leasing and related activities within certain national monuments. However, through negotiations with the Congress, several other objectionable language provisions have been successfully removed from the bill.

The conference report on H.R. 2217 passed the House and Senate on October 17th by votes of 380 to 28 and 95 to 3, respectively.

Presidential Initiatives

The enrolled bill addresses your FY 2002 requests for several key initiatives: the Land and Water Conservation Fund (LWCF); the National Park Service deferred maintenance backlog; the Clean Coal Power Initiative; Weatherization Grants; and the Northeast Home Heating Oil Reserve.

The Congress provides a net \$683 million for LWCF, \$217 million below your request. (The total is comprised of a \$718 million FY 2002 appropriation, less a \$25 million rescission of a FY 2001 appropriation.) Within the total, State LWCF grants were reduced by \$306 million below the request, which is still a 60-percent increase over FY 2001.

The enrolled bill provides \$356 million of discretionary funding for the National Park Service deferred maintenance backlog, \$17 million above your request. Regrettably, this includes over \$70 million for unrequested projects. The bill extends the recreation fee demonstration program for two years, which provides about \$100 million annually for deferred maintenance needs.

As requested, the Congress fully funds, at \$150 million, your initiative to create a new and innovative Clean Coal Power program, which will allow better use of our most abundant domestic energy source. However, language was included that may restrict the innovative implementation proposed for this initiative, and we will work with the Department of Energy to increase the involvement of the private sector in using these funds, as proposed. H.R. 2217 does support your request for the Northeast Home Heating Oil Reserve to help assure families in the Northeast that home heating oil will be available for the winter season. However, your initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 by the Congress. This reduction will deny program benefits for over 17,000 low-income families, compared with your request.

Department of the Interior

The enrolled bill provides a total of \$9.4 billion to the Department of the Interior (DOI), which includes \$54 million in unrequested emergency funding to address wildland fire management. The overall level of funding is \$0.3 billion above your request and includes full

funding for key programs, such as the National Park Services' Natural Resource Challenge and the Save America's Treasures program, administration of the Endangered Species Act and the National Wildlife Refuge System, and the Bureau of Indian Affairs education and school construction programs.

The bill provides \$292 million, as requested, for Indian school construction, keeping DOI on the five-year path to eliminate the 2001 school repair and maintenance backlog by 2006.

Department of Health and Human Services

H.R. 2217 provides an overall funding level of \$2.8 billion for the Indian Health Services (IHS), \$52 million above your request and \$130 million above the FY 2001 enacted level. This level includes \$49 million more than your request for construction of health care facilities on the IHS priority rankings list.

Department of Agriculture

The enrolled bill provides an overall funding level of \$4.1 billion for the Forest Service, \$0.4 billion above your request and \$0.3 billion below the FY 2001 enacted level. The bill includes \$346 million in unrequested emergency funds for wildland fire management. The funding levels provided for the Forest Service will help to address many priority operational needs identified in your budget, including wildfire preparedness; habitat improvements for threatened, endangered, and sensitive species on a quarter million acres; and bioenergy research.

Department of Energy

Fossil energy research and development is funded at \$622 million, \$173 million over your request, and includes a number of new programs, unrequested increases, and 10 earmarks totaling \$33 million. Although we are concerned with some of these increases and earmarks, we can, on balance, accept their inclusion. As requested, the enrolled bill includes \$8 million for the Northeast Heating Oil Reserve.

Regrettably, the bill does not reflect your proposal to reverse the misleading budget practice of using advance appropriations to avoid spending limitation. The bill includes a \$36 million advance appropriation for FY 2003 for the Elk Hills School Lands Fund. There is no programmatic justification for an advance appropriation for Elk Hills. The advance appropriation of \$36 million enacted in FY 2001 will fund the program in FY 2002. Energy conservation programs are funded at \$913 million in the bill, \$157 million, or 21 percent, above your original request. However, the Administration has accepted this increase in funding as consistent with the National Energy Policy report of May 2001.

National Endowment for the Arts, National Endowment for the Humanities, Institute of Museum and Library Services

H.R. 2217 includes \$115 million for the National Endowment for the Arts, \$10 million above both your request and the FY 2001 enacted level. The \$10 million increase is for the Challenge America initiative, which emphasizes arts education and outreach to under-served communities across America. For the National Endowment for the Humanities, the enrolled bill includes \$125 million, \$4 million above your request and \$5 million above the FY 2001 enacted level. The bill funds the Institute of Museum and Library Services Office of Museum Services at \$27 million, \$2 million above both the request and the FY 2001 enacted levels.

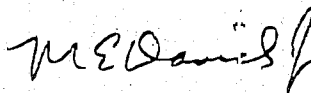
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The enrolled bill funds the Smithsonian Institution at \$497 million, \$3 million above your request and \$42 million above the FY 2001 enacted level. In addition, the John F. Kennedy Center for the Performing Arts, the National Gallery of Art, the U.S. Holocaust Memorial Museum, the Institute of American Indian Arts, the Office of Navajo and Hopi Indian Relocation, and the Woodrow Wilson Center are funded at or above requested levels.

Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,



Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

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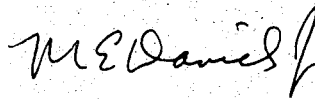
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SS/ RM NO. 499588

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

Subject: APPROPRIATIONS ACT, FY 2002

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

NOV 2 PM 2:53

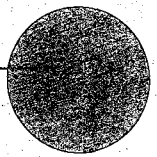
REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 1:00 PM FRIDAY, 11-2-01, WITH COPY TO BETH ROSSMAN. THANK YOU.

RESPONSE:

No comment

CB
11/2/01Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

 Subject: H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
 APPROPRIATIONS ACT, FY 2002

01 NOV 2 PM 5:59

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

REMARKS:

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RESPONSE:

Legislation Affair (Gerald) - 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

November 1, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2217 -- Department of the Interior and Related
Agencies Appropriations Act, FY 2002

Sponsors: Representative Skeen (R), New Mexico
Senator Byrd (D), West Virginia

Last Day for Action

November 6, 2001 -- Tuesday

Funding for the agencies and accounts covered by the enrolled bill is currently provided under H.J. Res. 70, the fourth FY 2002 Continuing Resolution, which will expire at midnight on Friday, November 16th.

Purpose

Provides FY 2002 appropriations for the Department of the Interior, various programs of the Department of Energy, the Forest Service (Department of Agriculture), the Indian Health Service (Department of Health and Human Services), and several smaller agencies.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Agriculture	Approval
Department of Health and Human Services	Approval
Department of Energy	Approval
Smithsonian Institution	Approval
Other affected agencies	Approval (assumed)

Discussion

Overall, the enrolled bill provides \$19.1 billion in FY 2002 discretionary budget authority, \$1.0 billion above your request and \$0.1 billion above the FY 2001 level. Of this amount, \$0.4 billion has been designated as contingent emergency funding, which is primarily for repayment of funds advanced for wildfire emergencies in FY 2001. We will continue to work with the Congress to ensure the policy and program content of each of the thirteen appropriations bills is acceptable to you and that the bill totals are within the recently agreed upon aggregate funding level of \$686 billion.

The enrolled bill provides most of the funding you requested for energy conservation, Indian school construction, the arts, and other key recreation and conservation programs. The bill retains an objectionable provision on the use of funds to conduct mineral pre-leasing and related activities within certain national monuments. However, through negotiations with the Congress, several other objectionable language provisions have been successfully removed from the bill.

The conference report on H.R. 2217 passed the House and Senate on October 17th by votes of 380 to 28 and 95 to 3, respectively.

Presidential Initiatives

The enrolled bill addresses your FY 2002 requests for several key initiatives: the Land and Water Conservation Fund (LWCF); the National Park Service deferred maintenance backlog; the Clean Coal Power Initiative; Weatherization Grants; and the Northeast Home Heating Oil Reserve.

The Congress provides a net \$683 million for LWCF, \$217 million below your request. (The total is comprised of a \$718 million FY 2002 appropriation, less a \$25 million rescission of a FY 2001 appropriation.) Within the total, State LWCF grants were reduced by \$306 million below the request, which is still a 60-percent increase over FY 2001.

The enrolled bill provides \$356 million of discretionary funding for the National Park Service deferred maintenance backlog, \$17 million above your request. Regrettably, this includes over \$70 million for unrequested projects. The bill extends the recreation fee demonstration program for two years, which provides about \$100 million annually for deferred maintenance needs.

As requested, the Congress fully funds, at \$150 million, your initiative to create a new and innovative Clean Coal Power program, which will allow better use of our most abundant domestic energy source. However, language was included that may restrict the innovative implementation proposed for this initiative, and we will work with the Department of Energy to increase the involvement of the private sector in using these funds, as proposed. H.R. 2217 does support your request for the Northeast Home Heating Oil Reserve to help assure families in the Northeast that home heating oil will be available for the winter season. However, your initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 by the Congress. This reduction will deny program benefits for over 17,000 low-income families, compared with your request.

Department of the Interior

The enrolled bill provides a total of \$9.4 billion to the Department of the Interior (DOI), which includes \$54 million in unrequested emergency funding to address wildland fire management. The overall level of funding is \$0.3 billion above your request and includes full

funding for key programs, such as the National Park Services' Natural Resource Challenge and the Save America's Treasures program, administration of the Endangered Species Act and the National Wildlife Refuge System, and the Bureau of Indian Affairs education and school construction programs.

The bill provides \$292 million, as requested, for Indian school construction, keeping DOI on the five-year path to eliminate the 2001 school repair and maintenance backlog by 2006.

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H.R. 2217 provides an overall funding level of \$2.8 billion for the Indian Health Services (IHS), \$52 million above your request and \$130 million above the FY 2001 enacted level. This level includes \$49 million more than your request for construction of health care facilities on the IHS priority rankings list.

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Fossil energy research and development is funded at \$622 million, \$173 million over your request, and includes a number of new programs, unrequested increases, and 10 earmarks totaling \$33 million. Although we are concerned with some of these increases and earmarks, we can, on balance, accept their inclusion. As requested, the enrolled bill includes \$8 million for the Northeast Heating Oil Reserve.

Regrettably, the bill does not reflect your proposal to reverse the misleading budget practice of using advance appropriations to avoid spending limitation. The bill includes a \$36 million advance appropriation for FY 2003 for the Elk Hills School Lands Fund. There is no programmatic justification for an advance appropriation for Elk Hills. The advance appropriation of \$36 million enacted in FY 2001 will fund the program in FY 2002. Energy conservation programs are funded at \$913 million in the bill, \$157 million, or 21 percent, above your original request. However, the Administration has accepted this increase in funding as consistent with the National Energy Policy report of May 2001.

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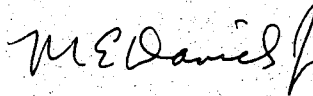
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The enrolled bill funds the Smithsonian Institution at \$497 million, \$3 million above your request and \$42 million above the FY 2001 enacted level. In addition, the John F. Kennedy Center for the Performing Arts, the National Gallery of Art, the U.S. Holocaust Memorial Museum, the Institute of American Indian Arts, the Office of Navajo and Hopi Indian Relocation, and the Woodrow Wilson Center are funded at or above requested levels.

Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,



Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

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

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OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE:

H.R. 2217- Department of the Interior and
Related Agencies Appropriations Act, 2002

TYPE DOCUMENT:

PROCLAMATION

LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER: _____

RECEIVED: (Advance: 1 / 01 Time: a.m./p.m.)
In final: 11/5 / 01 Time: 10:00 a.m. / p.m.)

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: 1 / 01 Time: a.m./p.m.)
In final: 11/5 / 01 Time: 10:05 a.m. / p.m.)

TO HARRIET MIERS' OFFICE:

(For staffing: 1 / 01 Time: a.m./p.m.)
In final: 11/5 / 01 Time: 11:00 a.m. / p.m.)

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

Date: 11/5 / 01 Time: 2:08 a.m. / p.m.)
POSTED: 1 / 01 Time: a.m. / p.m.)

NOTIFICATIONS:

(Person/time)

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

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

(Person/time)

(Other)

(Person/time)

(Other)

OTHER INFORMATION:

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-01 ACTION / CONCURRENCE / COMMENT DUE BY: 11-2-01, 1:00 PM

H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
Subject: APPROPRIATIONS ACT, FY 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
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GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 1:00 PM FRIDAY,
11-2-01, WITH COPY TO BETH ROSSMAN. 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

01 NOV 1 1987

THE DIRECTOR

November 1, 2001

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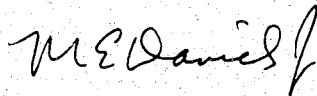
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Sincerely,

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Mitchell E. Daniels, Jr.
Director

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11/05/2001 [H. R. 2217]

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CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
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GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

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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

NOV 1 1991

THE DIRECTOR

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Regrettably, the bill does not reflect your proposal to reverse the misleading budget practice of using advance appropriations to avoid spending limitation. The bill includes a \$36 million advance appropriation for FY 2003 for the Elk Hills School Lands Fund. There is no programmatic justification for an advance appropriation for Elk Hills. The advance appropriation of \$36 million enacted in FY 2001 will fund the program in FY 2002. Energy conservation programs are funded at \$913 million in the bill, \$157 million, or 21 percent, above your original request. However, the Administration has accepted this increase in funding as consistent with the National Energy Policy report of May 2001.

National Endowment for the Arts, National Endowment for the Humanities, Institute of Museum and Library Services

H.R. 2217 includes \$115 million for the National Endowment for the Arts, \$10 million above both your request and the FY 2001 enacted level. The \$10 million increase is for the Challenge America initiative, which emphasizes arts education and outreach to under-served communities across America. For the National Endowment for the Humanities, the enrolled bill includes \$125 million, \$4 million above your request and \$5 million above the FY 2001 enacted level. The bill funds the Institute of Museum and Library Services Office of Museum Services at \$27 million, \$2 million above both the request and the FY 2001 enacted levels.

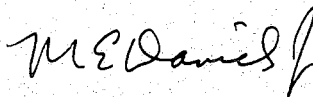
Other Cultural Agencies

The enrolled bill funds the Smithsonian Institution at \$497 million, \$3 million above your request and \$42 million above the FY 2001 enacted level. In addition, the John F. Kennedy Center for the Performing Arts, the National Gallery of Art, the U.S. Holocaust Memorial Museum, the Institute of American Indian Arts, the Office of Navajo and Hopi Indian Relocation, and the Woodrow Wilson Center are funded at or above requested levels.

Recommendation

On balance, the enrolled bill provides adequate funding for your major initiatives and does not include a large number of objectionable legislative provisions. I join with the heads of the affected Departments and agencies in recommending that you sign H.R. 2217. A signing statement is attached for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "M E Daniels Jr", written in a cursive style.

Mitchell E. Daniels, Jr.
Director

Attachment

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement by the President - From: POTUS	1	N.D.	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/05/2001 [H. R. 2217]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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

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

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

Deed of Gift Restrictions

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

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

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

STATEMENT BY THE PRESIDENT

Today I have signed into law H.R. 2217, the "Department of the Interior and Related Agencies Appropriations Act, 2002."

I appreciate the bipartisan effort that has gone into producing this Act. The bill abides by the agreed upon aggregate funding level for Fiscal Year 2002 of \$686 billion and supports several of my Administration's key initiatives with:

- funding from the Land and Water Conservation Fund to acquire and conserve lands in national parks, forests, refuges, and public lands, and assist States in promoting conservation and outdoor recreation;
- funding to reduce the National Park Service deferred maintenance backlog and meet the growing demands on park facilities and resources;
- ✓ • funding for Indian school construction to keep us on the ⁵⁻five-year path to eliminate the current school repair and maintenance backlog by 2006, and
- full funding for key energy programs, such as the Clean Coal Power initiative, to work in partnership with industry to direct research towards reducing the environmental impact of coal used for power generation in the United States.

I am disappointed that my initiative to increase the Low-income Weatherization Assistance Program by \$120 million was reduced by \$43 million in the final version of this bill. This reduction will deny program benefits for over 17,000 low-income families, compared with my request.

✓ Several provisions in the bill purport to require congressional approval before ~~Executive~~ ^{ve} Branch execution of aspects of the bill. I will interpret such provisions to require notification only, since any other interpretation would contradict the Supreme Court ruling in INS v. Chadha. ^{ve}