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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	David L. to POTUS [partial] (1 page)	03/06/2000	b(6)

COLLECTION:

Clinton Presidential Records
Staff Secretary
Too Late to Process
OA/Box Number: 20392

FOLDER TITLE:

The President Has Seen, August 2000 [3]

2019-0990-S

rs3477

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 advice 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]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

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]

8-10-00

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Ted Hayes
Homeless & Youth Activist

Citizens Advisory Committee, National Homeless Plan, 847 Golden Avenue, Los Angeles, CA., 90017 (p) 213-892-9065

Thursday, September 22, 1998

The Honorable William J. Clinton,
The White House,
1600 Pennsylvania Avenue,
Washington, DC., 20501

Re: **Presidential Mercy On The Poor**

Dear President Clinton,

I am encouraging you not to resign the office of President of the United States. Indeed you have made some serious mistakes, and sinned in the process. However, before God, your family and the world, you have confessed and repented of your deeds.

Unlike the Congress where several hundred individuals represent the people, or the nine on the U.S. Supreme Court, the Office of President is the most singular embodiment of all the American people in the Federal government. In that sense, you are us, and we are you. What ever high moral standards that we expect of you, is what we must expect of ourselves. To condemn you, is to condemn America. We are America! We, our fore parents and our children after us.

Believe me I am not one to cast stones, and I do live in "glass" house. So, I council you to stand your ground. Just as you owe it to the American people to defend and protect, them via the Constitution, you also owe it to them to resist the hypocrites who are attacking your person. If you surrender to the hypocritical side of America, it will not only be disappointing, but you will be putting us at risk of the same kind of Inquisition crusade. A friend of mines describes what has been happening to you as another form of McCarthyism.

You must humbly stand your ground. Let them impeach you. In fact, dare them to do so. Let them make your day. We need to test the democratic process of our Constitution anyway. We need to learn from the procedure for future Presidential crisis. Actually, you will be doing the nation a favor. You must demonstrate our resolve to not give in to hypocritical intimidation even as we will not buckle under terrorism of any sort.

I know that you have two personal spiritual advisors as well as many other close supporters and councilors, however, may I please add my voice to your ear and heart.

If you will notice in the Hebrew Scriptures, i.e. Torah: It is discussed in the Book of the prophet Daniel the divine humbling of the great and most powerful king of the then known world, Nebuchadnezzar of Babylon. The prophet said of God, "to the intent that the living may know that the most High rules in the kingdom of men, and gives it to whomever He will, and sets up over it the basest of men...", He would break the king down. However, after the humiliating experience which would cause the king to know and finally understand "that the heavens do rule"...after all, Nebuchadnezzar would be regain his power. But the prophet says something very interesting to the bewildered ruler. "Wherefore, O king, let my council be acceptable to you, and break off your sins by righteousness (doing Justice), and your iniquities (rebellions) by showing **mercy to the poor**; if may a lengthening of thy tranquillity." Daniel 4:17,26,27

Remember what John the Baptist says concern repentance?!? "Bring forth fruit (works) worthy (demonstrates contrition) of repentance." Luke 3:8

How about this?!? "Defend the poor and fatherless: do justice to the afflicted and needy. Deliver the poor and needy: rid them out of the hand of the wicked." Psalm 82:3,4

And?!? "Go out quickly into the streets and lanes of the city, and bring in here the poor, and the maimed, and the halt, and the blind, [the good and the bad Mt. 22:10]....Go out into the highways and hedges, and compel them to come in, that my house may be filled." Luke 14:21,22

Furthermore. "Pure religion and undefiled before God and the Father is this, 'To visit the fatherless and widow in their afflictions, and to keep himself unspotted from the world.'" James 1:27

To Andrew Cuomo

Do you have any
contact with him?
Is there anything
we can do?

Ted

PHOTOCOPY
WJC HANDWRITING

And. "...hath not God chosen the poor of this world rich in faith, and heir of the kingdom which he has promised to them that love him? Do not rich men oppress you, and draw you before the judgment seats? Mercy rejoices against judgment. If a brother or sister be naked, and destitute of daily food, and one of you say to them, 'be warmed and filled; and yet you don't give them those things which are needful to the body; what profit is there? Even so faith, if it does not have works, is dead being alone.'" James 2:5,6,13, 15-17.

"Inasmuch as you have done it to the one of the least of these my brethren, you have done it to me." Jesus Christ - Mt.25:40

Mr. President, please have mercy on the poor. On this earth we not only have no defense against hostile elements and environments, but we are especially vulnerable to the attitudes of human beings who selectively legislate and enforce laws against the super poor, i.e. the Homeless. Though wounded, through God's grace you are our constitutional champion.

Being that you are a repented person, won't you now bring forth this most significant "fruit" of repentance that only a power ruler can. Won't you please "have mercy on the poor" by adopting A National Homeless Plan and stop the Outlawing of American Homeless People?!?

As you know, I have been working with your good staff for some time now, proposing the idea of A National Homeless Plan. Please sir, study the material that I have placed in your hands. Let my colleagues and I meet with you for acceptance and eventual strategizing as soon as possible. I know that you are pressed for time, but you have a wonderful opportunity to shake up certain unsuspecting hypocritical elements within our society, by making this effort top priority.

Actually, with your deep concerns for the upheavals and uncertainty of the world global money markets and the subsequent aftermath, preparing and defending the poor is equally crucial. * 100,000,000 countable Homeless people in the Western World, alone) Isn't it true that the turbulent economies of the wealthy and rich causes the existence of the poor and their perpetuating environments? Is it true that while in the midst of these economic uncertainties, that the rich are getting richer, while the poor are getting poorer? As the disparity between the two classes widens, and the middle class is transformed into a slave-like condition, it is not only imperative, but it is common sense that the conditions of the poor have exactly equal attention from you. To ignore or minimize the plight of the poor during these economic crisis, fixing the woes of the wealthy is doomed to failure. Though growing ever more polarized, the state of the rich and the poor are equality and inexplicably connected. It is like balancing a "teeter-totter or Scales of Justice.

Please sir, do as ancient repentant King Nebuchadnezzar, and have Mercy on the poor. Obey the voice of John the Baptist and finalize your repentance by bringing forth that certain "fruit" that rescues the weak and wounded in our society. Bring into your "house", the White House, by Presidential Executive Order the outcast, the poor, that Americas house may be full...there is plenty of room. Be as Miss Liberty, and say to the people and local governments of the United States who would outlaw Americans simply because of their social status in poverty..."send these, the Homeless, the tempest tossed to me."

Mr. President, there is more that I would gladly share with you upon request, provided that you can get over the idea of my poverty and seemingly unimportance in your world. Even so, as I wish you well, I will continue my quest for A National Homeless Plan and the Cessation of Outlawing Homeless People.

Thank you for your time, consideration, and cooperation.

Sincerely, in your service,


Ted Hayes

P.S. Please take the time to read Hebrews 11, the Hall of Faith", and notice how God utilized broken "messed-up" people to do his mighty will.

8-22-00

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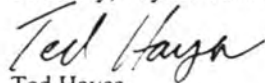
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NPS Deputy Director - Denis Galvin
Wife: Margaret
Kids: Andrea, Erica, John
Stuart Schneider

**Harry Yount National Park Ranger Award
Presentation**

I. Dedicated Park Ranger for 20 years who
performed:

- Interpretive work
- Search and rescue
- Preservation of cultural resources
- Backcountry patrolling
- Law enforcement

II. Award created in 1964 to honor:

- Outstanding contribution
- Record of accomplishment
- Distinguished performance of
traditional ranger duties

III. The values the Award honors:

- Initiative
- Imagination
- Perseverance
- Competence
- Creativity
- Resourcefulness
- Dedication
- Integrity

*Above & beyond
call of duty*

Therefore, I am honored, on behalf of President
Clinton, to present you, Stuart Schneider, with the
Harry Yount National Park Ranger Award.

Aug. 24, 2000

Aug. 25, 2000

THE WHITE HOUSE

WASHINGTON

July 31, 2000

MEMORANDUM TO THE PRESIDENT

FROM: STEPHANIE STREETT
JULIE EDDY

SUBJECT: MIAMI

You will be playing golf at the Biltmore Hotel Coral Gables on Tuesday morning. We are currently holding a tee time between 9:30 – 11:00am. Please choose approximately what time you would like to tee off, so that, we can have your golf partners arrive at the appropriate time.

What time would you like to play golf?

9:30am _____ 10:00am _____
10:30am _____ 11:00am ☒

Below are golf partner options that have been provided by Minyon Moore via the DNC. Please know that Gene Prescott of the Biltmore does not play golf and Terry did not have partner suggestions for this day. Please choose two from below leaving one as the alternate.

Who would you like to play golf with?

Gary Pajic - Pajic and Pajic Law Firm ☒

Bob Farmer – Hi Tech Investor _____

Neil Roth – Immediate Past President of Florida Trial Lawyers Association _____

Chuck Keene ☒

Cont...

PHOTOCOPY
WJC HANDWRITING

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Podesta

Page 2, Miami, July 31, 2000

There are fifteen individuals who Minyon Moore and the DNC have ask that you consider doing a photo op with at the Biltmore Hotel prior to departing for golf. These people are co-chairs of the upcoming Vice Presidential DNC Gala to be held in September.

Would you like to do the photo op prior to departing for golf?

Yes ☒ _____

No _____

Interview Book

fin

THE GAMES WE PLAYED

2500 Q Street, NW • Suite 541 • Washington DC 20007
steven@thegamesweplayed.com

October 24, 1999

Dear Mr. President:

Eight years ago this month, I arrived in Little Rock, Arkansas, an ordinary 22 year-old fresh out of college, with no real passion for politics, no grand sense of ambition. Before I knew it, I had a new nickname and a new job working at the White House for the President of the United States. Now thirty years old and married, I realize that in addition to my new nickname and job, I had a new extended family and if not a new home, certainly a second one. If family and home help define us, the fact is, many of my values, both political and personal have been shaped by my time working for you and Mrs. Clinton.

At the top of that list of values is giving back. And I want to do just that – give back, lift spirits and make people smile by putting together a book I'm calling The Games We Played.

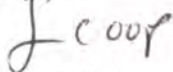
Mr. President, I understand that you and Doug Sosnik discussed this project, but let me reassure you this is no ordinary "tell-all" book. The Games We Played will be a collection of stories and recollections from famous and not so famous Americans about their childhood games that shaped them. Not simply baseball and basketball, but games whose rulebooks could only be written by a child's imagination. Hopefully, the games will be as diverse as the contributors; their games influenced by climate, by culture and by community.

Specifically, I would like you to contribute a story of about 1200 words to be included in The Games We Played. If you don't have time to write a story, then I would like to sit with you, and have you tell me about one of your games. I want to capture your voice and your memories. And no detail is too little or too much. I would like you to share with me a story about the games that you played, or the sneakers that you wore, or the trip to the candy store when you were done playing for the night -- sometimes with the score still tied at 2,483.

Mr. President, as you approach the end of your term there is a lot of discussion about your legacy. For me, your legacy is personal. It has taught me about the value of getting involved and giving back. In that spirit, I have selected a charity to donate a portion of the proceeds. The S.C.O.P.E. program – Summer Camp Opportunities Provide an Edge – gives underprivileged children a summer camp experience. Through S.C.O.P.E., children from the inner city can escape the boredom, pollution and potential dangers of a city summer and instead experience a supervised, carefree environment surrounded by positive adult role models.

Thank you for your support of this project and me.

Sincerely,



Steven A. Cohen

THE GAMES WE PLAYED

2500 Q Street, NW • Suite 541 • Washington DC 20007
steven@thegamesweplayed.com

Introduction

When I was 7, a home run in Two Ball (Two on Two Whiffle Ball) meant hitting the ball clear over the dog house that sat at the far corner of Mrs. Alpert's yard. I wish I could tell you that avoiding the mutt that lived in the doghouse was a victory in itself. It wasn't. But if you managed to avoid Mrs. Alpert's broom, well, that should have been worth two runs. When Mrs. Alpert and that mutt moved away and a German Shepherd named Mozzie moved in, the doghouse was replaced by a fence and the game changed completely. Now it required two people to get the ball: one to play the position of "Distracter," the other to actually stick his hand through the fence and grab the ball. Freddie Traub, the lanky kid down the block, was a Hall of Fame Distracter.

I don't remember the scores. I can't even tell you my batting average, although I certainly could at the time. But I can tell you, that Mozzie had a red collar with a silver dog-bone name tag. That's because outfoxing Mozzie was as much fun as the game of Two Ball.

Somedays, *it was* the game of Two Ball.

We made up the games. Turbo Ball. Trip and Fall. Rock Throw. Creek Walking. Roof Baseball. Sumo Soccer. Tennis Golf. Carpet Football. Swamp Man. Bunk Ball.

Willie Wonka said it best, "We are the dreamers of the dreams." And when we were kids, we were. Rules, boundaries, the number of players, none of it mattered. We made them all up. And if someone had to go in for dinner, we just made up a new rule, and sometimes that became a new game. It didn't matter if we played these games once or a thousand times. That kids have the imagination to turn a sport that requires 9 people in the field into a sport that only required two is simply remarkable. Imagination is what made us kids and the games glorious.

Growing up, I thought Mr. Greene, the old man in the big blue house on our cul-de-sac, invented the phrase: "Hey kid, get off my lawn!" It turns out that guy lives everywhere. It also turns out, the foul pole is just a divinely placed tree, the End Zone is just where someone's yard begins, the hockey rink is just Washington Boulevard.

Because we created the playing field. We made up -- and fought over -- the rules. We had our own language and our own terms. We never worried about weather or were held back by injury. We were only limited by our imagination and, of course . . . nightfall.

These are the games we played.



A Program of the American Camping Association - New York Section

Summer Camp Opportunities Provide an Edge

S.C.O.P.E. Information and Eligibility

History and Purpose

S.C.O.P.E. was created as the Summer Camp Opportunity Program (SCOP) in November, 1991, by private and not-for-profit camp directors from the American Camping Association's New York Section. The program, which provides underprivileged children with a summer camp experience, is also an effort to support the not-for-profit camps facing a funding crisis that continues to cause many camps to run at less than capacity, to shorten their operating time or even to close permanently.

Professionals in summer camping know that a great deal more goes into the development of tomorrow's adults than is accomplished by traditional schooling. Summer camps have provided thousands of children with safe, educational environments in which they can acquire new skills and make new friends. The summer camp experience enhances and promotes the development of positive self-esteem, strong self-confidence and good social skills, all qualities that children need to grow into healthy, productive adults.

The children served by S.C.O.P.E. are economically disadvantaged children whose families cannot afford to provide them with a summer camp experience. Through S.C.O.P.E., these children from the inner city escape the boredom, pollution and potential dangers of a city summer and instead experience a supervised, caring community surrounded by positive adult role models. S.C.O.P.E. gives inner-city children, who otherwise might be vulnerable to destructive peer pressures and undesirable adult influences, the opportunity to have a challenging, yet constructive summer.

Through ongoing relationships developed with public schools, camps are able to identify the children who would most benefit from a summer camp experience. Camps select children who display a commitment to continuing their education by improvement in grades, behavior and attendance. Because these campers are encouraged to return each summer, the opportunity to go to camp becomes a reward for those who are invited back to camp.

The goal of S.C.O.P.E. is to fund accredited, participating not-for-profit camps by providing "camperships" that will allow children in need to escape the city and experience clear, specific, concrete and personal benefits in a safe, well-supervised and enriching not-for profit summer camp environment. Our mission is to provide every child with a chance to go to camp.

Eligibility – Camps

Only not-for-profit camps accredited by the American Camping Association may participate in the program. Participating camps must verify that they

- a) have current 501 (c)(3) status as issued by the Internal Revenue Service, and
- b) had a valid Operating Permit for the previous summer as issued by the New York State Department of Health (or appropriate permits from corresponding state or local agencies in New Jersey, Connecticut, or Pennsylvania and will have a valid Permit for the upcoming summer.

In addition, participating camps must demonstrate through their written materials, organizational goals or mission statements, a commitment to providing a quality summer camp experience. They must commit to maintaining a high level of quality in facilities, program and staff and must be committed to all American Camping Association Accreditation Standards and to a safe and healthy operation of their facility and program. In short, camps must demonstrate that they provide opportunities for their campers to benefit from an enriching character-building educational experience.

Eligibility - Campers

In order to participate in S.C.O.P.E., campers must

- a) be 8-14 years old;
- b) be enrolled in a New York, New Jersey or Pennsylvania Public School;
- c) receive a recommendation to participate from a teacher, principal, guidance counselor or AI/DP coordinator;
- d) meet family income eligibility requirements as established by the United States Department of Agriculture for free or reduced-price school lunch;
- e) express a motivation to go to one of the resident camps participating in the S.C.O.P.E. program and write an essay that indicates this motivation; and
- f) the camper's family must agree to comply with the registration procedures and rules and regulation of the chosen camp.

Out of the mouths of SCOPE campers...

"I met a lot of new friends who showed me that you don't have to be in a gang or commit myself to crimes just to have fun and friends. They taught me that friends come from the heart and from your personality not from your fists. I guess what I'm trying to say is thank you for helping me." *Angela Ramos*

"I want to go to camp because I need to have fun this summer away from my neighborhood. I want to be around other children and learn new things. I give my mommy a hard time and think she deserves some time for herself." *Matthew Brown*

"I want to go to places I never been. I want to make new friends and learn new things. I want to breathe fresh air and learn to swim and play in a safer environment than you can get in the city. I would like to have the camping experience. My friends told me how much fun going to camp was and I like to do it also. I like to show Mommy and Daddy how brave I am by showing a little independence." *Donniece Roundtree*

"I would like to explore a whole new place. I want meet and make new friends. Get to know what it feels like to be away from your family. I want to see what it's like to live with a large group of people. See what it's like having to obey someone else's rules. To get a chance to be on my own." *Shakeia Greene*

"I want to go to camp because last year was really fun and it got me away from TV for a little while. It also got me away from candy to. My favorite activities at camp were art, archery, sports, and swimming. I also tasted new food that I like and some food I didn't like." *Lisa Ford*

"I want to go to camp because I am looking forward to going swimming, hiking, feeding the animals, and playing games and more because my parent's never got a chance to go to away camp. And this gives me a chance to meet new friends and to learn about things I never learned before." *Katina R. Perry*

"I want to go to camp because it is boring here and my mom do not let me go to the park because a lot of people fight and sell drugs. My friends told me that camp is fun and I want to have fun." *Dynasty Gonzalez*

"I would like to go to camp because I would like to explore the wild. I want to learn how to survive on my own, also I want to learn the importance of life. I am very honored to attend this camp site. I want to learn how to hunt, swim and most of all to have fun. I hope that this trip will be very fun and educational for everyone. I will promise to have a great time for my sake." *Clarine Henderson*

"I want to go to camp because I have never been to a sleepaway camp. I want to experience how it feels to be with other children. I also want to go to camp so I can go outdoors and stop staying indoors. Camp is fun because you get to do plenty of activities and that's what I want to do. Camp can help you with your reading, math and other things you need a lot of help in. Most of all I want to go to camp to have a great time!" *Chrystal Lee*

Make this dream come true...
(see over)



P.S. 145 K

100 No 1 St

Brooklyn, NY 11206

March 6, 1998

Dear Mr. Pierce,

I would like to go to camp because
I want to get away from the city.

In camp, there are not guns, murders, or dangerous
people. In the second grade I went to camp,
and it was fun. I still have the t-shirts of
Camp Madison. It was great.

Love,

I want to go to camp because Bushwick is full of crazy people and robbers. I want to go because camp has fresh water to drink (I can see it now) when you are camping you can find bugs and compare them to city bugs. I want to see baby animals being born. The first thing I will do is scream loudly that I am out of there! In Bushwick people do drugs. In camp, they don't. Bushwick is a very smelly place. I think camp will smell beautiful, like they sprayed Nature! The best part would be, to take a bath in clear water.

In Bushwick you can not go to the mountains & climb. In camp they have mountains to climb. If you want to have fun you can. In Bushwick you are you, and in Bushwick you are so crowded that you can not have fun. Maybe we can do a science project like open up dead Bugs.

That's why I want to go to camp so I can enjoy myself and see a new place for a while.



THE GAMES WE PLAYED

steven@thegamesweplayed.com

2500 Q Street, NW • Suite 541 • Washington DC 20007

Steven A. Cohen

Steven A. Cohen is currently a Vice President for Public Affairs for Ogilvy Public Relations in Washington, DC.

In 1991 and fresh out of college, Cohen packed his 1986 blue Chevy Baretta and headed south to Little Rock, Arkansas. There, he became the first volunteer for a little known Governor who wanted to be President. From that point on, wherever Bill Clinton went, Cohen wasn't far behind – 44 states, countless rope lines.

Bill Clinton and Steve Cohen arrived at 1600 Pennsylvania Ave. on January 20, 1993. At the White House Cohen started as a press aide to the President before moving up to become the First Lady's Deputy Director of Communications. Cohen also served at the U.S. Department of Housing and Urban Development as Deputy Assistant Secretary for Public Affairs under Secretary Cuomo.

Cohen received a B.A. in political science from Washington University in St. Louis. He has been profiled in the *Washington Post*, *Baltimore Sun* and was featured in an Annie Leibovitz's photo spread for *Vanity Fair*. When he is not pitching stories on behalf of his Ogilvy clients, he is writing about pitching whiffle balls – all part of a book he is working on about the games we used to play. Cohen and his wife live in Georgetown.



PHOTOCOPY
WJC HANDWRITING

8-21-00

[Handwritten signature]

from Adam's author

Destiny, Christi, ^{Mother} Perry

Make it Different

10/4/24



221 N. College Ave.
P.O. Box 3618
Fayetteville, AR 72702
501-521-9996 FAX: 521-9600

BASSETT LAW FIRM

Fax

To: President Bill Clinton	From: Woody Bassett
Fax: 202-456-6703	Pages: 4 (including cover page)
Date: July 28, 2000	Re:

• **Comments:**

Hard Copy to Follow: No

If you have any questions, please call 501-521-9996, and ask for Linda Dover.

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Woody Bassett sends a proposal for creating a new Buffalo River National Monument and recommends that you and your Administration consider doing this.

um Founda.
they were delib
ression of

let us see

8-10-00
Geo Fanning

Pls look into, advise
if hear unfavourable word
won't decision make this
advisable — know the
used very well of course
Bc

BASSETT LAW FIRM

ATTORNEYS AT LAW

P.O. Box 3618

FAYETTEVILLE, ARKANSAS 72702-3618

Miller
per

W.W. "BILL" BASSETT
WOODY BASSETT
TOD C. BASSETT
WM. ROBERT STILL, JR.
WALKER DALE GARRETT
CURTIS L. NESSEN
EARL BUDDY CHADICK
ANGELA M. DOBBS
GARY V. WEEKS
J. DAVID WALL
VINCENT O. CHADICK
JAMES M. GRAVES
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SHANNON L. FAINT
NICOLE WEEKS FOWLER

221 NORTH COLLEGE AVENUE

TELEPHONE (501) 521-9996

TELECOPIER (501) 521-0600

www.basettlawfirm.com

*ALSO LICENSED
IN OKLAHOMA*ALSO LICENSED
IN MISSOURIHAS SEEN
8-10-00

July 28, 2000

Re: Proposal for Creation of the
Buffalo River National Monument

via facsimile to no. 202-456-6703

President Bill Clinton
The White House
Washington, D.C. 20500-2000

Dear Mr. President:

I've been asked to forward to you a proposal for the creation of a new Buffalo River National Monument. I know how extremely busy you are but hope at some point you will have an opportunity to review the information I have attached.

I'm aware this is a proposal which would not be without controversy but can tell you that there are many people, including me, who believe it would be a wonderful thing for you and your Administration to take this action and get this done before you leave office in January. I'm not familiar with what steps would have to be taken to accomplish this goal nor do I know what other officials and governmental agencies would have to be involved. If there are other individuals I should send this information to, I'll be happy to do so if someone will let me know who those folks are. I'm cognizant of your strong belief in protecting the environment and am also aware of your deep familiarity with the Buffalo River and the adjoining land. To recognize the importance of these resources and to protect the unique natural and cultural qualities of the Buffalo National River Watershed, and to preserve these lands and associated opportunities for future generations, I would request, along with thousands of others, that you and your Administration consider creating a new Buffalo River National Monument.

Thank you for your consideration.

Sincerely,

Woody Bassett
Woody Bassett

WB/ld

Enclosure as noted ✓

copied
Frampton
*Podesta*PHOTOCOPY
WJC HANDWRITING

July 20, 2000

Dear Friends of the Buffalo:

Attached you will find a simple proposal for the creation of a new Buffalo River National Monument. It is our hope that this proposal be presented to President Clinton. Mr. Clinton has been very supportive of public land protection and has been using his power to create a series of National Monuments around the nation. We feel that the Buffalo River watershed is unique and that permanent protection be granted to its forests, mountains, and streams.

The Newton County Wildlife has been working for better management of the Buffalo National River watershed since its inception in 1975. Our organization began with a successful legal challenge to the USFS aerial spraying of an agent-orange like herbicide (2,4D and 2,4,5T) on ONF lands in the watershed.

For the past ten years we have been analyzing and researching almost every timber sale, herbicide application, and roading project in the BNR watershed. We have followed our research with comments to the Forest Service and sometimes with appeals of FS decisions. We have used the FS administrative appeal process to appeal more than 30 FS decisions during this time citing concerns varying from water quality, to recreational opportunity loss, to habitat destruction. Every point of every appeal over the last 10 years has been rejected by the agency.

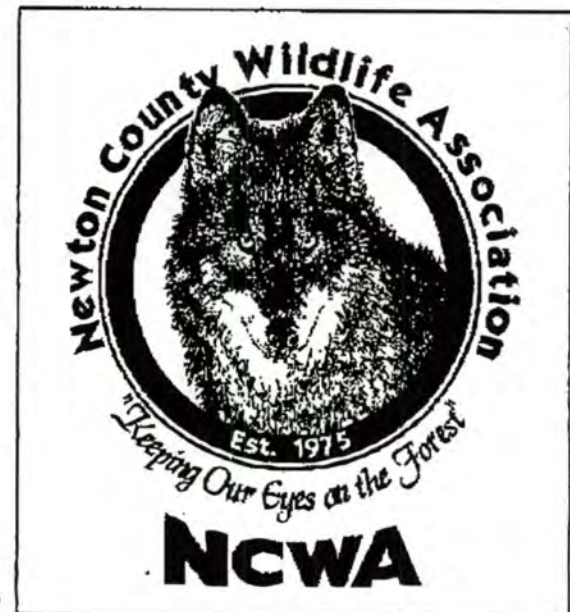
We have employed professional hydrologists, fishery experts, forest ecologists, and ornithologists to research our claims. We have reports from these experts declaring an emergency situation in the forests and river system due to the destruction of habitat, the loss of soils, and resulting effects. Using this information with partners and other resources, we have sought relief in Federal Court. Though our cases were well-litigated and our claims were strongly supported, none of our research was ever allowed within the judicial decision-making process. The USFS and the industry supporters were able to keep our evidence out of the courtroom and restrict the judicial consideration only to the official FS record and FS experts.

Our Congressional delegation has been wont to support any proposals that involve public forest protection. There have been strong local industry efforts to prohibit any forest protection measures. Local government has consistently pushed for local control over all public lands and resources.

Thus we feel that our best option to protect the Buffalo National River watershed is now, via support from President Clinton. Thank you in advance for your support.

Sincerely,

The Newton County Wildlife Association Board of Directors



A Proposal for Creation of the Buffalo River National Monument

The Buffalo National River BNR) is a unique river system located in the heart of the Arkansas Ozark Mountains. It wanders for approximately 145 miles from its headwaters on Cave Mountain at the highest point in the Ozarks to its confluence with the White River. The Buffalo River was designated as our country's first National River in 1972. The upper portion (above the National Park Service boundary) was federally designated as Wild and Scenic in 1992.

The Buffalo River arises from numerous creeks and small rivers falling from headwaters areas nestled below sandstone ridges and limestone bluffs. The watershed is perched on Karst formations through which water percolates downward among the limestone layers. Associated with these formations are many extensive cave systems. Three species of endangered bats inhabit the area cave systems.

The United States Forest Service manages approximately 26% or 224,000 acres of Ozark National Forest (ONF) lands in the 860,000-acre watershed of the Buffalo River. The National Park Service manages approximately 11% or 95,000 acres in the watershed. There are also two Arkansas Game and Fish wildlife management areas (24,000 acres). Most of the remaining watershed lands are privately owned.

The ONF lands consist primarily of steep hardwood forested mountainsides in the upper watershed. These forests are responsible for scrubbing, cleaning and slowly releasing the outstanding waters that make up the Buffalo River. The hardwood forests are home to a rich variety of native plants and animals, many of which are unique to the local area. They are also prime nesting grounds for a large variety of neo-tropical migratory birds.

There has been increasing public demand for forest-based recreational opportunities in the BNR watershed. Approximately 1 million visitors recreate in the Buffalo National River each year. Park visitation is growing annually. Land-based dispersed recreation is the fastest growing recreational category.

To formally recognize the importance of these resources, and to protect the unique natural and cultural qualities of the BNR watershed, and to preserve these lands and associated opportunities for our future generations, we request that a new Buffalo River National Monument be created consisting of the following lands:

Upper Buffalo Watershed... This consists of all non-wilderness lands in the Buffalo Ranger District of the Ozark National Forest within the Buffalo River watershed (approximately 184,000 acres). This area is located approximately 35 miles from Harrison Arkansas, in Madison, Newton and Searcy Counties. These National Forest lands are upstream of the confluence of the Buffalo River and Richland Creek. They are located in the following watersheds: Buffalo River, the various streams comprising the Headwaters of the Buffalo River, Richland Creek, Little Buffalo Headwaters, Edgmon Creek, Big Creek and Cane Creek.

Lower Buffalo Watershed... This consists of all non-wilderness lands in the Sylamore Ranger District of the Ozark National Forest (approximately 6,000 acres). They are located in the watershed of Big Creek, southwest of the Leatherwood Wilderness Area in Searcy and Marion Counties, Arkansas.

THE PRESIDENT HAS SEEN

8-18-00

Sept. 29th

11 Hispanics in
Globalization



2-5:00pm

~~Streett~~

Unsubstantiated

GEORGE MUÑOZ

PRESIDENT & CEO

to do

By

OVERSEAS PRIVATE INVESTMENT CORPORATION

1100 NEW YORK AVENUE, N.W.

WASHINGTON, D.C. 20527

TEL: (202) 336-8401

FAX: (202) 408-5133

E-mail: gmunoz@opic.gov

Copied
Streett
Podest

PHOTOCOPY
WJC HANDWRITING

THE PRESIDENT HAS SEEN

8-24-00

8-24-00

To Burkhardt
for Reply
need signed
caution speech.

University of Chicago Law School
1111 E. 60th Street
Chicago, Illinois 60637

Cass R. Sunstein
Karl N. Llewellyn Distinguished Service Professor of Jurisprudence,
Law School and Department of Political Science
Telephone 773-702-9498
FAX 773-702-0730
e-mail: csunstei@midway.uchicago.edu

August 17, 2000

President Bill Clinton
c/o Sidney Blumenthal
The White House

by fax to 202 456 1213

Dear Mr. President:

Law professors aren't great at thank you notes, but this seems like a good time for one: You've been the best president in my lifetime, by far, and it's been wonderful to be an American while you've been in office. Thanks so much to you and to Hillary for various kindnesses to me in the past years. But many more thanks for all you've done for the country.

Sincerely,



Cass R. Sunstein

- To Ty
- Sunstein
- Pen fin sign

PHOTOCOPY
WJC HANDWRITING

From:

Sidney

cc: Bme

Aug. 31, 2000



**Fisher Scientific
International Inc.**

cc: Joe
JHI

Liberty Lane
Hampton, NH 03842
Tel: 603-929-2650

June 1/2K

Nancy - THE PRESIDENT HAS SEEN
6-9-00

Please call me

to discuss the copied
a Hatched. Strecht
Hernreich
Podesta

Thanks -

~~W~~ Paul Montone
Have him ~~come~~ come down
+ see him in Dayton -
BZ

PHOTOCOPY
WJC HANDWRITING



THE PRESIDENT

2/2/2000

Dear Paul -

Thanks for your kind thoughts
 about - I'd love to discuss my 'affair' with
 you - I have the same concerns you do -
 let's know the next time you're in town - a
 come spend the night with me one more
 before I go - But,

Ben

The President
 what do you
 want to do here?
 Have Paul come for
 meetings or
 spend night or
 dinner?
 You don't have
 free week nights in
 June - be gone
 on 2 group trip
 gone a lot in August
 for Martha's Vineyard
 Convention
 more vacation

From: TORY ROBBINS (603)926-5911
FISHER SCIENTIFIC
1 LIBERTY LANE

HAMPTON, NH, 03842

To: Nancy Herrnreich (202)456-6610
The White House
1600 Pennsylvania Ave., NW

Washington, DC, 205002000

Ref:

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FedEx.

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WEIGHT: 1 LBS



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AM

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02JUN00

20500-DC-US

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ZM BZSA



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Richards/Gary

Good charts
for press BNC use
for Rich Deibel 1/3/20

RZ

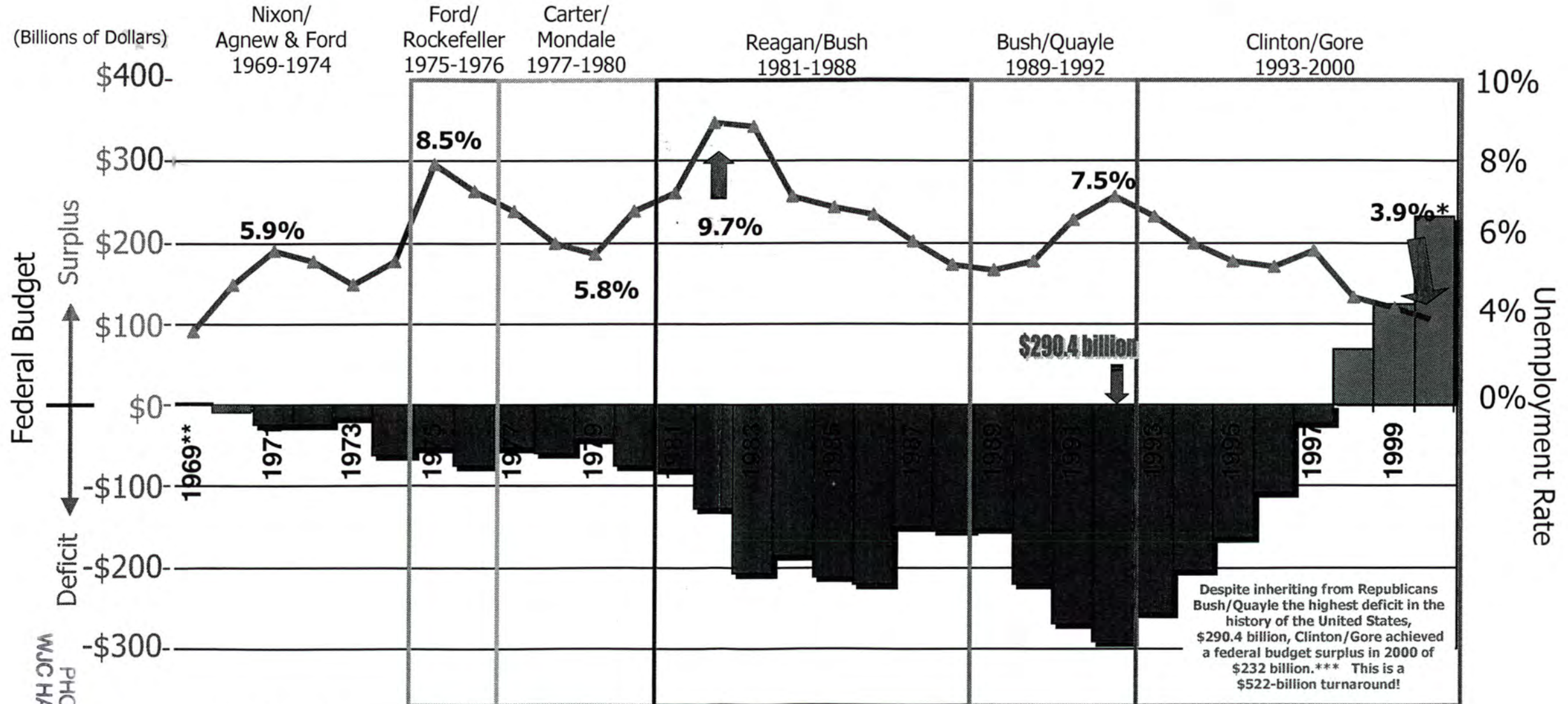
THE PRESIDENT HAS SEEN

8-25-00

Just the Facts, Folks! Just the Facts!

NOT HAS SEEN
8.25.00

■ Federal Surplus ■ Federal Deficit ▲ Unemployment Rate



*April 2000 figure.

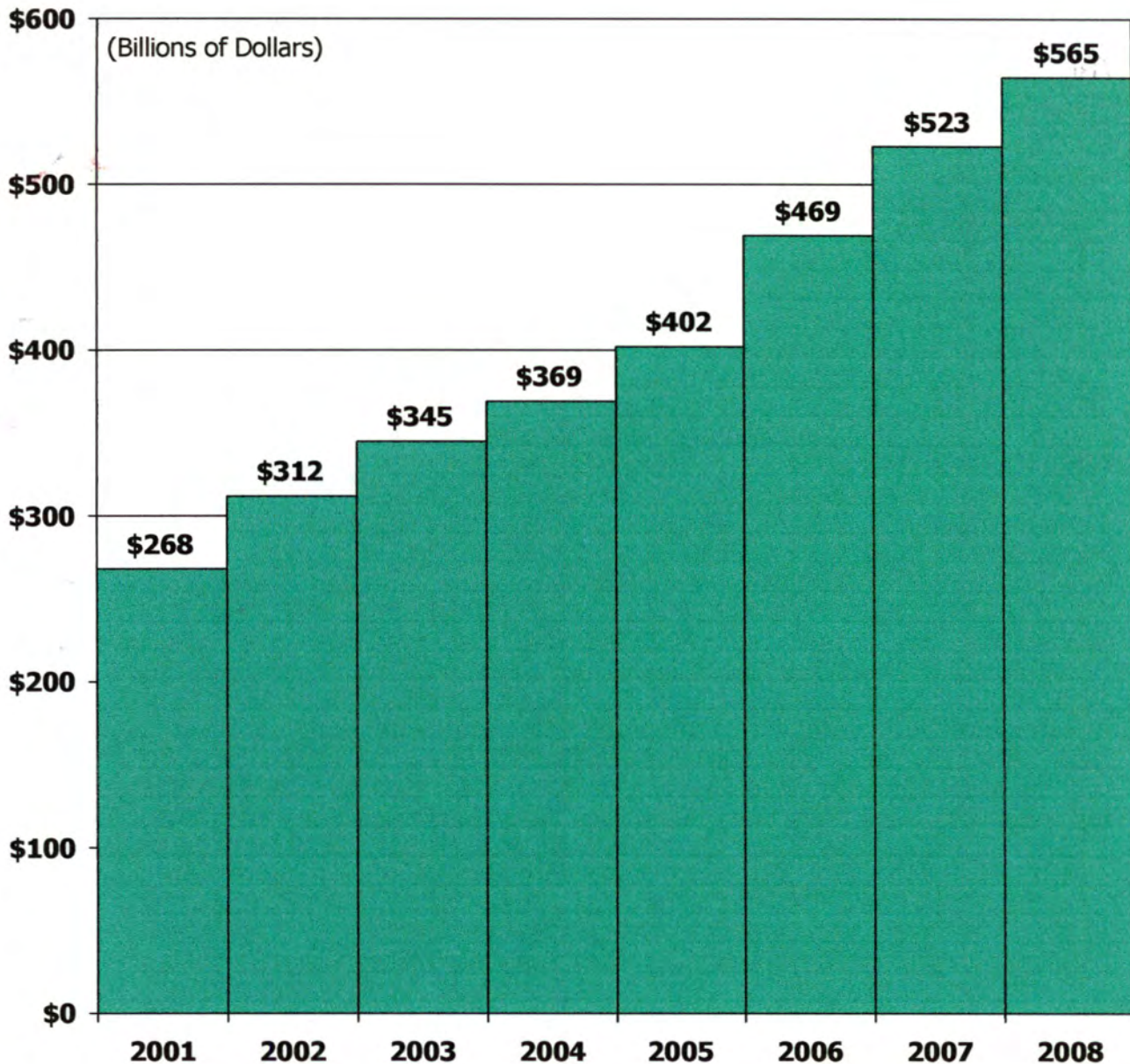
**The budget surplus of 1969 is due to the budget submitted by Lyndon Johnson.

***Congressional Budget Office forecast (July 2000).

THE PRESIDENT HAS SEEN

8-25-00

Projected Federal Budget Surplus



If the Clinton/Gore Democratic policies continue over the next eight years, the surplus is projected to be \$565 billion in 2008, according to the Congressional Budget Office - the nonpartisan budget and economic advisory agency of the U.S. Congress.

Source: Congressional Budget Office forecast (July 2000).
Prepared by the IBEW Research and Technical Services Department.

Sean -
no address
NRMA ASK
MATT
KES

10-28-99

To Burkhardt
for Reply?

We can get last
name and address
from Abercrombie
and Fitch package

5132100

Justin Cooper doing
speeches -

copies for cards already
done -

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	David L. to POTUS [partial] (1 page)	03/06/2000	b(6)

COLLECTION:

Clinton Presidential Records
Staff Secretary
Too Late to Process
OA/Box Number: 20392

FOLDER TITLE:

The President Has Seen, August 2000 [3]

2019-0990-S

rs3477

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 advice 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]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

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]

THE PRESIDENT HAS SEEN

3-18-00
March 6, 2000

Send sign 8071, also Schuler

Dear Mr. President,

Well, it has been a long time since I have spoken with you. I have called several times, but you were either out of town or busy. Hope you are feeling well. You are still working hard I notice. You are still working on the Delta region of Arkansas I see. Are you also working on those types of regions in other states?? I hope so. It is terrible to think that so many are being left behind during this time of prosperity. Please keep that fight up.

I called Andy Manatos to keep track of the progress on the Cyprus issue. He said that a non-Greek involved in the negotiations told him it did not look good. He said there was about a 20% chance anything significant would happen. He said that Turkey is really in no hurry. It takes such a long time to get into the EU that there is really no hurry. Certainly not enough reason to REALLY do something on Cyprus. Boy that really demoralizes me. The Greeks were excited that your administration seems to care about this situation, and that this is more progress than there has been in 26 years. It seems to me that that is not good enough. It seems to me that if 20% improvement in 26 years - well that means that in 100 years this problem might be solved. WOW! I'm really excited about that.

The Turks are just a lot of BS and we eat it up. They say one positive thing and then play the bait and switch thing. They will get what they want and we will scratch our heads and say, they are so important to us as we ring our hands and hope we don't make them mad. Meanwhile Danktosh will get what he wants. It's all about the needs of one man and his fanaticism. Hundreds of thousands of innocent will still not be able to go home, bury their dead, open their businesses, because a few people want power. Most know what is right and wrong, but times are good and time heals. Well Mr. President, you know how wrong this is.

Mr. President, the only possible way something real and significant can happen is that if you are really involved, like you were with the Israel's when they met here last time. Some would argue that this is not that big a deal. The President should not work on such a non-issue. I would argue that people are people and persecution is persecution. Time is running out, maybe something cannot ever be done, but I beg you to get totally involved in this issue and try to make things happen. The people under you cannot or will not do it.

(b)(6)

Say, Mr. President I have not received my 2000 State of the Union Speech yet. You have sent me all the others. I would be honored to have one.

Well, I must go now. As usual I love and respect you. Take care of us your last year.

Respectfully,

David L.

YES, I'm holding you to a high STANDARD MR. PRESIDENT.
You ARE THE BEST, you CAN do this. You CAN do this.

David

PHOTOCOPY
WJC HANDWRITING



THE PRESIDENT HAS SEEN 3-18-00

DEPUTY PROBATION OFFICERS UNION

Sub South / Subur
LOCAL 685

to King
fr V LEE WAX
BUSINESS REPRESENTATIVE
POLITICAL DIRECTOR

2500 WILSHIRE BLVD. Suite 508
LOS ANGELES, CA 90057
(213) 386-5860

Voice Mail (213) 812-9557
FAX (213) 386-5878

American Federation of State, County and Municipal Employees,
AFL-CIO

copied
Moore
Podesta

PHOTOCOPY
WJC HANDWRITING

EL DORADO
ARK

THE PRESIDENT HAS SEEN

3-18-00

Historic
Natchez
on the Mississippi
Larry L. 'Butch' Brown
Mayor

① 3rd St
Selma

② Muffin
for

P.O. BOX 1185
NATCHEZ, MS 39121

Phone: 601-445-7555
Fax: 601-442-2536
E-Mail: mayor@bkbank.com

copied
M. Moore
Podesta

B Interior Dept.

overlook closed

people killed on road

5-23-10

Carol -

Look at date of
letter. I couldn't read
the comment.

B

5/24/00

Fried -

Any need to translate
given date of
correspondence?

Yes ☒

No ☒

Carol

No ☐

Congress of the United States

Washington, DC 20515

July 31, 1998

Honorable Bruce Babbitt
Secretary
Department of Interior
1849 C Street, NW
Washington, DC 20240

We contact you regarding a national treasure, Yellowstone National Park, and the effects of commercial truck traffic through the northwest corridor of the Park.

National Park Service regulation (36 CFR 5.6) prohibits "the use of government roads within Park areas by commercial vehicles when such use is in no way connected with operations of the Park". Unfortunately, exemption to this rule has been made to U.S. Highway 191 which passes through the Park.

This windy two lane highway carries commercial trucks south from four lane I-90 in Bozeman through Gallatin Valley, Big Sky and Yellowstone Park. It is used as a shortcut for large trucks to pass through Montana to Idaho instead of four lane I-287 which connects to I-90 past Bozeman.

We are concerned about exemptions made to the rule prohibiting commercial truck traffic through any of our national parks, particularly an institution such as Yellowstone which welcomes thousands of visitors each year. The rule was enacted to ensure the safety of visitors, environmental aspects and aesthetic qualities of the great national parks in our country in an effort to preserve them for future generations. Many deaths attributable to commercial trucks have occurred on U.S. Highway 191. The environment has been adversely affected and aesthetic qualities including the attributes of sound and sight have diminished significantly.

We ask you to review the exemption of U.S. Highway 191 to this rule and consider removing it in the spirit of the intent of the overall rule.

Sincerely,



Richard Gephardt
Member of Congress



Martin Frost
Member of Congress



George Miller
Member of Congress



Lloyd Doggett
Member of Congress

*Bush Under Dept
Must bring a label
Thibierge's team
overhead clothed
proper biller
over Rd*

AUG. 19. 1999 2:50PM

Congress of the United States

NO. 2597 P. 2

Washington, DC 20515

August 11, 1999

The Honorable William Jefferson Clinton
The President of the United States of America
The White House
Washington, D.C. 20500

Dear Mr. President:

We write to request an Executive Order to save a national treasure – Yellowstone National Park.

Currently, US Highway 191 carries commercial traffic through the northwest corridor of the Park. Ordinarily, National Park Service regulations (36 CFR 5.6) would prohibit commercial vehicles within Park boundaries. Unfortunately, Yellowstone National Park is the only park exempt from this rule – an exemption designed for US Highway 191.

We request an Executive Order to remove this exemption.

This windy, precarious, two lane highway carries commercial trucks south from four lane I-90 in Bozeman through Gallatin Valley, Big Sky, and Yellowstone Park. It is used as a shortcut for large trucks to pass through Montana to Idaho, instead of I-287 which connects to I-90 past Bozeman. The shortcut saves truckers a mere ten miles and twenty minutes – a negligible cost when measured against the many damages resulting from this exemption.

The costs to Yellowstone and its community, however, are great and irreversible. Commercial truck accidents have caused many deaths and injuries on US Highway 191. Potential accidents in involving tanker trucks threaten to spill thousands of gallons of non-biodegradable and highly dangerous substances, shattering the fragile watershed ecosystem. Moreover, for thousands of yearly visitors, the heavy trucks traffic ruins the pristine aesthetics and quiet natural beauty of the Park – the qualities for which the Park was created.

The rule was enacted to ensure the safety of visitors, preserve the environment, and maintain the aesthetics of the Park for our future generations. We ask you restore the spirit and intent of the rule with an Executive Order to remove the lone exemption for US Highway 191.

We urge your prompt attention to this matter.

Sincerely,

Marta Fann

Hal Dosselt

Dick Gephardt

Chet Edwards

Ed Markey

Patrick J. Kennedy



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

October 7, 1999



Honorable Lloyd Doggett
House of Representatives
Washington, D.C. 20515

Dear Mr. Doggett:

Thank you for your letter of August 11 to President Clinton, and for your deep concern for the integrity of our nation's first national park, Yellowstone. I assure you that I, too, care deeply about the preservation of Yellowstone unimpaired for enjoyment by future generations. This Administration would let nothing occur there that would harm the park's natural and cultural resources or the visitor experience in this spectacular place.

Highway 191 has a history that is peculiar to it alone among park roads. It was built in 1910 by and at the expense of Gallatin County, 38 years after the park was established, not for park purposes, but as a county road explicitly for commercial transportation around the county, especially between West Yellowstone and Bozeman. Highway 191 provides access to the northwest part of the park, including a number of important trailheads. Over the 90 miles of Highway 191, the first 60 miles driving south from Bozeman lie outside the park, followed by a 20-mile section in the park, and ending with a 10-mile segment through national forest property before ending in the town of West Yellowstone.

For the above reasons, Highway 191 is not considered a normal park visitor road by the National Park Service (NPS). The NPS has the primary jurisdiction and patrol function for that portion within the park. The Montana Highway Patrol is the lead law enforcement agency for the majority of this highway between Bozeman and West Yellowstone. The NPS, the Montana Highway Patrol and the Gallatin County Sheriff's Office work cooperatively under an interagency agreement to patrol and enforce speed limits and other appropriate laws on the road. Under this agreement, with the NPS as lead within the park and with the Montana Highway Patrol as lead on the remainder of the highway, and Gallatin County as a cooperator, the agencies provide backup and assistance on all regulatory activities on the highway.

Recognizing that there was some hazard for park resources associated with the commercial trucking use of Highway 191, the NPS prepared an Environmental Assessment (EA) in 1991, with extensive local public involvement, considered several alternatives, and signed a Finding of No Significant Impact (FONSI) in July 1992.

Honorable Lloyd Doggett

2

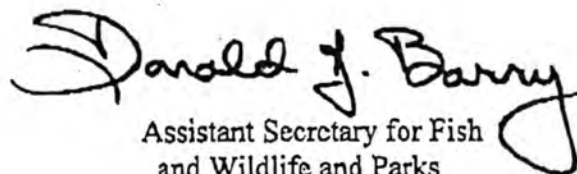
Following this documentation and public involvement, Yellowstone National Park promulgated a regulation prohibiting the transport of hazardous materials on Highway 191 through the park, which was the Proposed Alternative of the EA. This prohibition on hazardous materials was undertaken to assure that park streams crossed (10 times) by the highway would be protected from a spill.

Most of the safety problems associated with Highway 191 have occurred on the segment between the town of Big Sky and the mouth of Gallatin Canyon, outside the park's northern boundary. Of those traffic accidents that occur in the park, 80 percent involve passenger vehicles, while only .5 percent involve commercial trucks and passenger vehicles.

Given the fact that hazardous commercial freight has been prohibited on US 191 through the park, that a 55-mile-per-hour speed limit is enforced on all vehicles traveling US 191 through the park (in contrast to the 65-mile-per-hour speed limit outside the park), and the fact that the accident rate involving commercial trucks and passenger vehicles on Highway 191 is quite low, we are confident that the safety measures we have put into place are adequate. These are the only appropriate actions to be taken by the National Park Service. Any other matter regarding Highway 191 is the responsibility of the State of Montana.

I hope that this information addresses the issues that you raised in your August 11 letter. If you still have further questions regarding Highway 191, however, Mr. Robert Stanton, the Director of the National Park Service stands ready to discuss this matter with you at your convenience.

Sincerely,


Assistant Secretary for Fish
and Wildlife and Parks

1. MJAN. 31. 2000 5:32PM
24th District, Texas

DEMOCRATIC CAUCUS
CHAIRMAN

RULES COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515

NO. 9248 HINGT-P. 2 FICE
2256 Rayburn House Office Building
Washington, DC 20515
(202) 225-3605
www.house.gov/frost/
frost@hr.house.gov

January 31, 2000

President Bill Clinton
The White House
1600 Pennsylvania Ave.
Washington, DC 20500

Dear President Clinton:

I am writing to request a meeting between you and Steve Hicks about commercial traffic through Yellowstone National Park via U.S. Highway 191. This is an important issue concerning our nation's first national park and I think it deserves your immediate attention.

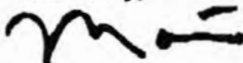
Currently, U.S. Highway 191 carries commercial traffic through the northwest corridor of the park. Ordinarily, National Park Service regulations (36 CFR 5.6) would prohibit commercial vehicles within park boundaries. Unfortunately, Yellowstone National Park is the only park exempt from this rule - an exemption designed for U.S. Highway 191.

This windy, precarious, two lane highway carries commercial trucks south from four lane I-90 in Bozeman through Gallatin Valley, Big Sky, and Yellowstone Park. It is used as a shortcut for large trucks to pass through Montana to Idaho, instead of I-287 which connects to I-90 past Bozeman. The shortcut saves truckers a mere ten miles and twenty minutes - a negligible cost when measured against the many damages resulting from this exemption.

The rule prohibiting commercial traffic in national parks was enacted to ensure the safety of visitors and preserve the environment. Mr. Hicks is a prominent businessman and respected leader in Texas. He would appreciate the opportunity to express directly to you the importance of applying this rule to Yellowstone National Park.

Thank you for your consideration of this request.

Sincerely,



MARTIN FROST
Member of Congress

MF/ams

Fort Worth, TX 76140
☐ 3020 S.E. Loop 820
(817) 293-9231
1-800-846-6213

Please reply to office checked
Dallas, TX 75208
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(214) 948-3401
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Corsicana, TX 75110
☐ 100 N. Main, Suite 534
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JUN. 16. 1999 3:00PM

NO. 8798 P. 2/3



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240
June 10, 1999

JUN 15 1999

Honorable Martin Frost
House of Representatives
Washington, D.C. 20515-2503

Dear Mr. Frost:

This is in response to your letter of July 31, 1998, to Secretary Babbitt regarding commercial truck traffic on that portion of U.S. Highway 191 that traverses Yellowstone National Park through Montana and Wyoming. I apologize for the lengthy delay in responding to your inquiry, which was inadvertent, but nevertheless inexcusable.

Highway 191 is a main north-south commercial route for interstate shipping, as well as a gateway for tourists entering Yellowstone Park from West Yellowstone, Montana. While roads that are entirely within Yellowstone National Park are off-limits to interstate commercial truck traffic and have a posted speed limit of 45 miles per hour, Highway 191 traffic travels at 55 mph, as set by the States of Montana and Wyoming. Because most of Highway 191 is completely outside the boundaries of Yellowstone along its 90 mile route from Bozeman to West Yellowstone, and since only 20 miles is within the Park, the National Park Service to date has agreed with the two states that no park entrance stations would be installed along this highway, and would not require vehicles to adhere to the Park 45 mph speed limit.

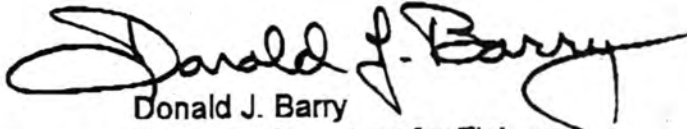
Although the posted speed limit on Highway 191 through that segment that traverses Yellowstone National Park is 55 mph, many vehicles utilizing that route, both commercial and non-commercial, exceed that limit, and enforcement of it could be improved. Such a step would improve highway safety for travelers and wildlife. While it is probably neither legal or practical for the federal government to ban commercial vehicles from Highway 191, I have asked Yellowstone Park Superintendent Mike Finley to consult with the two states to determine whether it is feasible to significantly increase road patrols for safety reasons. While primary enforcement responsibility over the entire length of Highway 191 falls to the Gallatin County (Montana) Sheriffs Department, a joint effort on law enforcement could improve speed limit compliance and ameliorate many of the problems that you noted in your letter. We will review this matter further if enhanced speed limit enforcement fails to moderate vehicle behavior on Highway 191.

Honorable Martin Frost

2

The National Park Service appreciates your interest in protecting the unique values in Yellowstone National Park and your past support of the national park system. We particularly appreciate your efforts to draw the problems with Highway 191 to our attention.

Sincerely,



Donald J. Barry
Assistant Secretary for Fish and
Wildlife and Parks



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240
October 7, 1999



Honorable Martin Frost
House of Representatives
Washington, D.C. 20515

Dear Mr. Frost:

Thank you for your letter of August 11 to President Clinton, and for your deep concern for the integrity of our nation's first national park, Yellowstone. I assure you that I, too, care deeply about the preservation of Yellowstone unimpaired for enjoyment by future generations. This Administration would let nothing occur there that would harm the park's natural and cultural resources or the visitor experience in this spectacular place.

Highway 191 has a history that is peculiar to it alone among park roads. It was built in 1910 by and at the expense of Gallatin County, 38 years after the park was established, not for park purposes, but as a county road explicitly for commercial transportation around the county, especially between West Yellowstone and Bozeman. Highway 191 provides access to the northwest part of the park, including a number of important trailheads. Over the 90 miles of Highway 191, the first 60 miles driving south from Bozeman lie outside the park, followed by a 20-mile section in the park, and ending with a 10-mile segment through national forest property before ending in the town of West Yellowstone.

For the above reasons, Highway 191 is not considered a normal park visitor road by the National Park Service (NPS). The NPS has the primary jurisdiction and patrol function for that portion within the park. The Montana Highway Patrol is the lead law enforcement agency for the majority of this highway between Bozeman and West Yellowstone. The NPS, the Montana Highway Patrol and the Gallatin County Sheriff's Office work cooperatively under an interagency agreement to patrol and enforce speed limits and other appropriate laws on the road. Under this agreement, with the NPS as lead within the park and with the Montana Highway Patrol as lead on the remainder of the highway, and Gallatin County as a cooperator, the agencies provide backup and assistance on all regulatory activities on the highway.

Recognizing that there was some hazard for park resources associated with the commercial trucking use of Highway 191, the NPS prepared an Environmental Assessment (EA) in 1991, with extensive local public involvement, considered several alternatives, and signed a Finding of No Significant Impact (FONSI) in July 1992.

Honorable Martin Frost

2

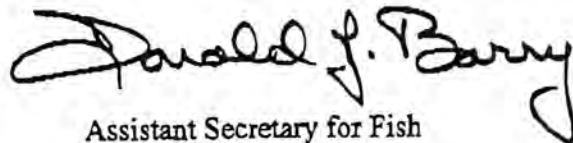
Following this documentation and public involvement, Yellowstone National Park promulgated a regulation prohibiting the transport of hazardous materials on Highway 191 through the park, which was the Proposed Alternative of the EA. This prohibition on hazardous materials was undertaken to assure that park streams crossed (10 times) by the highway would be protected from a spill.

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Given the fact that hazardous commercial freight has been prohibited on US 191 through the park, that a 55-mile-per-hour speed limit is enforced on all vehicles traveling US 191 through the park (in contrast to the 65-mile-per-hour speed limit outside the park), and the fact that the accident rate involving commercial trucks and passenger vehicles on Highway 191 is quite low, we are confident that the safety measures we have put into place are adequate. These are the only appropriate actions to be taken by the National Park Service. Any other matter regarding Highway 191 is the responsibility of the State of Montana.

I hope that this information addresses the issues that you raised in your August 11 letter. If you still have further questions regarding Highway 191, however, Mr. Robert Stanton, the Director of the National Park Service stands ready to discuss this matter with you at your convenience.

Sincerely,



Assistant Secretary for Fish
and Wildlife and Parks

THE WHITE HOUSE
WASHINGTON

August 31, 1999

Dear Representative Frost:

Thank you for your letter to the President concerning commercial traffic through Yellowstone National Park via U.S. Highway 91.

The President has been advised of your concerns, and you will receive a response in the near future. In the meantime, if I can be of assistance to you, please do not hesitate to contact me.

Best wishes.

Sincerely,



Charles M. Brain
Deputy Assistant to the President
and Deputy Director for Legislative
Affairs

The Honorable Martin Frost
House of Representatives
Washington, D.C. 20515

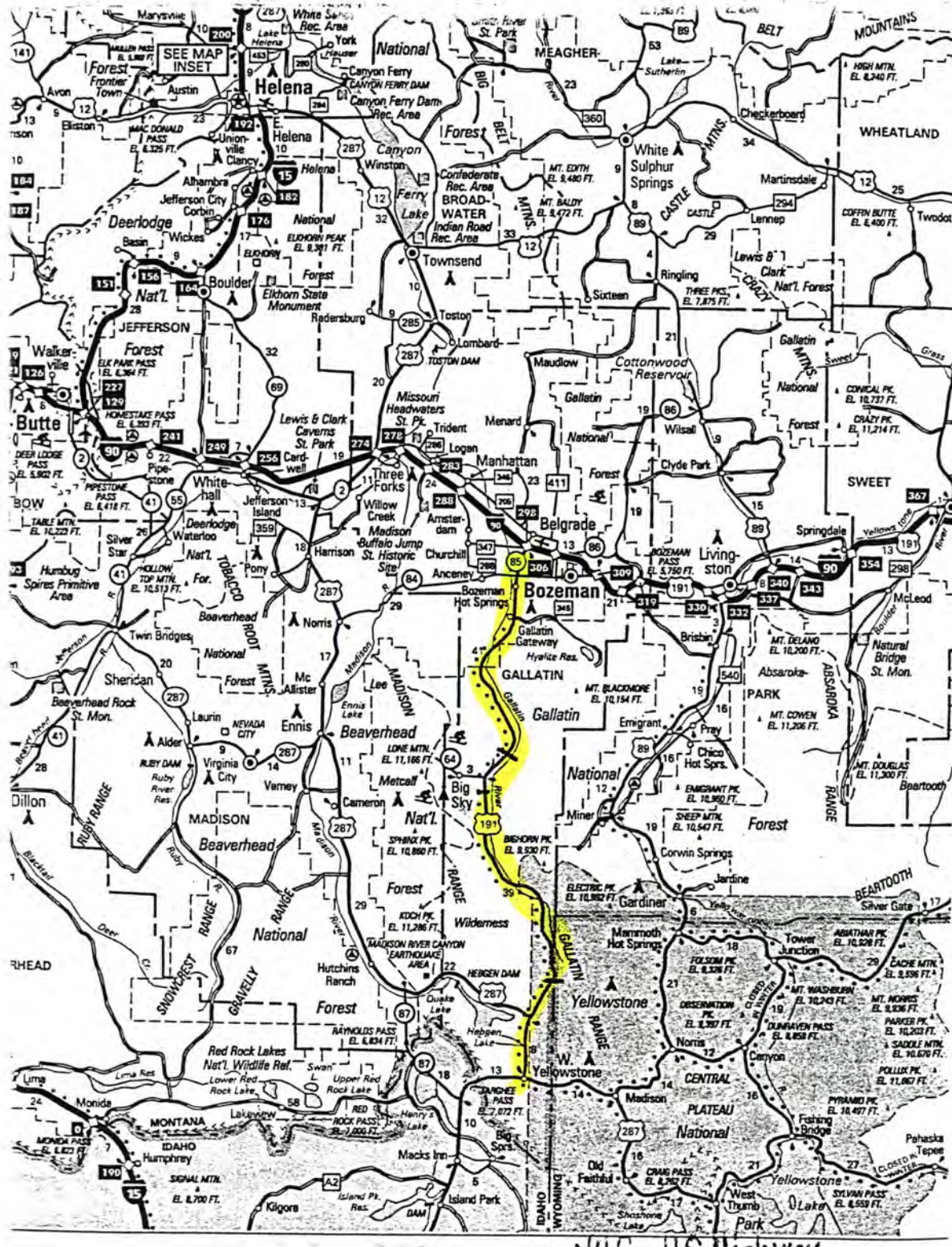
Geoff

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PHOTOCOPY
WJC HANDWRITING



SEE MAP PAGE 124

Lewis & Clark Co. Fairgrounds

CLUSTER

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 1024-AB82

Commercial Vehicles in Yellowstone National Park

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: This rule defines the management and regulation of commercial traffic on roads in Yellowstone National Park, including that portion of U.S. Highway 191 that traverses the northwest corner of the park. The regulations are intended to authorize the operation of commercial vehicles on U.S. Highway 191, to prohibit the transport of hazardous materials on U.S. Highway 191 except under certain circumstances, and to update and consolidate permit procedures related to commercial vehicle operation on all park roads.

EFFECTIVE DATE: September 26, 1994.

FOR FURTHER INFORMATION CONTACT: Dan R. Sholly, Chief Ranger, P.O. Box 168, Yellowstone National Park, Wyoming 82190. Telephone: 307-344-2101.

SUPPLEMENTARY INFORMATION:

Background

U.S. Highway 191 passes through the northwest corner of Yellowstone National Park for approximately twenty-two miles. It is a federally funded highway and is maintained within Yellowstone by the State of Montana under the provisions of a Special Use Permit issued by the National Park Service (Yellowstone National Park).

The wagon road which eventually became U.S. Highway 191 was constructed through Yellowstone in 1910 with the approval of the Secretary of the Interior at the sole expense of Gallatin County, Montana. The road was constructed "to facilitate travel and commerce" between residents in the southern portion of Gallatin County and the county seat located in Bozeman, Montana. From its inception, the purpose, historical use, and management of U.S. Highway 191 indicate that the highway was constructed, regulated, and maintained as a connecting route between Bozeman and West Yellowstone, Montana, for the principal purposes of commerce and convenience and only incidentally for access to Yellowstone National Park.

The early differentiation of this route from other park roads was articulated in the Superintendent's Annual Report for 1913 and 1914, which stated in part:

This is the only road in the park on which motor propelled

vehicles are allowed and it is not a part of the regular tourist route.

The ongoing intent to exempt U.S. Highway 191 from the general regulations related to commercial vehicles which govern other park roads is indicated in 36 CFR 5.4 (1993), which reads as follows:

Sec. 5.4 Commercial passenger-carrying motor vehicles.

(a) The commercial transportation of passengers by motor vehicles except as authorized under a contract or permit from the Secretary or his authorized representative is prohibited in * * * Yellowstone (prohibition does not apply to non-scheduled tours as defined in Section 7.13 of this chapter, nor to that portion of U.S. Highway 191 traversing the northwest corner of the park) * * *

Although use of U.S. Highway 191 has since expanded to include interstate travel, local commercial and non-commercial traffic remains the predominant use of the highway.

In response to public interest in the management and regulation of commercial traffic on U.S. Highway 191 within Yellowstone National Park, the park conducted a series of three public meetings in 1987 and completed two environmental assessments (1990 and 1992) to evaluate the potential impacts of commercial traffic on natural and cultural resources and on visitor safety and experience.

Among the concerns identified during this process was the potential for a hazardous material spill from a commercial vehicle accident to cause irreparable damage to riverine areas adjacent to the road; and the potential social and economic impacts of redirecting some or all of the commercial vehicle traffic to alternative routes.

The alternative proposed in both environmental assessments was to authorize the continued use of U.S. Highway 191 by commercial vehicles, but to prohibit the transport of hazardous materials on U.S. Highway 191 through the park. Local deliveries and removal of hazardous materials would be allowed under permits and conditions established by the superintendent. This alternative would significantly reduce the potential of a hazardous material spill in the park, yet would not cause significant economic impacts to local communities or the trucking industry that would result from a complete ban on commercial vehicles.

Other concerns identified and evaluated in the environmental assessments included potential impacts to wildlife, visitor safety, and visitor experience created by the continued presence of, and noise levels created by, commercial traffic on U.S. Highway 191 through the park. These impacts were determined to be minor and temporary in effect. The NPS found that continued use of the highway by commercial traffic, excluding the transport of hazardous materials, caused no significant impact to resources or to the experience of park visitors.

A Notice of Proposed Rulemaking (NPRM) was published in the Federal Register on September 15, 1993 (58 FR 48336). Based on this discussion, the NPS is today publishing final regulations as discussed below.

Purpose for Regulation

The historical and current use of U.S. Highway 191 by commercial

vehicles through Yellowstone National Park is in conflict with 36 CFR 5.6. With the existing levels of interstate and local commercial vehicle traffic on U.S. Highway 191, there is significant public concern about the potential for hazardous materials spills in the park resulting from motor vehicle accidents.

The general purpose of the regulations is to authorize the use of U.S. Highway 191 through the park by commercial vehicles; to prohibit the transport of hazardous materials on U.S. Highway 191 except when permitted under certain conditions; to delete out-of-date sections of the special regulations for Yellowstone related to speed limits and trucking permits; to establish general procedures for issuing permits to commercial vehicles operating on all park roads; to prohibit operating without a permit or in violation of a term or condition of a permit; and to provide for the suspension or revocation of a permit for failure to comply with a term or condition.

Analysis of Comments

NPS received 125 timely comments on the proposed regulations during the comment period from September 15, 1993 to November 15, 1993. The majority (116) of the comments came from individuals, many of whom stated they live or own property in or near the Big Sky, Montana, area. Nine comments came from organizations or government entities. Of the total comments, 117 expressed general support of the proposed regulations and 8 expressed opposition. Of the 117 comments in favor of the proposed regulations, 72 expressed support without qualification. Twenty-eight expressed qualified support with a preference that a complete ban on commercial trucking on U.S. Highway 191 be imposed.

This issue has been very controversial since public meetings were first held in 1987. Many local citizens have wanted a total ban on trucking through the park in order to reduce trucking outside the park near Big Sky, while the trucking industry has wanted no change whatsoever in the historical use. Considering the diverse, polarized points of view on this issue, the preference stated in this group of 28 comments is not unexpected. A number of these comments also mentioned concerns about the speed limit and encouraged NPS to actively enforce the speed limit.

Eight comments expressed qualified support for the proposal with a primary preference for a speed limit less than 55 mph for trucks. NPS believes that a reduced speed limit was adequately reviewed in the 1992 environmental assessment that determined that an aggressively enforced 55 mph speed limit would address safety, operational, and environmental concerns and would be consistent with the purposes for which the roadway was established. NPS intends to actively enforce the speed limit to the extent that staffing allows.

Five comments expressed qualified support for the proposal with a preference for more restrictive regulation of the size/type of large trucks that are not carrying hazardous materials. It was specifically suggested that tandem and triple trailer rigs be prohibited. NPS notes that triple trailer rigs do not currently travel U.S. Highway 191 since they are already restricted under Mont. Code Ann. Sec. 61-10-124. A variety of alternative restrictions were considered and rejected in the environmental assessments, but restricting tandem trailer rigs was not one of them. The primary environmental and safety concerns identified

in the two environmental assessments relate to the transport of hazardous materials. NPS has no traffic accident data to suggest that tandem trailer rigs are involved in or contribute to any more safety or environmental problems in the park than other types of commercial trucks.

One of these comments also expressed concern that highly toxic materials such as biological or nuclear weapons may be transported without placarding for national security reasons. It was suggested that the language of the rule make clear that such materials may not be transported through the park. NPS is not aware of any unmarked biological warfare or nuclear materials being transported through the park. For the sake of consistency with standards currently followed by the transportation industry, the NPS rule purposefully relies upon the U.S. Department of Transportation for definitions and regulations related to the identification and placarding or marking of hazardous materials.

One of these comments also suggested that wording be added so that operators transporting hazardous materials are held responsible for restoration, repair, or restitution for any and all environmental, property, or personal damage resulting from a hazardous material spill. NPS believes that this responsibility is already established under 42 U.S.C. 9607, 33 CFR 153.405, and 40 CFR 263.30-31, which are applicable to park roads.

In addition, a standard condition of all special use permits issued by the National Park Service (Form 10-114) is that "the permittee shall pay the United States for any damage resulting from use of the permit which [sic] would not reasonably be inherent in the use which [sic] is being permitted". NPS believes that hazardous materials spills are not "reasonably inherent" in the transport, when permitted, of hazardous materials through the park.

Two trucking organizations and the Montana Department of Transportation expressed support for the proposed rule with recommendations for a clarification of permitting procedures and/or concern about the potential for permits to be required for non-hazardous materials commercial vehicles on U.S. Highway 191. These concerns are discussed further in the Section-by-Section Analysis.

One comment expressed support with a recommendation that a restriction be imposed to require trucks to maintain a 500 foot distance from other trucks. For the most part, national park areas assimilate traffic codes from the state where the park is located. In the case of U.S. Highway 191, portions of the road are within Montana and portions are within Wyoming. Both state motor vehicle codes have existing sections related to "following too closely" (Mont. Code Ann. Sec. 61-8-329 and Wyo. Stat. Sec. 31-5-210). Neither State stipulates that trucks maintain a minimum separation of 500 feet. The NPS believes that the applicable State regulations are adequate and that imposing a 500 foot distance standard in the park is not justified by available traffic accident information and would be confusing to the public.

Of the 8 responses opposed to the proposed regulations, 6 expressed that authorizing commercial vehicle use of U.S. Highway 191 was inappropriate, undesirable, or inconsistent with the intent of existing regulations. The original purpose and historical commercial use of the road predates the general regulations prohibiting commercial vehicles in national parks.

Moreover, as discussed earlier, the NPS found that continued use of the highway by commercial traffic, excluding the transport of hazardous materials, would not adversely affect park resources or visitor experience. For these reasons, the NPS proposed the rule primarily to resolve the conflict between current regulation and existing use, with the intent being to authorize general commercial use of U.S. Highway 191 subject to certain restrictions.

Two commenters expressed that any restriction on commercial vehicles, such as the prohibition on hazardous materials transports, was unfair or unnecessary. NPS acknowledges that the rule is a compromise between two opposing viewpoints and that not all interested parties are supportive of the compromise.

Section by Section Analysis

Although portions of the proposed rule apply to all park roads, virtually all comments focused primarily on the issues related specifically to U.S. Highway 191. Based on this response, the order of sections in the final rule has been changed slightly from that in the NPRM to improve the flow from Highway 191-specific sections to more general sections applicable to all park roads. Comments are addressed according to the section numbering used in the final rule.

Section 7.13(a)(1). This section authorizes commercial vehicles to use U.S. Highway 191. One commenter expressed support for the authorization of commercial vehicles to use U.S. Highway 191 in Yellowstone, but was concerned that the restriction of hazardous materials transport on U.S. Highway 191 in Yellowstone may establish a precedent that would be expanded to include restrictions on commercial vehicles traveling on that portion of U.S. Highway 191 which passes through Grand Teton National Park. The Yellowstone special regulation is being promulgated primarily to address a particular and unique situation regarding the specific twenty-mile portion of U.S. Highway 191 that travels through the northwest corner of Yellowstone National Park. The highway that travels from the West Entrance through the interior of the park to the South Entrance is not considered a portion of U.S. Highway 191 and is not opened to commercial vehicle use by this rule. Any future consideration of the regulations at Grand Teton National Park is not related to the Yellowstone situation and would require a separate rulemaking process with public review.

As proposed, Section 7.13(a)(2), which was identified in the NPRM as section (a)(3), would have prohibited the transport of hazardous materials on all park roads including U.S. Highway 191 except under certain circumstances requiring a permit. This section was developed primarily to address issues related to U.S. Highway 191. All comments received on this section related only to U.S. Highway 191. In part as a result of the focus of these comments, the NPS has realized that the general application of this section to other park roads raises complex issues related to park suppliers and hazardous materials deliveries to the Cooke City, Montana, area that were not evaluated in the two environmental assessments or addressed in the NPRM. To minimize confusion regarding hazardous materials transports on other park roads, which are currently managed under other permitting processes, the wording of this section in the final rule has been revised to limit its applicability specifically to U.S. Highway 191.

Two commenters representing the commercial trucking industry suggested that the language as published in the NPRM for section 7.13(a)(2) is "overly broad" when referring to Department of Transportation definitions and regulations found in 49 CFR Subtitle B. These commenters offered conflicting suggestions as to the most appropriate sections to cross-reference. The NPS agrees that more specific wording is appropriate and has revised the final wording of this section as follows:

The transporting on U.S. Highway 191 of any substance or combination of substances, including any hazardous substance, hazardous material, or hazardous waste as defined in 49 CFR 171.8 that requires placarding of the transport vehicle in accordance with 49 CFR 177.823, or any marine pollutant that requires marking, as defined in 49 CFR Subtitle B, is prohibited; provided, however, that * * * (additional wording is italicized)

One commenter suggested that the superintendent's authority to issue permits established in this section was essentially redundant with the permit authority established in Sec. 7.13(a)(4). In light of the changes in wording, the NPS disagrees. Section 7.13(a)(4) applies to commercial vehicles on all park roads and replaces, in part, section 7.13(c), which is being deleted. Section 7.13(a)(2) applies specifically to the transport of hazardous materials on U.S. Highway 191.

With regard to U.S. Highway 191, the NPS believes that a clear distinction must be made between these two sections, in part because there are non-commercial vehicles, such as those from cooperating highway departments or land management agencies, that at times transport hazardous materials through the park. Since the overwhelming public concern identified in the two environmental assessments is the concern about the potential environmental impacts of a hazardous materials spill along U.S. Highway 191 in the park, the NPS believes it is appropriate to manage all hazardous materials transports, including commercial and non-commercial, under section 7.13(a)(2).

The last portion of this section, as worded in the NPRM, received no specific public comments; however, it received considerable discussion within the NPS. As written in the NPRM, it stated as follows:

* * * provided, however, that the Superintendent may issue permits for the transportation of such substance or combination of substances, including hazardous waste, in emergencies, and shall issue permits when such transportation is necessary for access to lands within or adjacent to the park area to which access is otherwise not available.

It was noted that the wording was dissimilar to that of section (a)(4) with regard to establishing terms and conditions of a permit. It was also noted that the phrase "shall issue permits when such transportation is necessary to access to lands within or adjacent to the park area to which access is not otherwise available" may be subject to differing interpretations by constituencies on opposing sides of the issue.

The development of this regulation as it applies to U.S. Highway 191 has been very controversial locally and it has been the NPS's intent to resolve, rather than perpetuate, the ongoing controversy. It has also been and continues to be the intent of the NPS to allow that small proportion of operators who are delivering hazardous materials to the West Yellowstone area to continue to travel on U.S. Highway 191 through the park as they have done in the past, subject to terms and conditions addressing resource protection, safety and other concerns as appropriate. Therefore, it is the NPS's intent that these regulations not specifically prohibit the superintendent from issuing permits to operators of motor vehicles making local deliveries of hazardous materials to that portion of Gallatin County, Montana, that is south or west of the park boundary at Milepost 11 on U.S. Highway 191.

Upon further legal review, it was felt that the original language in NPRM would have denied the NPS the discretion to continue this practice. The last portion of this section has been revised in the final rule as follows:

* * * provided however, that the superintendent may issue permits and establish terms and conditions for the transportation of hazardous materials on park roads in emergencies or when such transportation is necessary for access to lands within or adjacent to the park area.

These changes in wording from that which was published in the NPRM are meant to clarify, but not alter, the intent and substance of the regulation.

Finally, one commenter suggested that NPS clearly set forth the requirements for a permit so that it is not left to the subjective discretion of the superintendent. This concern is discussed below in Summary of Final Regulations and Required Permit Criteria.

Section 7.13(a)(3), which was identified as section (a)(4) in the NPRM, states that operators who are permitted to transport hazardous materials through the park are not relieved from complying with applicable state and federal hazardous materials regulations. This section received only one comment suggesting that the reference to 49 CFR Subtitle B was overly broad and that the reference should be to one specific section within the title. NPS disagrees with this commenter and believes that a broad reference is appropriate since it is the intent of this rule that all applicable U.S. Department of Transportation regulations related to the transport of hazardous materials by motor vehicles on public roadways are applicable in the park.

Section 7.13(a)(4), which was identified as section (a)(2) in the NPRM, provides for the superintendent's authority to require permits and to establish terms and conditions for the operation of a commercial vehicle on any park road. This section, in part, replaces deleted Section 7.13(c), which established trucking permit procedures for emergency situations and for trucks traveling between the north and northeast entrances to the Cooke City, Montana, area. In addition, the deleted section also established a fixed permit fee schedule which is out-of-date and does not reflect current administrative costs.

Several commenters representing the trucking industry or State departments of transportation expressed concern that the general

wording of this section is overly broad in that the superintendent would potentially have the authority to administratively restrict or eliminate general commercial vehicle use of U.S. Highway 191 through the permitting process. The commenters were concerned that this would be in conflict with the proposal articulated in the Final Environmental Assessment and that the superintendent may become the focal point for political pressure should he or she have the discretion to restrict commercial traffic through permits. The NPS acknowledges these concerns, but for several reasons, disagrees with the perceived implications.

First, the alternative adopted in the Final Environmental Assessment proposed "to allow commercial traffic continued use of U.S. Highway 191 but to restrict the transportation of quantities and types of hazardous materials." Provisions included that the superintendent shall have the authority to issue permits specifically for the transportation of quantities and types of hazardous materials through the park under certain circumstances. This alternative did not propose to relinquish the superintendent's existing authority to establish public use limits as defined in section 1.5, or the authority to issue permits as defined in section 1.6.

NPS believes that the general wording of Section 7.13(a)(4) is needed to address the management of commercial vehicle traffic on all park roads and is not limited to U.S. Highway 191. NPS also believes that requiring a permit for all commercial vehicles traveling on park roads other than U.S. Highway 191 is appropriate and consistent with the current regulations and existing practice.

With regard to park roads other than U.S. Highway 191, the primary current commercial vehicle permittees are companies supplying goods, including petroleum products such as gasoline, propane and heating oil, to the Cooke City, Montana, area. It is the intent of the NPS that the superintendent would continue to issue permits to commercial vehicles which are providing the Cooke City area communities and tourism industry with essential goods and services. Under the terms and conditions of permit, the superintendent will exclude commercial uses of these roads which are not related to community or visitor services.

As stated in the NPRM, the NPS has no intention of requiring a permit under existing conditions for "general" commercial traffic that is not transporting hazardous materials on U.S. Highway 191 through the park as authorized by section 7.13(a)(1). The NPS believes that it currently is neither justifiable nor administratively feasible to require permits for such traffic. However, consistent with the authority granted in 36 CFR 1.5 to establish public use limits and in 36 CFR 1.6 to manage those limits through the permit process, the NPS reserves the authority to manage that use through a permit process should unforeseeable circumstances occur in the future.

The NPS believes that section 1.5 contains adequate safeguards to prevent a superintendent from being politically coerced into establishing arbitrary or unjustified public use limits relative to commercial vehicle use of U.S. Highway 191. Section 1.5(b) states:

Except in emergency situations, a closure, designation, use or activity restriction or condition, or the termination or relaxation of such, which is of a nature, magnitude and duration that will result in the public use pattern of the park area, adversely affect

the park's natural, aesthetic, scenic or cultural values, require a long-term or significant modification in the resource management objectives of the unit, or is a highly controversial nature, shall be published as rulemaking in the Federal Register."

Clearly, significant restrictions or changes in use limits relative to U.S. Highway 191 would require the promulgation of regulations allowing for public input. Since the new 36 CFR 7.13(a)(1) explicitly authorizes commercial traffic not carrying hazardous materials to use U.S. Highway 191, the NPS believes that the superintendent is not empowered to prohibit such use through a permit requirement. The superintendent's authority would be to issue permits to impose use limits, which would have to meet the criteria defined in Section 1.5.

One of these commenters went further to suggest that the authority of the superintendent under 36 CFR 1.6(a) to issue permits applies only when necessary to allow an otherwise prohibited or restricted activity. The commenter stated that once the use of U.S. Highway 191 by commercial vehicles transporting commodities other than hazardous materials is authorized by Section 7.13(a)(1), then the Superintendent would not have the authority to issue permits related to that use. 36 CFR 1.6(a) states:

When authorized by regulations set forth in this chapter, the Superintendent may issue a permit to authorize an otherwise prohibited or restricted activity or (*italics added for emphasis*) impose a public use limit.

There is clear legal precedence that the superintendent may issue permits to impose a public use limit on an activity that is not otherwise prohibited or restricted. Therefore, the NPS believes there is no ambiguity raised by the wording of this section.

One commenter expressed that should the NPS choose to require a permit in the future for general commercial vehicle use of U.S. Highway 191, then all commercial traffic, interstate and intrastate, would have to be permitted according to the Commerce Clause of the U.S. Constitution, Art. 1, Section 8, Clause 3. The NPS disagrees with this contention. The NPS promulgates regulations governing activities in the National Park System pursuant to the delegation of authority from Congress in 16 U.S.C. 3. That delegation by Congress was made under the Property Clause, Art. 4, Section 3, Clause 2, of the Constitution. While this regulation imposes limits on commerce, it does so incidentally to the necessary and appropriate exercise of Property Clause powers.

One commenter expressed concern that the "permit fee" may be misconstrued as a "fee for use", which in the commenter's opinion would be inappropriate. National Park Service Guideline NPS-53, Special Park Uses, provides for charging a permit fee based, in part, on the administrative costs of issuing a permit and monitoring and enforcing permit conditions, which is the intent of the proposed rule as described in the NPRM.

Section 7.13(a)(5) prohibits violating a term or condition of the permit and provides for the suspension or revocation of a permit should a violation occur. This section received one comment expressing concern about what sorts of "violation" may constitute grounds to suspend or

revoke the permit to transport a hazardous material. It was pointed out that a minor, technical violation, such as the inadvertent loss of one of the four required hazardous material placards, may constitute a technical violation of a permit condition. The commenter questioned whether such a violation was significant enough to warrant loss of the permit and asked that NPS clarify what kind of violation will actually result in the revocation of a permit to haul hazardous materials on U.S. Highway 191 within Yellowstone National Park.

NPS does not disagree with this concern. However, general wording such as this is standard in all sections of 36 CFR relating to permits including Sections 1.6 and 5.6. This issue is discussed below under Required Permit Criteria.

Section 7.13(f) changes the name of the existing section from "Commercial automobiles and buses" to "Commercial passenger carrying vehicles". No comments were received related to the name change of this section. The intent is to make the title of this section parallel to that of general regulation Section 5.4, the section upon which Section 7.13(f) is based.

Summary of Final Regulations and Required Permit Criteria

In general, permit procedures for commercial vehicles and/or hazardous materials transports will be in accordance with 36 CFR 1.6 and NPS guidelines (as amended or supplemented). The special use permit form (10-114) will be used for commercial vehicle and hazardous materials permits. Park suppliers are permitted through a different process. Permits may be applied for during normal business hours by visiting, telephoning, or telefaxing the Visitor Services Office (VSO) in the administration building at Mammoth Hot Springs. The VSO telephone number is 307-344-2115; FAX number is 307-344-2104.

These regulations differentiate between the transportation of hazardous materials on U.S. Highway 191 and commercial vehicle use. The special use permit form will be used to manage either or both activities. Specific terms and conditions of the permit may vary depending upon the use(s) requested. In most cases, one permitting document will be utilized to authorize and manage the specific use.

Vehicles regularly or frequently requiring a special use permit will generally be issued a permit which is valid for a period of one year. Vehicles that have a one-time, limited duration, or emergency need for a permit will be issued short term permits with a limited period of validity. Permit fees will be established in accordance with NPS guidelines (as amended or supplemented). A permit fee schedule will be reviewed, adjusted if appropriate, and published in the superintendent's compendium annually.

General conditions of a special use permit are stated on the permit form (10-114). These conditions include that the permittee is expected to comply with applicable State and Federal regulations, which in the case of commercial vehicles includes motor vehicle codes and may include hazardous materials regulations depending upon the situation. Another standard condition of the permit is that the permittee is financially responsible for any damage resulting from the authorized use that would not reasonably be inherent in the use, such as a hazardous material spill.

In accordance with applicable NPS guidelines, special park

conditions may be appended to the form. Depending upon the circumstances, these may include time-of-travel restrictions, safety requirements, damage mitigation requirements, and provisions for revoking or terminating a permit.

As with all other NPS permits, violations of terms or conditions of a special use permit will be administratively reviewed on a case by case basis to determine if suspension or revocation is appropriate. In general, permits will not be suspended or revoked unless violations occur that threaten or damage park resources, that create or sustain an imminent hazard to public health or safety, or that indicate recurring non-compliance with applicable regulations.

Effective Date

This final regulation is effective 30 days after publication in the Federal Register.

Paperwork Reduction Act

The collections of information contained in this rule have been approved by the Office of Management and Budget under 44 U.S.C. 3501 et seq. and assigned clearance number 1024-0026. The information will be used to document and authorize special uses of public lands that are otherwise restricted. Permits are necessary to determine whether a proposed activity is authorized by law and to evaluate the potential effects on park resources. Response is required to obtain a benefit in accordance with 36 CFR 7.13. Public reporting burden for this information is estimated to average one-half hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Information Collection Officer, National Park Service, 800 North Capitol, P.O. Box 37127, Washington, DC. 20013-7127; and the Office of Management and Budget, Paperwork Reduction Project (1024-0026) Washington, DC. 20503.

Compliance With Other Laws

The National Park Service prepared two environmental assessments for regulation of commercial traffic on U.S. Highway 191. The first was released for public review in 1990. Since that assessment did not fully analyze alternative routes, impacts to commodity distribution, and other economic factors, a revised environmental assessment was prepared. The latter assessment was made available for public review October 16, 1991 through December 1, 1991. On July 31, 1992, the National Park Service signed a Finding of No Significant Impact (FONSI) for the proposal, which would allow commercial traffic on U.S. Highway 191, but prohibit the transportation of hazardous materials requiring placarding through Yellowstone National Park. Copies of these Environmental Assessments are available from the Chief Ranger's Office at the above address.

This rule was not subject to Office of Management and Budget review under Executive Order 12866. In accordance with the Regulatory

Flexibility Act (5 U.S.C. 601 et seq.) which became effective January 1, 1981, the Service has determined that these proposed regulations will not have a significant economic effect on a substantial number of small entities, nor will they require the preparation of a regulatory analysis. The proposed regulations would impose no significant costs on any class or group of small entities. This conclusion is based on the fact that no existing uses are being curtailed, except for the proposed prohibition on a very small percentage of vehicles which are carrying hazardous materials.

List of Subjects in 36 CFR Part 7

National Parks, Reporting and record keeping requirements.

In consideration of the foregoing, 36 CFR Chapter I is amended as follows:

PART 7--SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

1. The authority citation for Part 7 continues to read as follows:

Authority: 16 U.S.C. 3.

2. Section 7.13 is amended by revising paragraph (a), removing and reserving paragraph (c), and revising the heading of paragraph (f) to read as follows:

Sec. 7.13 Yellowstone National Park.

(a) Commercial Vehicles. (1) Notwithstanding the prohibition of commercial vehicles set forth in Section 5.6 of this Chapter, commercial vehicles are allowed to operate on U.S. Highway 191 in accordance with the provisions of this Section.

(2) The transporting on U.S. Highway 191 of any substance or combination of substances, including any hazardous substance, hazardous material, or hazardous waste as defined in 49 CFR 171.8 that requires placarding of the transport vehicle in accordance with 49 CFR 177.823 or any marine pollutant that requires marking as defined in 49 CFR Subtitle B, is prohibited; provided, however, that the superintendent may issue permits and establish terms and conditions for the transportation of hazardous materials on U.S. Highway 191 in emergencies or when such transportation is necessary for access to lands within or adjacent to the park area.

(3) The operator of a motor vehicle transporting any hazardous substance, hazardous material, hazardous waste, or marine pollutant in accordance with a permit issued under this section is not relieved in any manner from complying with all applicable regulations in 49 CFR Subtitle B, or with any other State or federal laws and regulations applicable to the transportation of any hazardous substance, hazardous material, hazardous waste, or marine pollutant.

(4) The superintendent may require a permit and establish terms and conditions for the operation of a commercial vehicle on any park road

in accordance with section 1.6 of this Chapter. The superintendent may charge a fee for permits in accordance with a fee schedule established annually.

(5) Operating without, or violating a term or condition of, a permit issued in accordance with this section is prohibited. In addition, violating a term or condition of a permit may result in the suspension or revocation of the permit.

(c) [Reserved]

(f) Commercial passenger-carrying vehicles. ***

Dated: August 18, 1994.

George T. Frampton Jr.,
Assistant Secretary for Fish and Wildlife and Parks.
[FR Doc. 94-20863 Filed 8-24-94; 8:45 am]
BILLING CODE 4310-70-P

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(4) The superintendent may require a permit and establish terms and conditions for the operation of a commercial vehicle on any park road in accordance with Sec. 1.6 of this chapter. The superintendent may charge a fee for permits in accordance with a fee schedule established annually.

(5) Operating without, or violating a term or condition of, a permit issued in accordance with this section is prohibited. In addition, violating a term or condition of a permit may result in the suspension or revocation of the permit.

(b) Employee motor vehicle permits:

(1) A motor vehicle owned and/or operated by an employee of the U.S. Government, park concessioners and contractors, whether employed in a permanent or temporary capacity, shall be registered with the Superintendent and a permit authorizing the use of said vehicle in the park is required. This requirement also applies to members of an employee's family living in the park who own or operate a motor vehicle within the park. Such permit, issued free of charge, may be secured only when the vehicle operator can produce a valid certificate of registration, and has in his possession a valid operator's license. No motor vehicle may be operated on park roads unless properly registered.

(2) The permit is valid only for the calendar year of issue. Registry must be completed and permits secured by April 15 of each year or within one week after bringing a motor vehicle into the park, whichever date is later. The permit shall be affixed to the vehicle as designated by the Superintendent.

(c) [Reserved]

(d) Vessels--(1) Permit. (i) A general permit, issued by the Superintendent, is required for all vessels operated upon the waters of the park open to boating. In certain areas a special permit is required as specified hereinbelow. These permits must be carried within the vessel at all times when any person is aboard, and shall be exhibited upon request to any person authorized to enforce the regulations in this chapter.

(ii) A special permit shall be issued by the Superintendent to any holder of a general permit who expresses the intention to travel into either the South Arm or the Southeast Arm "Five Mile Per Hour Zones" of Yellowstone Lake, as defined in paragraphs (d)(6) (ii) and (iii) of this section, upon the completion and filing of a form statement in accordance with the provisions of paragraph (d)(10) of this section.

(iii) Neither a general nor special permit shall be issued until the permittee has signed a statement certifying that he is familiar with the speed and all other limitations and requirements in these regulations. The applicant for a special permit shall also agree in writing to provide, in accordance with paragraph (d)(10) of this section, information concerning the actual travel within the "Five Mile Per Hour Zones."

(2) Removal of vessels. All privately owned vessels, boat trailers, waterborne craft of any kind, buoys, mooring floats, and anchorage equipment will not be permitted in the park prior to May 1 and must be removed by November 1.

(3) Restricted landing areas. (i) Prior to July 1 of each year, the landing of any vessel on the shore of Yellowstone Lake between Trail Creek and Beaverdam Creek is prohibited, except upon written permission of the Superintendent.

(ii) The landing or beaching of any vessel on the shores of Yellowstone Lake (a) within the confines of Bridge Bay Marina and Lagoon and the connecting channel with Yellowstone Lake; and (b) within the confines of

Grant Village Marina and Lagoon and the connecting channel with Yellowstone Lake is prohibited except at the piers or docks provided for the purpose.

in latitude 44 deg.19'42.0" N., at longitude 110 deg.12'06.0" W., Greenwich Meridian, running westerly to a point on the west shore of the Southeast Arm, marked by a monument; said point being approximately in latitude 44 deg.20'03.6" N., at longitude 110 deg.16'19.2" W., Greenwich Meridian. Operation of motorboats south of the latter line is prohibited.

(7) Motorboats are prohibited on park waters except as permitted in paragraphs (d) (5) and (6) of this section.

(8) Hand-propelled vessel waters. Hand-propelled vessels and sail vessels may operate in park waters except on those waters named in paragraph (d)(4) of this section.

(9) Five Mile Per Hour Zone motorboat restrictions. The operation of motorboats within "Five Mile Per Hour Zones" is subject to the following restrictions:

(i) Class 1 and Class 2 motorboats shall proceed no closer than one-quarter mile from the shoreline except to debark or embark passengers, or while moored when passengers are ashore.

(ii) [Reserved]

(10) Permission required to operate motorboats in Five Mile Per Hour Zone. Written authority for motorboats to enter either or both the South Arm or the Southeast Arm "Five Mile Per Hour Zones" shall be granted to an operator providing that prior to commencement of such entry the operator completes and files with the Superintendent a form statement showing:

(i) Length, make, and number of motorboat.

(ii) Type of vessel, such as inboard, inboard-outboard, turbojet, and including make and horsepower rating of motor.

(iii) Name and address of head of party.

(iv) Number of persons in party.

(v) Number of nights planned to spend in each "Five Mile Per Hour Zone."

(vi) Place where camping is planned within each "Five Mile Per Hour Zone," or if applicable, whether party will remain overnight on board.

(11) The disturbance of birds inhabiting or nesting on either of the islands designated as "Molly Islands" in the Southeast Arm of Yellowstone Lake is prohibited; nor shall any vessel approach the shoreline of said islands within one-quarter mile.

(12) Boat racing, water pageants, and spectacular or unsafe types of recreational use of vessels are prohibited on park waters.

(e) Fishing. (1) Fishing restrictions, based on management objectives described in the park's Resources Management Plan, are established annually by the superintendent.

(2) The superintendent may impose closures and establish conditions

or restrictions, in accordance with the criteria and procedures of Secs. 1.5 and 1.7 of this chapter, on any activity pertaining to fishing, including, but not limited to, seasons and hours during which fishing may take place, size, creel and possession limits, species of fish that may be taken and methods of taking.

(3) Closed waters. The following waters of the park are closed to fishing and are so designated by appropriate signs:

(i) Pelican Creek from its mouth to a point two miles upstream.

(ii) The Yellowstone River and its tributary streams from the Yellowstone Lake outlet to a point one mile downstream.

(iii) The Yellowstone River and its tributary streams from the confluence of Alum Creek with the Yellowstone River upstream to the Sulphur Caldron.

(iv) The Yellowstone River from the top of the Upper Falls downstream to a point directly below the overlook known as Inspiration Point.

(v) Bridge Bay Lagoon and Marina and Grant Village Lagoon and Marina and their connecting channels with Yellowstone Lake.

(vi) The shores of the southern extreme of the West Thumb thermal area along the shore of Yellowstone Lake to the mouth of Little Thumb Creek.

(vii) The Mammoth water supply reservoir.

(4) Fishing in closed waters or violating a condition or restriction established by the superintendent is prohibited.

(f) Commercial passenger-carrying vehicles. The prohibition against the commercial transportation of passengers by motor vehicles in Yellowstone National Park contained in Sec. 5.4 of this chapter shall be subject to the following exception: Motor vehicles operated on an infrequent and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round trip passengers traveling from the point of origin of the tour will, subject to the conditions set forth in this paragraph, be accorded admission to the park for the purpose of delivering passengers to a point of overnight stay in the park and exit from the park. After passengers have completed their stay, such motor vehicles shall leave the park by the most convenient exit station, considering their destinations. Motor vehicles admitted to the park under this paragraph shall not, while in the park, engage in general sightseeing operations. Admission will be accorded such vehicles upon establishing to the satisfaction of the superintendent that the tour originated from such place and in such manner as not to provide in effect a regular and duplicating service conflicting with, or in competition with, the services provided for the public pursuant to

contract authorization from the Secretary. The superintendent shall have the authority to specify the route to be followed by such vehicles within the park.

(g) Camping. (1) Camping in Yellowstone National Park by any person, party, or organization during any calendar year during the period Labor Day through June 30, inclusive, shall not exceed 30 days, either in a single period or combined separate periods, when such limitations are posted.

(2) The intensive public-use season for camping shall be the period July 1 to Labor Day. During this period camping by any person, party, or organization shall be limited to a total of 14 days either in a single period or combined separate periods.

(h) Dogs and cats. Dogs and cats on leash, crated, or otherwise under physical restraint are permitted in the park only within 100 feet of established roads and parking areas. Dogs and cats are prohibited on established trails and boardwalks.

(i) [Reserved]

(j) Travel on trails. Foot travel in all thermal areas and within the Yellowstone Canyon between the Upper Falls and Inspiration Point must be confined to boardwalks or trails that are maintained for such travel and are marked by official signs.

(k) Portable engines and motors. The operation of motor-driven chain saws, portable motor-driven electric light plants, portable motor-driven pumps, and other implements driven by portable engines and motors is prohibited in the park, except in Mammoth, Canyon, Fishing Bridge, Bridge Bay, Grant Village, and Madison Campgrounds, for park operation purposes, and for construction and maintenance projects authorized by the Superintendent. This restriction shall not apply to outboard motors on waters open to motorboating.

(l) Snowmobiles. (1) The superintendent may, by the posting of appropriate signs, require persons to register or obtain a permit before attempting any oversnow travel. The superintendent shall issue a permit upon ascertaining that suitable winter survival supplies and equipment are available for human use in the event of mechanical failure. Where a permit is required, it must be carried on the person, or within the oversnow vehicle, and shall be exhibited upon request of any authorized person.

(2) Upon designated routes, snowmobile use shall be limited to the unplowed roadway, which is defined as that portion of the roadway located between the road shoulders designated by snow poles or poles, ropes, and signs erected by the superintendent to regulate snowmobile activity. The designated routes for snowmobile use shall be:

(i) The Grand Loop Road from its junction with Terrance Springs

Drive to Norris Junction.

- (ii) Norris Junction to Canyon Road.
- (iii) The Virginia Cascade Drive.
- (iv) The Grand Loop Road from Norris Junction to Madison Junction.
- (v) The West Entrance Road from the Park Boundary at West

Yellowstone to Madison Junction.

- (vi) The Grand Loop Road from Madison Junction to West Thumb.
- (vii) The Firehole Canyon Drive.
- (viii) The Blacktail Plateau Drive.
- (ix) The Fountain Flat Drive.
- (x) The South Entrance Road from the South Entrance to West Thumb.
- (xi) The Grand Loop Road from West Thumb to its junction with the East Entrance Road.
- (xii) The East Entrance Road from the East Entrance to its junction with the Grand Loop Road.
- (xiii) The Grand Loop Road from its junction with the East Entrance Road to Canyon Junction.

(xiv) The Canyon Rim Drives.

(xv) The Grand Loop Road from Canyon Junction to Tower Junction.

(xvi) In the developed areas of Madison Junction, Old Faithful, Grant Village, Lake, Fishing Bridge, Canyon and Norris Junction, snowmobile routes to scenic points of interest, lodging and other facilities will be designated by appropriate snow poles and signs; said routes being limited to the unplowed roadways. The criteria for determining specific routes in these areas will be: the most direct access, weather and snow conditions and the elimination of congestion and improvement of circulation in the interest of public safety.

(m) Swimming. The swimming or bathing in a natural, historical, or archeological thermal pool or stream that has waters originating entirely from a thermal spring or pool is prohibited.

[36 FR 12014, June 24, 1971, as amended at 37 FR 24034, Nov. 11, 1972; 39 FR 9964, Mar. 15, 1974; 43 FR 21460, May 18, 1978; 45 FR 56343, Aug. 25, 1980; 48 FR 30293, June 30, 1983; 52 FR 10686, Apr. 2, 1987; 52 FR 19346, May 22, 1987; 59 FR 43736, Aug. 25, 1994]

(4) Closed waters. (i) Vessels are prohibited on Sylvan Lake, Eleanor Lake, Twin Lakes, and Beach Springs Lagoon.

(ii) Vessels are prohibited on park rivers and streams (as differentiated from lakes and lagoons), except on the channel between Lewis Lake and Shoshone Lake, which is open only to handpropelled vessels.

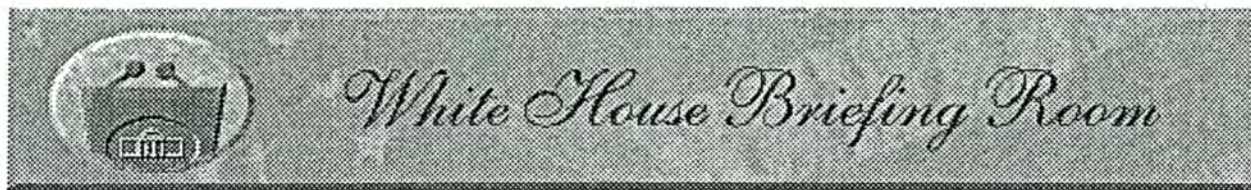
(5) Lewis Lake motorboat waters. Motorboats are permitted on Lewis Lake.

(6) Yellowstone Lake motorboat waters. Motorboats are permitted on Yellowstone Lake except in Flat Mountain Arm as described in paragraph (d)(6)(i) of this section and as restricted within the South Arm and the Southeast Arm where operation is confined to areas known as "Five Mile Per Hour Zones" which waters are between the lines as described in paragraphs (d)(6) (ii) and (iii) of this section in the South Arm and Southeast Arm, but which specifically exclude the southernmost 2 miles of both Arms which are open only to hand-propelled vessels.

(i) The following portion of Flat Mountain Arm of Yellowstone Lake is restricted to hand-propelled vessels: West of a line beginning at a point marked by a monument located on the south shore of the Flat Mountain Arm and approximately 10,200 feet easterly from the southwest tip of the said arm, said point being approximately 44 deg.22'13.2" N. latitude and 110 deg.25'07.2" W. longitude, then running approximately 2,800 feet due north to a point marked by a monument located on the north shore of the Flat Mountain Arm, said point being approximately 44 deg.22'40" N. latitude and 110 deg.25'07.2" W. longitude.

(ii) In the South Arm that portion between a line from Plover Point running generally east to a point marked by a monument on the northwest tip of the peninsula common to the South and Southeast Arms; and a line from a monument located on the west shore of the South Arm approximately 2 miles north of the cairn which marks the extreme southern extremity of Yellowstone Lake in accordance with the Act of Congress establishing Yellowstone National Park; said point being approximately in latitude 44 deg.18'22.8" N., at longitude 110 deg.20'04.8" W., Greenwich Meridian, running due east to a point on the east shore of the South Arm marked by a monument. Operation of motorboats south of the latter line is prohibited.

(iii) In the Southeast Arm that portion between a line from a monument on the northwest tip of the peninsula common to the South and Southeast Arms which runs generally east to a monument at the mouth of Columbine Creek; and a line from a cairn which marks the extreme eastern extremity of Yellowstone Lake, in accordance with the Act of Congress establishing Yellowstone National Park; said point being approximately



August 7, 1998

STATEMENT BY THE PRESIDENT

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

August 7, 1998

STATEMENT BY THE PRESIDENT

I am proud to announce completion today of a major initiative to preserve one of America's true crown jewels, Yellowstone National Park.

Two years ago, to protect the Park from the potential ravages of mining, I announced an agreement to acquire the proposed New World Mine outside Yellowstone from its owner, Crown Butte Mines, Inc. Last year, with critical support from Senator Max Baucus, Congress appropriated \$65 million for the acquisition. Over the past several months, the Administration completed several intermediate steps, including an agreement with Crown Butte to ensure cleanup of contamination from nearly 100 years of mining near Yellowstone. Today, the New World Mine property was formally

transferred to the U.S. Forest Service, completing this historic acquisition.

Yellowstone, America's first national park, is the heart of a magnificent landscape and ecosystem that we are working to restore and preserve for all time. Today's action culminates an extraordinary collaboration by the Administration, the state of Montana, Crown Butte and conservationists to protect both Yellowstone and the economy it sustains. Years from now, bison, wolves and other wildlife will flourish, and visitors will enjoy Yellowstone in all its splendor.

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