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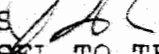
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THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3718 --
D.C. Revenue Bond Act

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Dave Chew

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill H.R. 3718 - DC Revenue Bond Act

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUHOLL</u>	<u>ORIGINATOR</u>	<u>85, 12, 24</u>			<u>1 1</u>
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	<u>Referral Note:</u>	<u>1 1</u>			<u>1 1</u>

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
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- F - Furnish Fact Sheet to be used as Enclosure
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Comments: _____

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 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/23/85 ACTION/CONCURRENCE/COMMENT DUE BY: NOON 12/24/85

SUBJECT: ENROLLED BILL H.R. 3718 - District of Columbia Revenue Bond Act

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please submit your comments on the attached directly to my office by noon tomorrow. Thank you.

RESPONSE:



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 23 1985

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3718 - District of Columbia Revenue Bond Act
Sponsors - Rep. Fauntroy (D) District of Columbia and 6 others

Last Day for Action

Purpose

To waive the statutory Congressional review period for Acts of the District of Columbia authorizing the issuance of revenue bonds.

Agency Recommendations

Office of Management and Budget

Approval

District of Columbia

Approval (Informally)

Department of the Treasury

No objection

Department of Justice

No objection

Discussion

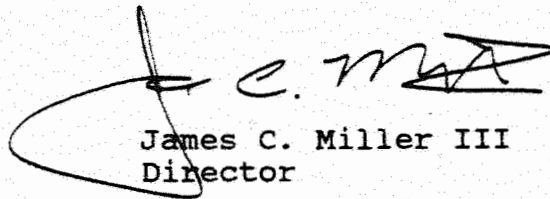
H.R. 3718 would permit four District of Columbia Acts authorizing the issuance of revenue bonds to become effective by December 31, 1985. Pursuant to the District of Columbia Self-Government and Governmental Reorganization Act, various acts (including those authorizing the issuance of revenue bonds) passed by the District of Columbia (D.C.) City Council and approved by the Mayor must be submitted to the Congress for a review period of 30 legislative (approximately 90 calendar) days before becoming effective.

For several D.C. bond issues, however, the Congressional review period will not be over before the end of 1985, thereby subjecting these issues to less favorable tax treatment than the recently House-passed tax reform legislation contemplates for revenue bonds issued after December 31, 1985. H.R. 3718 therefore waives the Congressional review requirement for the following four Acts authorizing the issuance, sale, and delivery of revenue bonds: (1) the Georgetown University Higher Education

Facilities Revenue Bond Act of 1985; (2) the Sibley Memorial Hospital Revenue Bond Act of 1985; (3) the American University Revenue Bond Act of 1985 (Series A); and (4) the George Washington University Revenue Bond Act of 1985 (Series A).

In addition, H.R. 3718 provides that the effective date for any of the above Acts is the date of enactment of this enrolled bill. (There is an exception concerning the George Washington University (GWU) Revenue Bond Act which had not yet been passed by the District of Columbia at the time it was included in H.R. 3718. The enrolled bill specifies that its waiver and effective date provisions do not apply to the GWU Revenue Bond Act if it has not been passed by December 31, 1985.)

H.R. 3718 passed the Senate by voice vote and the House by a vote of 344 to 3.



James C. Miller III
Director

foreign countries and is harmful to our trade relations with such countries. Therefore, I will vote to sustain the President's veto of the Textile and Apparel Trade Enforcement Act of 1985, and urge my colleagues to do likewise.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA REVENUE BOND ACT

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate now turn to Calendar Order No. 460, H.R. 3718, the District of Columbia Revenue Bond Act.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3718) to waive the period of congressional review for certain District of Columbia acts authorizing the issuance of revenue bonds.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

The Senate proceeded to consider the bill which had been reported from the Committee on Governmental Affairs, with an amendment to strike out all after the enacting clause, and insert the following, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in bold face brackets, and the parts of the bill intended to be inserted are shown in italics.)

H.R. 3718

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Revenue Bond Act of 1985".

SEC. 2. WAIVER OF CONGRESSIONAL REVIEW PERIOD FOR CERTAIN DISTRICT OF COLUMBIA ACTS AUTHORIZING THE ISSUANCE OF REVENUE BONDS.

(a) **WAIVER.**—Section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act shall not apply to certain acts of the District of Columbia described in subsection (c) authorizing the issuance, sale, and delivery of revenue bonds.

(b) **EFFECTIVE DATE OF ACTS.**—Notwithstanding section 404(e) of the District of Columbia Self-Government and Governmental Reorganization Act and any provision in any District of Columbia act described in subsection (c), the District of Columbia acts described in subsection (c) shall take effect on the date of the enactment of this Act.

(c) **CERTAIN ACTS OF THE DISTRICT OF COLUMBIA AUTHORIZING THE ISSUANCE OF REVENUE BONDS.**—The District of Columbia acts authorizing the issuance, sale, and delivery of revenue bonds referred to in subsections (a) and (b) are as follows:

(1) The Georgetown University Higher Education Facilities Revenue Bond Act of

1985, District of Columbia act 6-101, transmitted to the Speaker of the House and the President of the Senate November 7, 1985.

[(2) The George Washington University Revenue Bond Act of 1985, District of Columbia act 6-76, transmitted to the Speaker of the House and the President of the Senate October 3, 1985.]

[(3)](2) The Sibley Memorial Hospital Revenue Bond Act of 1985, District of Columbia act 6-94, transmitted to the Speaker of the House and the President of the Senate October 23, 1985.

[(4) The Washington Hospital Center Corporation Revenue Bond Act of 1985, District of Columbia act 6-92, transmitted to the Speaker of the House and the President of the Senate October 10, 1985.]

(3) *The American University Revenue Bond Act of 1985 (Series A) District of Columbia act 6-111, transmitted to the Speaker of the House and the President of the Senate December 4, 1985.*

(4) *The Forrest Marbury House Project Revenue Bond Act of 1985, District of Columbia act 6-112, transmitted to the Speaker of the House and the President of the Senate December 4, 1985.*

(5) *The George Washington University Revenue Bond Act of 1985 (Series A).*

The provisions of subsections (a) and (b) shall not apply to the District of Columbia act described in clause (5) of this subsection unless such act is passed by the District of Columbia by December 31, 1985. If the District of Columbia act described in clause (5) is passed by the District of Columbia after the date of enactment of this Act but before January 1, 1986, the effective date of such act, notwithstanding subsection (b) of this section, shall be the date of passage by the District of Columbia.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to

AMENDMENT NO. 1430

(PURPOSE: TO STRIKE PROVISIONS RELATING TO THE FORREST MARBURY HOUSE PROJECT)

Mr. BYRD. Mr. President, on behalf of Mr. METZENBAUM, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia (Mr. BYRD), for Mr. METZENBAUM, proposes an amendment numbered 1430.

Mr. BYRD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 3 strike lines 17 through 20.

On page 3 strike "5" on lines 21 and 24 and insert in lieu thereof "4".

On page 4 strike "5" on line 2 and insert in lieu thereof "4".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1430) was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the en-

grossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed for a third reading and the bill to be read the third time.

The bill (H.R. 3718) was read the third time, and passed.

Mr. STEVENS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ARMS EXPORT CONTROL ACT AMENDMENTS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of Calendar 475, S. 1831.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 1831) to amend the Arms Export Control Act to require that congressional vetoes of certain arms export proposals be enacted into law.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its immediate consideration.

The Senate proceeded to consider the bill.

Mr. CRANSTON. Mr. President, S. 1831, the pending measure, is neither complicated nor controversial. It amounts to what is really a one-word change in law—changing "concurrent" to "joint" in the legal reference to the types of arms sales disapproval resolutions which enjoy expedited procedures.

This measure has very strong bipartisan support, both on the Foreign Relations Committee and throughout the Senate. I understand this measure is supported by the chairman of the Foreign Relations Committee. And it is cosponsored by Senators DODD, SARBANES, BOSCHWITZ, KERRY, PELL, EAGLETON, INOUE, HATFIELD, LAUTENBERG, PACKWOOD, KENNEDY, HEINZ, LEVIN, GORTON, KASTEN, SASSER, and BINGAMAN.

It would simply restore the provision in law providing expedited procedures for resolutions of disapproval introduced pursuant to section 36(b) of the AECA, in a fashion similar to the Dodd-Cranston legislation, adopted on the pending measure last Friday, which provided expedited procedures for any Jordan-specific resolution of disapproval we might consider next February.

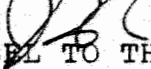
Let me stress that our proposal would not grant Congress any new powers in this area. The AECA already provides for expedited procedures for concurrent resolutions. Since the 1981 Supreme Court decision in the *Chadha* case rejecting the legislative veto, Congress has employed joint resolutions of disapproval as means of manifesting opposition to a particular

THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: H.R. 2698 -- James A. Walsh
U.S. Courthouse

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Dee Chew

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: H.R. 2698 - James A. Walsh U.S. Courthouse

ROUTE TO:		ACTION		DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
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		Referral Note:				

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WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/23/85 ACTION/CONCURRENCE/COMMENT DUE BY: 10:00 a.m. 12/24/85.

SUBJECT: H.R. 2698 -- JAMES A. WALSH U.S. COURTHOUSE

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please provide any comments/recommendations by 10:00 a.m. tomorrow. Thank you.

RESPONSE:



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 20 1985

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2698 - James A. Walsh United States
Courtthouse
Sponsors - Rep. Udall (D) Arizona and 5 others

Last Day for Action

December 31, 1985 - Tuesday

Purpose

To designate the United States Courthouse in Tucson, Arizona, as the "James A. Walsh United States Courthouse."

Agency Recommendations

Office of Management and Budget

Approval

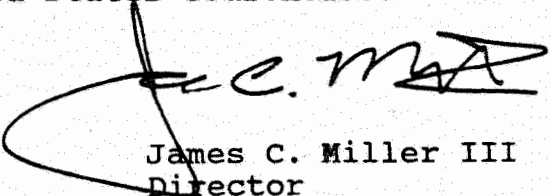
Department of Justice

No objection (Informally)

Discussion

According to the report of the House Committee on Public Works and Transportation on H.R. 2698, James A. Walsh was born in 1906 and received a law degree from Georgetown University in 1928. He was appointed to the United States District Court for the District of Arizona by President Truman in 1952, and in 1961 he became Chief Judge. Judge Walsh served as Chief Judge until 1973 and carried a full work load until his retirement in 1981.

The enrolled bill, which passed both Houses by voice vote, would designate the United States Courthouse in Tucson, Arizona, the "James A. Walsh United States Courthouse."


James C. Miller III
Director

Enclosures

Ninety-ninth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday, the third day of January,
one thousand nine hundred and eighty-five*

An Act

To designate the United States Courthouse in Tucson, Arizona, as the "James A. Walsh United States Courthouse".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

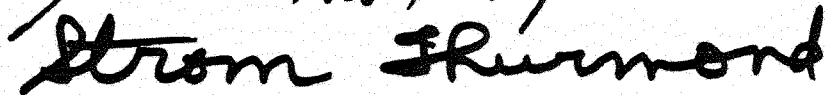
SECTION 1. DESIGNATION OF COURTHOUSE.

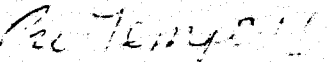
The building located at 55 East Broadway in Tucson in the State of Arizona, commonly known as the United States Courthouse, hereafter shall be known and designated as the "James A. Walsh United States Courthouse".

SEC. 2. LEGAL REFERENCES TO COURTHOUSE.

Any reference in any law, regulation, document, record, map, or other paper of the United States to the courthouse referred to in section 1 hereby is deemed to be a reference to the "James A. Walsh United States Courthouse".


Speaker of the House of Representatives,
Pro Tempore



~~Vice-President of the United States and~~
President of the Senate. 


U.S. HOUSE OF REPRESENTATIVES

THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: H.R. 3837 -- Sentencing
Reform Amendments Act of 1985

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
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Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Dave Chew

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill H.R. 3837 - Sentencing Reform Amendments Act of 1985

ROUTE TO: Office/Agency (Staff Name)	ACTION		DISPOSITION	
	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>CULHOLL</u>	ORIGINATOR	<u>85, 12, 24</u>		<u>1 1</u>
<u>mat 18</u>	Referral Note: <u>B</u>	<u>85, 12, 24</u>	<u>S</u>	<u>85, 12, 26</u> <u>9AM</u>
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
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WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/23/85 ACTION/CONCURRENCE/COMMENT DUE BY: 9:00 a.m., Thurs., 12/26/85

SUBJECT: ENROLLED BILL H.R. 3837 - Sentencing Reform Amendments Act of 1985

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
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HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please submit your comments on the attached directly to my office by 9:00 a.m. Thursday, December 26. Thank you.

RESPONSE:



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 23 1985

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3837 - Sentencing Reform Amendments
Act of 1985
Sponsors - Rep. Conyers (D) Michigan and 2 others

Last Day for Action

December 31, 1985 - Tuesday

Purpose

To extend the deadline by which the United States Sentencing Commission is required to promulgate sentencing guidelines.

Agency Recommendations

Office of Management and Budget

Approval

United States Sentencing Commission
Administrative Office of the United
States Courts
Department of Justice

Approval (Informally)

Approval
No objection (Informally)

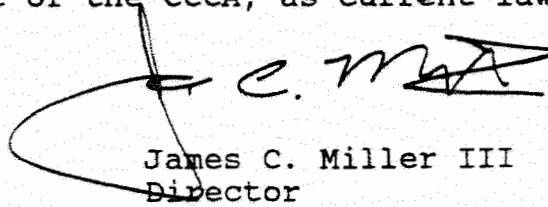
Discussion

The Comprehensive Crime Control Act of 1984 (CCCA), Public Law 98-473, established the United States Sentencing Commission as an independent agency within the Judicial branch of the United States Government. One of the Commission's primary responsibilities is to develop guidelines for Federal courts to use in sentencing convicted defendants in criminal cases.

The Commission's initial set of guidelines was to have been promulgated within eighteen months of enactment of the CCCA (i.e., by April 13, 1986). According to the debate in the House however, the Commission encountered unexpected delays in appointing members and hiring staff. As a consequence, work on the guidelines has yet to begin.

The enrolled bill, which passed both Houses by voice, would give the Commission an additional twelve months to promulgate the initial set of guidelines. The bill would require the Commission to recommend increases or decreases

maximum penalties for Federal criminal offenses within one year of promulgation of the sentencing guidelines, instead of within three years of enactment of the CCCA, as current law provides.



James C. Miller III
Director

Enclosures

Ninety-ninth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday, the third day of January,
one thousand nine hundred and eighty-five*

An Act

To extend the deadline for the submission of the initial set of sentencing guidelines by the United States Sentencing Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sentencing Reform Amendments Act of 1985".

SEC. 2. DEADLINE FOR INITIAL SET OF SENTENCING GUIDELINES.

(a) **EXTENSION.**—Section 235(a)(1)(B)(i) of the Comprehensive Crime Control Act of 1984 is amended by striking out "eighteen" and inserting "30" in lieu thereof.

(b) **TECHNICAL AMENDMENT.**—Section 235(a)(1)(B)(i) of the Comprehensive Crime Control Act of 1984 is amended by striking out "to section" and inserting "under section" in lieu thereof.

SEC. 3. CONFORMING CHANGE IN TITLE 28, UNITED STATES CODE.

Section 994(q) of title 28, United States Code, is amended by striking out "within three years" and all that follows through "Act of 1983" and inserting in lieu thereof "not later than one year after the initial set of sentencing guidelines promulgated under subsection (a) goes into effect".

SEC. 4. CONFORMING CHANGE IN COMPREHENSIVE CRIME CONTROL ACT OF 1984.

Section 235(a)(1) of the Comprehensive Crime Control Act of 1984 is amended by striking out "twenty-four" and inserting "36" in lieu thereof.

Tip Wujcik
Speaker of the House of Representatives

Pro Tempore
Strom Thurmond

~~Vice President of the United States and~~
President of the Senate *W. J. Bennett*


WHITE HOUSE

THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: S. 1728 -- Oklahoma Cherokee
Ninety-Nine-Year Lease

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Ann Chew

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill S. 1728 - Oklahoma Cherokee Community - nine year lease

ROUTE TO:		ACTION	DISPOSITION			
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUTROLL</u>		ORIGINATOR	<u>85/12/24</u>			<u>1 1</u>
		Referral Note:				
<u>quat 18</u>		<u>B</u>	<u>85/12/24</u>		<u>S</u>	<u>85/12/26</u>
		Referral Note:				<u>9 am</u>
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				
			<u>1 1</u>			<u>1 1</u>
		Referral Note:				

- ACTION CODES:**
- A - Appropriate Action
 - I - Info Copy Only/No Action Necessary
 - C - Comment/Recommendation
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 - X - Interim Reply

- DISPOSITION CODES:**
- A - Answered
 - C - Completed
 - B - Non-Special Referral
 - S - Suspended

FOR OUTGOING CORRESPONDENCE:
 Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/23/85 ACTION/CONCURRENCE/COMMENT DUE BY: 9:00 am, Thur., 12/26/85

SUBJECT: ENROLLED BILL S. 1728 - Oklahoma Cherokee ninety-nine year leasing

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS VAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please submit your comments on the attached directly to my office by 9:00 a.m. Thursday, December 26. Thank you.

RESPONSE:

David L. Chew
Staff Secretary
Ext. 2702



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

DEC 23 1985

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 1728 - Oklahoma Cherokee ninety-nine
year leasing
Sponsors - Senators Nickles (R) and Boren (D) Oklahoma

Last Day for Action

December 30, 1985 - Monday

Purpose

(1) Authorizes the Cherokee Nation of Oklahoma to lease for
ninety-nine years lands held in trust by the United States and
(2) ensures retention of civil service benefits for Federal
employees working for Indian tribes.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Health & Human Services	Approval (Informally)
Department of Justice	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of the Treasury	No objection (Informally)

Discussion

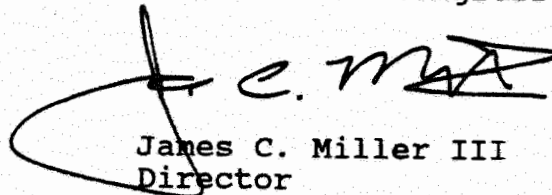
Under existing law, the Cherokee Nation of Oklahoma is
authorized to lease lands held in trust for it by the United States
for a 25-year period with a 25-year renewal, subject to approval by
the Secretary of the Interior. Consistent with authority held by
other Indian tribes, S. 1728 will enable the Tribe to lease its
trust lands for 50 years, with an option for an additional 49 years.
This will effectively settle a dispute between the Tribe and the
Muskogee Port Authority.

The bill also includes the following two non-germane provisions
concerning the retention of civil service benefits for Federal
employees working for Indian tribes. These provisions, which were
proposed by the Administration to encourage qualified Federal
employees to remain in tribal service, are:

- an amendment to section 105(e) of the Indian Self-Determination and Education Assistance Act to provide a three-year extension (December 31, 1985, to December 31, 1988) of the termination date for Federal employees to elect to retain certain employee rights and benefits when they become employed by a tribe. The cost of these benefits are borne by the non-Federal employer; and
- an amendment to section 210(a)(5)(B)(i) of the Social Security Act and section 3121(b)(5)(B)(i) of the Internal Revenue Code of 1954 to permit persons who have left Federal employment to work for certain Indian tribes and then return to Federal employment to be allowed to stay in the pre-1984 Federal Civil Service Retirement System. As of January 1, 1984, new, or returning Federal employees with more than a year's interruption in service, would be covered by Social Security plus whatever new Federal Civil Service Retirement System is developed.

In its enrolled bill letter, the Department of the Interior recommends approval of S. 1728 because it "would provide the Cherokee Nation with long-term leasing authority already held by numerous other tribes. The civil service provisions of the bill would merely facilitate tribal assumption of Federal programs and services on the reservation and are thus in keeping with Administration policy."

S. 1728 passed both Houses of Congress by voice vote.



James C. Miller III
Director


Enclosures

THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: H.R. 2903 -- Robert N.C. Nix, Sr.
Federal Building and U.S. Post Office

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Walter Chew

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: H.R. 2903 - Robert N.C. My, Sr. Federal Building ~ US P.O.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>cuttoll</u>	<u>ORIGINATOR</u>	<u>85 11 23</u>			<u>1 1</u>
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	Referral Note:				<u>10 aml</u>
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		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

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- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
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- Completion Date = Date of Outgoing

Comments: _____

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 Always return completed correspondence record to Central Files.
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WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/23/85 ACTION/CONCURRENCE/COMMENT DUE BY: 10:00 a.m. 12/24/85

SUBJECT: H.R. 2903 -- ROBERT N.C. NIX, SR. FEDERAL BUILDING AND U.S. POST OFFICE

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please provide any comments/recommendations by 10:00 a.m. tomorrow. Thank you.

RESPONSE:



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 20 1985

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2903 - Robert N.C. Nix, Sr., Federal Building and United States Post Office Sponsors - Rep. Foglietta (D) Pennsylvania and 3 others

Last Day for Action

December 31, 1985 - Tuesday

Purpose

To designate the Federal building and United States Post Office in Philadelphia, Pennsylvania, the "Robert N.C. Nix, Sr., Federal Building and United States Post Office."

Agency Recommendations

Office of Management and Budget

Approval

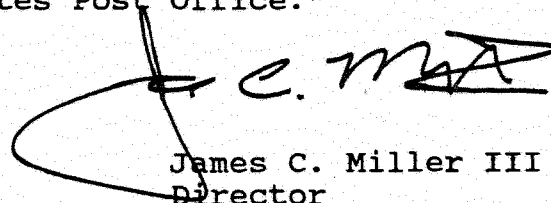
General Services Administration
United States Postal Service

No objection (Informally)
No objection

Discussion

Robert N.C. Nix, Sr., represented the second congressional district of Pennsylvania from 1958 until his retirement in 1979. According to comments on the House floor, he served on the Committee on International Relations and was Chairman of the Post Office and Civil Service Committee. Congressman Nix also had a distinguished career as an attorney and was a prominent community leader.

The enrolled bill, which passed both Houses by voice vote, would designate the Federal Building and Post Office in Philadelphia, Pennsylvania, the "Robert N.C. Nix, Sr., Federal Building and United States Post Office."


James C. Miller III
Director

Enclosures

Ninety-ninth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday, the third day of January,
one thousand nine hundred and eighty-five*

An Act

To designate the Federal Building and United States Post Office located in Philadelphia, Pennsylvania, as the "Robert N. C. Nix, Sr., Federal Building and United States Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF BUILDING.

The Federal Building and United States Post Office located at 9th and Market Streets in Philadelphia, in the State of Pennsylvania, shall hereafter be known and designated as the "Robert N. C. Nix, Sr., Federal Building and United States Post Office".

SEC. 2. LEGAL REFERENCES TO BUILDING.

Any reference in any law, regulation, document, record, map, or other paper of the United States to the building referred to in section 1 is deemed to be a reference to the "Robert N. C. Nix, Sr., Federal Building and United States Post Office".

Me. W. W. W.
Speaker of the House of Representatives,

Pro Tempore

Strom Thurmond

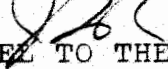
*Vice President of the United States and
President of the Senate.*

THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: H.R. 3003 -- Conveyance of
Federal Land to Maryland NCPPC

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Anne Chew

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: H.R. 3003 - Conveyance of Federal Land to Maryland NEPPC

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUHOLL</u>	<u>ORIGINATOR</u>	<u>85/12/23</u>			<u>1 1</u>
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<u>CUat 18</u>	<u>R</u>	<u>85/12/23</u>		<u>S</u>	<u>85/12/24</u>
	Referral Note:				<u>10 a.m.</u>
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				
		<u>1 1</u>			<u>1 1</u>
	Referral Note:				

ACTION CODES:

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Comments: _____

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Always return completed correspondence record to Central Files.

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WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/23/85 ACTION/CONCURRENCE/COMMENT DUE BY: 12/24/85 at 10:00 A.M.

SUBJECT: H.R. 3003 -- CONVEYANCE OF FEDERAL LAND TO MARYLAND NCPPC

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: Please provide any comments/recommendations directly to my office by 10:00 a.m. tomorrow. Thank you.

RESPONSE:



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

DEC 23 1985

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 3003 - Conveyance of Federal Land to
the Maryland National Capital Park and Planning
Commission
Sponsors - Reps. Hoyer (D) and Holt (R) Maryland

Last Day for Action

December 28, 1985 - Saturday

Purpose

Requires the Secretary of the Interior to convey a 55-acre tract of land near the Woodrow Wilson Bridge to the Maryland National Capital Park and Planning Commission.

Agency Recommendations

Office of Management and Budget	Approval
National Capital Planning Commission	Approval
Department of the Interior	No objection

Discussion

H.R. 3003 would require the Secretary of the Interior to convey, without consideration, a 55-acre tract of land along the Maryland shore of the Potomac River near the Woodrow Wilson Bridge to the Maryland National Capital Park and Planning Commission (MNCPPC). The enrolled bill would require MNCPPC to use the land for park and outdoor recreation purposes, or else it would revert to Federal ownership. H.R. 3003 would also permit MNCPPC to allow access across the property to an adjacent tract of riverfront land, upon which a major private development project -- estimated to cost several hundred million dollars -- is now underway. Completion of the project depends upon the access authorized by the enrolled bill.

The Federal interest in the Potomac riverfront is to prevent development from adversely affecting the scenic entrance to the National Capital, and to protect the view from Mount Vernon, the George Washington National Parkway, and the river itself. The National Capital Planning Commission (NCPC) is the lead agency in this effort.

The Federal land in question was transferred to the National Park Service by the Department of Transportation, which had originally acquired it in the belief that it was needed for construction of the Woodrow Wilson Bridge. The land is a hilly, wooded tract containing no facilities and receiving no specific land management attention.

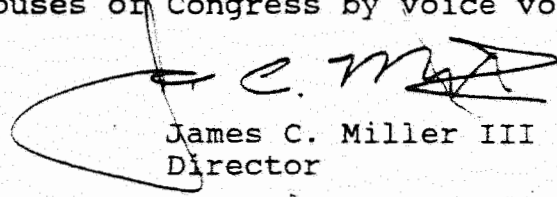
To protect the Federal interests in the area, the NCPC signed a Memorandum of Understanding (MOU) with the developer that limits the height of the development, requires the developer to allow hiking and biking trails across his property, and contains other restrictions designed to minimize potential adverse impacts on the riverfront. H.R. 3003 would require the developer to abide by the MOU, subject to the approval of the Prince Georges County Council and compliance monitoring by NCPC. Finally, the enrolled bill requires the developer to establish an escrow account, pending construction of the access road, to ensure protection of the surrounding parkland and compliance with the MOU.

While the enrolled bill was under congressional consideration, this Office examined the possibility of selling the property. After a thorough investigation, we found that:

- the Federal land is not very valuable except to the developer;
- it is impossible to make a precise estimate of the value of the land to the developer;
- the social value of the restrictions contained in the MOU is substantial, yet equally difficult to express in monetary terms; and
- the opportunity costs to the developer of complying with the restrictions will also be substantial but unquantifiable.

Moreover, current law does not allow the sale of National Parkland. Thus, special legislation to allow such a sale would have been necessary, but no feasible method while still requiring compliance with the use restrictions could be found. In short, we concluded that notwithstanding the Administration's policy of requiring fair market value compensation for conveyance of Federal lands, especially when they are to be used to facilitate private

enterprise, such compensation (1) is impossible to estimate in this case and (2) may well be equalled or even exceeded by the value of the concessions required of the developer by H.R. 3003. Accordingly, we recommend that you approve the enrolled bill, which passed both Houses of Congress by voice vote.

A handwritten signature in dark ink, appearing to read "J. C. Miller III", is written over a large, light-colored scribble or stamp. The signature is positioned above the typed name and title.

James C. Miller III
Director

Enclosures

Ninety-ninth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Thursday, the third day of January,
one thousand nine hundred and eighty-five*

An Act

To authorize the Secretary of the Interior to convey certain land located in the State of Maryland to the Maryland-National Capital Park and Planning Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) notwithstanding any other provision of law, the Secretary of the Interior is authorized and directed to convey, without monetary consideration, to the Maryland-National Capital Park and Planning Commission all right, title, and interest of the United States to a parcel of land comprising approximately fifty-five acres located in Prince Georges County, Maryland.

(2) Except as provided in subsection (b), the land conveyed pursuant to paragraph (1) shall be used solely for park and outdoor recreation purposes in accordance with a land use plan for the property prepared by the Maryland-National Capital Park and Planning Commission and submitted to the National Capital Planning Commission for review and comment. The instrument for conveyance for the real property conveyed pursuant to subsection (a) shall set forth all terms and conditions of the conveyance. Such instrument shall further provide that all right, title, and interest conveyed to the Maryland-National Capital Park and Planning Commission pursuant to such instrument, except such access as is authorized by subsection (b)(1), shall revert to the United States if such land is used for any purpose other than as stated in this paragraph.

(3) As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the area designated under paragraph (1) with the Committee on Interior and Insular Affairs, United States House of Representatives, and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that the correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file in the office of the regional director, National Park Service and the National Capital Park Region.

(4) The Maryland-National Capital Park and Planning Commission shall reimburse the Secretary of the Interior for the costs of the land conveyance described in paragraph (1).

(b)(1) Subject to the provisions of this subsection, the Maryland-National Capital Park and Planning Commission may grant access across the real property conveyed pursuant to subsection (a) to the owner of any adjacent real property contingent upon each of the following:

(A) Submission by the owner of the adjacent real property of a land use and development plan, incorporating the provisions of the memorandum of May 7, 1985, to the National Capital Planning Commission for review and comment;

H. R. 3003—2

(B) Approval of the terms and conditions of the memorandum of May 7, 1985, by the Prince Georges County Council;

(C) Compliance by the owner of the adjacent real property seeking such access with the terms and conditions of the memorandum of May 7, 1985, as determined by the National Capital Planning Commission;

(D) Conveyance by the owner of the adjacent real property to the National Capital Planning Commission of an easement in perpetuity which shall run with the land, incorporate the restrictions on development contained in the memorandum of May 7, 1985, and incorporate any other land restrictions imposed by Prince Georges County; and

(E) The availability for such access for public use.

(2) The owner of the adjacent real property shall obtain appropriate road construction bonds as required by State and local government regulation prior to the construction of such access road, and shall establish an interest bearing escrow account in an amount necessary to insure protection of the surrounding parkland and compliance with the conditions of subsection (b)(1). Such amount shall be determined by the owner of the adjacent real property and the Maryland-National Capital Park and Planning Commission. Following completion of the construction of such public use access road, and review by the Maryland-National Capital Park and Planning Commission, said escrow account shall be returned to the owner of the adjacent real property.

(3)(A) The National Capital Planning Commission and the Maryland-National Capital Park and Planning Commission shall make a copy of the memorandum of May 7, 1985, available for public inspection in the offices of each commission during business hours.

(B) Upon approval of any proposed amendment by both of the parties to the memorandum of May 7, 1985, the proposed amendment shall be published in the Federal Register and concurrently submitted to the congressional committees referred to in subsection (a)(3). The amendment shall not be effective until 60 calendar days after it has been transmitted to the committees.

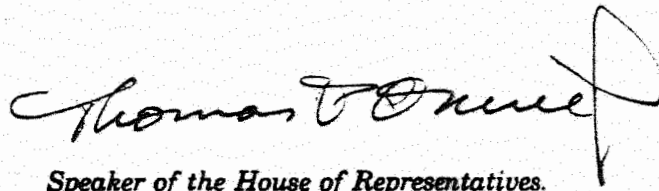
(c) For purposes of this Act—

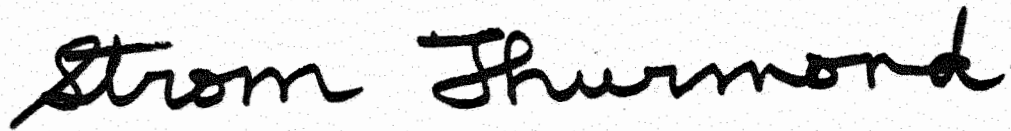
(1) the term "memorandum of May 7, 1985" means the memorandum of understanding entered into on May 7, 1985, between the National Capital Planning Commission and the owner of

H. R. 3003—3

the real property adjacent to the land to be conveyed pursuant to subsection (a)(1); and

(2) the term "owner of the adjacent real property" means the owner of the adjacent real property, its successors or assigns, as described in the memorandum of understanding entered into on May 7, 1985.


Speaker of the House of Representatives.



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

THE WHITE HOUSE

WASHINGTON

December 24, 1985

MEMORANDUM FOR DAVID L. CHEW
STAFF SECRETARY

FROM: JOHN G. ROBERTS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 1784 -- Panama
Canal Commission 1986 Authorization

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Dave Chew

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill H.R. 1784 - Panama Canal Commission 1984 Authorization

ROUTE TO: Office/Agency (Staff Name)	ACTION Action Code	Tracking Date YY/MM/DD	DISPOSITION	
			Type of Response	Completion Date YY/MM/DD
<u>CUHOLL</u>	<u>ORIGINATOR</u>	<u>85,12,24</u>		<u>1 1</u>
<u>Chat 02</u>	<u>R</u>	<u>85,12,24</u>	<u>S</u>	<u>85,12,26</u>
	<u>Referral Note:</u>			<u>9 am</u>
		<u>1 1</u>		<u>1 1</u>
	<u>Referral Note:</u>			
		<u>1 1</u>		<u>1 1</u>
	<u>Referral Note:</u>			
		<u>1 1</u>		<u>1 1</u>
	<u>Referral Note:</u>			

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure
 - I - Info Copy Only/No Action Necessary
 - R - Direct Reply w/Copy
 - S - For Signature
 - X - Interim Reply
- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
 - S - Suspended

FOR OUTGOING CORRESPONDENCE:
 Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/23/85 ACTION/CONCURRENCE/COMMENT DUE BY: 9:00 a.m., Thurs., 12/26/85

SUBJECT: ENROLLED BILL H.R. 1784 - Panama Canal Commission 1986 Authorization Act

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POINDEXTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REGAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MILLER	<input type="checkbox"/>	<input type="checkbox"/>	RYAN	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CHAVEZ	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL	<input type="checkbox"/>	<input type="checkbox"/>
CHEW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DANIELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	THOMAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE	<input type="checkbox"/>	<input type="checkbox"/>
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
KINGON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
LACY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please submit your comments on the attached directly to my office by 9:00 a.m. Thursday, December 26. Thank you.

RESPONSE:



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

DEC 23 1985

DEC 23 1985

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 1784 - Panama Canal Commission
1986 Authorization Act
Sponsors - Rep. Lowry (D) Washington and 13 others

Last Day for Action

December 31, 1985 - Tuesday

Purpose

Authorizes appropriations for fiscal year 1986 for the Panama Canal Commission and contains miscellaneous amendments concerning Commission activities.

Agency Recommendations

Office of Management and Budget
Panama Canal Commission
Department of State
Department of Defense
General Services Administration
Office of Personnel Management

Approval
Approval
Approval (Informally)
No objection (Informally)
No objection
No objection (Informally)

Discussion

The Panama Canal Commission, established in 1979, is responsible for the operation of the Panama Canal until the year 2000, when the Canal will be transferred to Panama. H.R. 1784 authorizes appropriations of not more than \$436,784,000 for fiscal year 1986 for the Commission. Of this amount, not more than \$26,500,000 will be available for capital expenditures. The 1986-enacted appropriation for the Commission is \$425,784,000. H.R. 1784 also contains miscellaneous amendments -- summarized below -- concerning Commission activities.

In addition to specifying uses (e.g., payments to Panama pursuant to Treaty obligations and purchase of motor vehicles) for which the authorized appropriations may be used, H.R. 1784 includes amendments concerning benefits for Commission employees. The enrolled bill will permit the Commission to provide additional paid vacation leave travel for its employees and employee families. Under current law, an employee must serve a

full year in the Canal Zone before being eligible for a home leave trip. The Commission advises informally that this requirement creates significant problems in scheduling home leave for its U.S.-citizen employees, especially those with school-age children. H.R. 1784 addresses this problem by authorizing the Commission to prescribe periods of service for such leave. The primary purpose of this authority is not to increase employee benefits but to relieve the existing leave scheduling problem. The bill will also permit round-trip educational travel between Panama and the United States for dependents of some U.S.-citizen employees on a twice-a-year basis, rather than once a year, as is currently authorized.

H.R. 1784 will also allow the Commission to obtain health care for its employees from private health care providers instead of only from Department of Defense facilities. The bill will similarly permit the Commission to defray the cost of education in non-Defense schools for children of its U.S.-citizen employees. In both cases, these changes are expected to result in lower costs for the Commission.

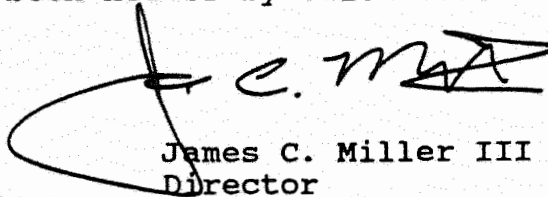
In its enrolled bill views letter, the Commission advises that these benefit changes are needed as part of an "equity adjustment" package adopted by the Commission partially to offset the loss of its U.S.-employee commissary, post exchange, and mailing privileges that were terminated pursuant to the Treaty.

The enrolled bill will also allow members of the Panama Canal Supervisory Board who are not employed by the United States Government to be compensated for each day during which they are traveling to or from or attending meetings of the Board. They will be compensated at the daily equivalent of the basic pay rate in effect for grade GS-18 of the General Schedule. (The Board supervises the activities of the Commission and consists of nine members, of which at least three must not be employed by the Government.)

Finally, H.R. 1784 will require the President only to notify Congress of transfers of excess Commission housing to Panama, instead of having to advise the Congress 180 days in advance of such transfers, as required by existing law.

* * * * *

H.R. 1784 passed both Houses by voice vote.


James C. Miller III
Director

Enclosures

Ninety-ninth Congress of the United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Thursday, the third day of January, one thousand nine hundred and eighty-five

An Act

To authorize appropriations for fiscal year 1986 for the operation and maintenance of the Panama Canal, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Panama Canal Commission Authorization Act, Fiscal Year 1986".

SEC. 2. OPERATING EXPENSES.

There is authorized to be appropriated from the Panama Canal Commission Fund to the Panama Canal Commission (hereafter in this Act referred to as the "Commission") for the fiscal year beginning October 1, 1985, not more than \$436,784,000, for necessary expenses of the Commission incurred under the Panama Canal Act of 1979 (Public Law 96-70; 22 U.S.C. 3601 et seq.), including expenses for—

- (1) the hire of passenger motor vehicles and aircraft;
- (2) the purchase of passenger motor vehicles as may be necessary for fiscal year 1986, the number and price of which may not exceed the amount provided in appropriation Acts; except that large heavy duty passenger sedans used to transport employees of the Commission across the Isthmus of Panama may be purchased for the fiscal year 1986 without regard to price limitations set forth in applicable regulations of any department or agency of the United States;
- (3) official receptions and representation expenses, except that not more than \$33,000 may be made available for such expenses, of which (A) not more than \$8,000 may be made available for such expenses of the Supervisory Board of the Commission, and (B) not more than \$25,000 may be made available for such expenses of the Administrator of the Commission;
- (4) the procurement of expert and consultant services as provided in section 3109 of title 5, United States Code;
- (5) a residence for the Administrator of the Commission;
- (6) uniforms, or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code;
- (7) disbursements by the Administrator of the Commission for employee recreation and community projects; and
- (8) the operation of guide services.

SEC. 3. CAPITAL OUTLAY.

Of any funds appropriated pursuant to section 2 of this Act, not more than \$26,500,000 (which is authorized to remain available until expended) may be made available for the acquisition, construction, replacement, and improvement of facilities, structures, and equipment required by the Commission.

H. R. 1784—2

SEC. 4. AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.

In addition to the amount authorized to be appropriated by section 2 of this Act, there are authorized to be appropriated to the Commission for the fiscal year 1986 such amounts as may be necessary for—

- (1) increases in salary, pay, retirement, and other employee benefits provided by law;
- (2) covering payments to Panama under paragraph 4(a) of article XIII of the Panama Canal Treaty of 1977, as provided by section 1341(a) of the Panama Canal Act of 1979 (22 U.S.C. 3751(a)); and
- (3) increased costs for fuel.

SEC. 5. BENEFITS FOR CERTAIN EMPLOYEES.

(a) **EDUCATIONAL TRAVEL BENEFITS.**—Section 1207(b)(2) of the Panama Canal Act of 1979 (22 U.S.C. 3647(b)(2)) is amended by striking out “one round trip” and inserting in lieu thereof “two round trips”.

(b) **TRAVEL AND TRANSPORTATION EXPENSES.**—

(1) **EXPENSES ALLOWABLE.**—Subchapter I of chapter 2 of title I of the Panama Canal Act of 1979 (22 U.S.C. 3641 et seq.) is amended by adding at the end thereof the following:

“TRAVEL AND TRANSPORTATION EXPENSES

“SEC. 1210. The Commission may pay the expenses of vacation leave travel for an employee of the Commission to whom section 1206 of this Act applies and for transportation of employee's family from the employee's post of duty in Panama to the place of the employee's actual residence at the time of appointment to the post of duty. The authorization of expenses under this section shall be in accordance with subchapter II of chapter 57 of title 5, United States Code, and the regulations issued under that subchapter, except that the Commission may prescribe required periods of service notwithstanding section 5722 of title 5, United States Code, and the regulations issued under subchapter II of chapter 57 of such title.”

(2) **CLERICAL AMENDMENT.**—The table of contents of the Panama Canal Act of 1979 is amended by inserting after the item relating to section 1209 the following:

“1210. Travel and transportation expenses.”

(c) **USE OF APPROPRIATIONS FOR HEALTH CARE AND EDUCATIONAL SERVICES.**—Section 1321(e) of the Panama Canal Act of 1979 (22 U.S.C. 3731(e)) is amended to read as follows:

“(e) The appropriations or funds of the Commission, or of any other department or agency of the United States conducting operations in the Republic of Panama, shall be available to defray the cost of—

“(1) health care services to elderly or disabled persons who were eligible to receive such services before the effective date of this Act, less amounts payable by such persons, and

(2) educational services provided by schools in the Republic of Panama, which are not operated by the United States, to employees of the Commission who are citizens of the United States and persons who were receiving such services at the expense of the Canal Zone Government before the effective date of this Act.”

H. R. 1784-3

SEC. 6. COMPENSATION FOR NON-GOVERNMENT BOARD MEMBERS.

Section 1102(b) of the Panama Canal Act of 1979 (22 U.S.C. 3612(b)) is amended in the last sentence by inserting immediately before the period at the end thereof the following: ", except that, in addition to such travel or transportation expenses, members of the Board who hold no other office with either the Government of the United States or the Republic of Panama for which they receive pay are authorized to be compensated at the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule under section 5332 of title 5, United States Code, for each day during which they are traveling to or from or attending meetings of the Board as provided in subsection (c) of this section".

SEC. 7. NOTIFICATION OF TRANSFER OF PROPERTY.

Section 1504(b) of the Panama Canal Act of 1979 (22 U.S.C. 3784(b)) is amended in the second sentence by striking out "At least 180 days before" and inserting in lieu thereof "Before".

SEC. 8. EFFECTIVE DATE.

Section 5 and section 6 of the Act shall be effective as of October 1, 1985.

Jim Wright
Speaker of the House of Representatives,
Pro Tempore
Strom Thurmond

Vice President of the United States and
President of the Senate: *Bob Dole*