

THE WHITE HOUSE

WASHINGTON

November 30, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill H.R. 3765 -- Las Vegas
Paiute Trust Lands

Richard Darman asked for comments on the above-referenced enrolled bill by 10:00 a.m. tomorrow. The bill would declare that 3,800 acres of public land in Nevada (valued at \$1.5 million) be held in trust for the Las Vegas Paiute Tribe. The tribe, consisting of 143 members, has no legal claim to the land, but simply wants to expand its economic base. Interior originally opposed the bill, contending that the land should not be transferred without compensation, but now has no objection. OMB recommends approval; Justice and EPA defer to Interior. This bill essentially does nothing more than take money from you, me, and everyone else and give it to 143 people in Nevada (about \$10,000 each), simply because they want it.

I have reviewed the memorandum for the President prepared by OMB's Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no legal objection.

Attachment

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
- I - INTERNAL
- I - INCOMING

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

Name of Correspondent: Richard G. DARMAN

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

Subject: Enrolled Bill H.R. 3765 - Las Vegas
Painte Trust Lands

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Tracking Date (YY/MM/DD) Type of Response Code Completion Date (YY/MM/DD)
<u>CW HOLL</u>	ORIGINATOR	<u>8311180</u> 1 1
<u>CWAT 8</u>	Referral Note:	<u>8311180</u> <u>S 8312101</u>
	Referral Note:	<u>10 00a</u>
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- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure
 - I - Info Copy Only/No Action Necessary
 - R - Direct Reply w/Copy
 - S - For Signature
 - X - Interim Reply
- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
 - S - Suspended
- FOR OUTGOING CORRESPONDENCE:**
- Type of Response = Initials of Signer
 - Code = "A"
 - Completion Date = Date of Outgoing

Comments: _____

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

WHITE HOUSE STAFFING MEMORANDUM

DATE: 11/29/83 ACTION/CONCURRENCE/COMMENT DUE BY: 10:00 a.m. 12/1/83

SUBJECT: Enrolled Bill H.R. 3765 - Las Vegas Paiute Trust Lands

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	HICKEY	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JENKINS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DUBERSTEIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GERGEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please provide comments/recommendations on the attached enrolled bill by 10:00 a.m. THURSDAY, December 1, 1983.

Thank you.

RESPONSE:

NOV 30 1983

Richard G. Darman
Assistant to the President
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT NOV 20 1983 3:07
 OFFICE OF MANAGEMENT AND BUDGET
 WASHINGTON, D.C. 20503

NOV 20 1983

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 3765 - Las Vegas Paiute Trust Lands
 Sponsors - Representatives Reid (D) and Vucanovich (R)
 Nevada

Last Day for Action

December 5, 1983 - Monday

Purpose

Declares that approximately 3,800 acres of public land in Clark County, Nevada, be held in trust for the Las Vegas Paiute Tribe and become part of the Tribe's reservation.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	No objection
Department of Justice	Defers to Interior
Environmental Protection Agency	Defers to Interior (Indefinitely)

Discussion

H.R. 3765 would transfer approximately 3,800 acres of public land in Clark County, Nevada, with an estimated value of \$1.5 million, to the Secretary of the Interior to be held in trust for the Las Vegas Paiute Tribe of Nevada. Transfer of the land would be subject to valid existing rights. In addition, H.R. 3765 would (1) allow the Tribe to lease reservation lands for periods up to 99 years and (2) apply to the acreage provisions of the Clean Air Act that give States and Indian tribes mutual remedies if a redesignation of lands in their jurisdiction is detrimental to either party.

The Las Vegas Paiute Tribe consists of 143 members and has a trust land base of 12.5 acres located in the city of Las Vegas. The Tribe's land base is fully used and includes tribal residences, streets, a community service building, a commercial building, and a cemetery. The Las Vegas Paiutes currently operate a successful construction company and spend over 90 percent of their profits to provide services such as housing, law

enforcement, and education to their members. The Tribe is seeking to expand its reservation to further the Tribe's economic development. Tribal plans for use of the land include housing, a light industrial park, and a sand and gravel operation.

Department of the Interior's Views

The Department of the Interior initially opposed H.R. 3765, because the Las Vegas Paiute Tribe has no claim to the lands that would justify transferring them without compensation. Interior advised the Congress that it would have no objection to selling the land to the Tribe under the Federal Land Policy and Management Act (FLPMA) for fair market value. Congressional supporters of H.R. 3765 concluded, however, that a purchase requirement would impair the Tribe's efforts to continue providing services to its members and inhibit its ability to invest in existing and future income-producing activities.

The Department has reevaluated its position and now has no objection to approval of the bill, because there are no plans for Federal use of these lands and the most beneficial use would be to transfer them to the Las Vegas Paiute Tribe.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures