THE NATIONAL PARKS: WILL THEY SURVIVE FOR FUTURE GENERATIONS?

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY, AND HUMAN RESOURCES

OF THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

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THE NATIONAL PARKS: WILL THEY SURVIVE FOR FUTURE GENERATIONS?

FRIDAY, APRIL 22, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY,
AND HUMAN RESOURCES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 10 a.m., in room 2154, Rayburn House Office Building, Hon. Mark E. Souder (chairman of the subcommittee) presiding.

Present: Representatives Souder, Cummings and Norton.

Staff present: David Thomasson, congressional fellow; Mark Pfundstein, professional staff member; Tony Haywood, minority counsel; and Jean Gosa, minority assistant clerk.

Mr. SOUDER. The subcommittee will now come to order.

Ranking Member Cummings is on his way and in traffic, so he said to go ahead with my statement, so I am going to go ahead and get started.

Good morning and thank you for joining us.

Today's important hearing, which we are holding during National Parks Week and on Earth Day, is the Washington overview for a series of hearings this subcommittee will be conducting on the challenges and potential solutions facing our National Park Service.

From our beginning as a Nation, our natural beauty has been trumpeted within America and around the world. Thomas Jefferson's enthusiasm led directly to the Louisiana Purchase, which led to the Lewis and Clark expedition.

From the Hudson Valley artists to the great artists who highlighted what have become our national parks of the West—including Albert Bierstadt, Thomas Moran, William Henry Jackson, Thomas Hill and Ansel Adams—Americans developed a passion for the beauty of these areas. Today much of this art is still displayed by the National Park Service. John Muir and other naturalist writers built upon the base of these prints and early photographs, which are displayed at public exhibitions and through prints in people's home.

The creation of the National Park system was a uniquely American idea. It has been said that Americans, without the hundreds of years of history of Europe, claimed our parks as the equivalent of the Grecian, Roman and Egyptian ruins—our Parthenon, Coliseum and Pyramids.

Even before the actual creation of the National Park Service to protect these natural wonders, the Water Department began to protect Gettysburg and other battlefields. These so-called "cultural parks" were merged with the so-called "natural parks"—when in actuality most parks are both, but with different primary emphasis. The National Park Service became the primary protector of the most valued places of our Nation.

This background is important to understanding America's longstanding love of our national parks. It is historical, deep, consistent and unlikely to change.

Park rangers consistently are voted the best-liked profession. Visitation by Americans is a family tradition that is often the best way to communicate our love of our country.

Preserving wilderness and access to natural wonders is not only important to environmentalists more often associated with liberalism but to Christian conservatives who see in natural wonders the amazing glory of our Creator. For some, the parks are a place to wonder, others to reflect, others to teach, others to preserve wild spaces, others to commune with God, others to recreate. But we all love our parks. Because of this, there is tremendous public and political support for our national parks.

But our parks are in peril. There are numerous reasons. Most simply, these are difficult budget times for nearly every public program. In reality, even in this time of tough budgets, the National Park Service has done better than most agencies that are funded with discretionary dollars. As legislators, we face difficult choices: Should there be extra dollars for health benefits for veterans, for AIDS prevention, schools, prescription drugs coverage in Medicare, new highways, national parks?

In the process of weighing these decisions, we must have a balanced point of view that looks both at the present and the future. But once the Nation's wild spaces are gone, it is extremely difficult and expensive to recover or restore them, and sometimes it is not possible at all.

It is expensive to tear down buildings that would buildupon important historic sites, but we have done it. But if Independence Hall or important sites like Angel Island, the Ellis Island of the West, disappear, the originals are done. Stands of Sequoia trees can't be replaced in multiple lifetimes. In Congress, we have an obligation not to abandon our responsibilities to future generations by solely focusing upon current problems.

Less dramatically, the Park Service has multiple other missions as well. NPS not only has the duty to protect our Nation's treasures for future generations but to intelligently manage them for the appreciation of current Americans. This means that roads should be in decent shape. It means that restrooms should function. Visitor centers should be useful and visitor-friendly.

A favorite word for national parks in this administration and many on the Hill is backlog. One of the many goals of these hearings is to better identify what this precisely means. Is it uncompleted projects? Wished-for projects? Annual maintenance? All of this plus more? How is it prioritized?

But the backlog, which exists and always will, is not the only issue. Visitors want and seek interpretation. They want to talk to

real-life rangers. They want up-to-date and accurate scientific information. If historical research has discovered new information, they want it reflected at the park. They are not taking their families on historic learning experiences to fill them with outdated or inaccurate information. Films and signs at visitor centers and throughout the sites, if not up to the latest standards of technology and information, should not be decades behind.

The National Park Service is the greatest combination repository of historic cultural information in America. It has the actual sites, but much more. Journals at Valley Forge, rifles at Gettysburg, an incredible collection of artwork, at Mesa Verde invaluable artifacts from America's earliest days—just to name a few.

Add grizzly bears in Alaska, bats at Carlsbad Caverns, bison, birds of all sorts and varieties, fish, frogs to grasslands, mountains, lakes, dunes and massive wetlands like the Everglades and Big Cypress, and you have America's premier collection of natural history as well.

Can these resources be better utilized in our Nation's education system?

Ultimately, you can fix the backlog, but if there are not enough rangers or others to clean the restrooms, make sure the roads are maintained, greet the visitors, do the research and all the other tasks facing the Park Service, the National Park Service will not be serving the desires of the American public.

While the Park Service has received increases in funding, we have added new areas of land to the system. The Park Service has faced rapidly rising health and pension costs for their employees. We are seeing national parks like Organ Pipe in Arizona overrun with illegal immigrants and drug trafficking such that a ranger was killed in a shootout and one of Arizona's top hiking trails is closed for safety reasons.

Homeland security demands have been significant. The favorite targets mentioned by terrorists include many managed by the National Park Service. The Capitol Mall here in Washington immediately comes to mind, but also Independence Hall, the Statue of Liberty, the Gateway Arch, Mt. Rushmore, and even the land at both ends of the Golden Gate Bridge are all the responsibility of the Park Service. So while we've increased spending for the National Park Service, the challenges have overwhelmed the dollars available.

The administration is taking many creative and innovative measures to try to stretch these dollars. Just because there is a decline in the number of personnel does not necessarily mean that services must decline. Every agency, including the National Park Service, must become more efficient. NPS works with the organizations presenting today, and others, to raise private dollars. Demonstration fees and other fees from camping to concessionaires add dollars to the system.

The challenge we face in hearings such as this, as it is in every agency of the Federal Government under every administration—and we have seen this in this oversight committee—is getting specific testimony—the challenge is getting specific testimony on budget challenges. Every administration in every agency has OMB, the Office of Management and Budget, reviewing all testimony. I un-

derstand that, and we hope that OMB and this administration will allow the National Park Service to at least tell its success stories. We hope that employees will be allowed to speak freely when questioned and not just have to defend the status quo.

As a strong Republican and an avid supporter of President Bush, I hope these hearings will be perceived as cooperative by the administration, but we are an oversight committee. Any appropriations must originate and go through the Appropriations Committee, but this committee is and always has been the primary oversight committee of the U.S. Congress. When Republicans took over Congress in 1994, we changed it to Government Reform because it is our specific duty through oversight to identify what is working, what isn't working, and recommend reforms. To do that, we must have comprehensive information, which we will obtain over the course of these hearings.

Our witnesses today include many of the most informed people in America on the status of our national parks.

Steve Martin is Deputy Director of the National Park Service, recently arrived from being the inter-mountain regional director. He has served as superintendent at numerous parks, recently at Grand Teton.

Vin Cipolla of the National Parks Foundation, Gretchen Long of the National Parks and Conservation Association [NPCA], and Emily Wadhams of the National Trust for Historic Preservation represent three organizations focused on supporting our parks at the national level with State and regional affiliates across the country.

Payton Knight of the American Land Rights Association is the premiere spokesman for concerns of the people most impacted by many parks' decisions, those who live in and around them.

Denny Galvin is the former Deputy Director of the National Park Service, as well as former superintendent of numerous parks, including Yellowstone, Yosemite and the Everglades. So we thank you all for joining us today.

[The prepared statement of Hon. Mark E. Souder follows:]

OPENING STATEMENT: CHAIRMAN MARK SOUDER
"PRESERVING AND MAINTAINING THE NATIONAL PARKS"
Subcommittee on Criminal Justice, Drug Policy and Human Resources
Committee on Government Reform

GOOD MORNING AND THANK YOU FOR JOINING US. TODAY'S IMPORTANT HEARING – WHICH WE ARE HOLDING DURING NATIONAL PARKS WEEK AND ON EARTH DAY – IS THE WASHINGTON OVERVIEW FOR A SERIES OF HEARINGS THIS SUBCOMMITTEE WILL BE CONDUCTING ON THE CHALLENGES AND POTENTIAL SOLUTIONS FACING OUR NATIONAL PARK SERVICE.

FROM OUR BEGINNING AS A NATION, OUR NATURAL BEAUTY HAS BEEN TRUMPETED WITHIN AMERICA AND AROUND THE WORLD. THOMAS JEFFERSON'S ENTHUSIASM LED DIRECTLY TO THE LOUISIANA PURCHASE, WHICH LED TO THE LEWIS AND CLARK EXPEDITION.

FROM THE HUDSON VALLEY ARTISTS, TO THE GREAT ARTISTS WHO HIGHLIGHTED WHAT HAVE BECOME OUR NATIONAL PARKS OF THE WEST - INCLUDING ALBERT BIERSTADT, THOMAS MORAN, WILLIAM HENRY JACKSON, THOMAS HILL, AND ANSEL ADAMS – AMERICANS DEVELOPED A PASSION FOR THE BEAUTY OF THESE AREAS. TODAY MUCH OF THIS ART IS STILL DISPLAYED BY THE PARK SERVICE.

JOHN MUIR AND OTHER NATURALIST WRITERS BUILT UPON THE BASE OF THESE PRINTS AND EARLY PHOTOGRAPHS, WHICH WERE DISPLAYED AT PUBLIC EXHIBITIONS, AND THROUGH PRINTS, IN PEOPLE'S HOMES.

THE CREATION OF A NATIONAL PARK SYSTEM WAS A UNIQUELY AMERICAN IDEA. IT HAS BEEN SAID THAT AMERICANS, WITHOUT THE HUNDREDS OF YEARS OF HISTORY OF EUROPE, CLAIMED OUR PARKS AS THE EQUIVALENT OF THE GRECIAN, ROMAN AND EGYPTIAN RUINS – OUR PARTHENON, COLISEUM AND PYRAMIDS.

EVEN BEFORE THE ACTUAL CREATION OF THE NATIONAL PARK SERVICE TO PROTECT THESE NATURAL WONDERS, THE WAR DEPARTMENT BEGAN TO PROTECT GETTYSBURG AND OTHER BATTLEFIELDS.

THESE SO-CALLED "CULTURAL PARKS" WERE MERGED WITH THE SO-CALLED "NATURAL PARKS" (WHEN IN ACTUALITY MOST PARKS ARE BOTH, BUT WITH DIFFERENT PRIMARY EMPHASIS), THE NATIONAL PARK SERVICE BECAME THE PRIMARY PROTECTOR OF THE MOST VALUED PLACES OF OUR NATION.

THIS BACKGROUND IS IMPORTANT TO UNDERSTANDING AMERICA'S LONG-LASTING LOVE OF OUR NATIONAL PARKS. IT IS HISTORICAL, DEEP, CONSISTENT, AND UNLIKELY TO CHANGE.

PARK RANGERS CONSISTENTLY ARE VOTED THE BEST LIKED PROFESSION. VISITATION BY AMERICANS IS A FAMILY TRADITION THAT IS OFTEN THE BEST WAY TO COMMUNICATE OUR LOVE OF OUR COUNTRY. PRESERVING WILDERNESS AND ACCESS TO NATURAL WONDERS IS NOT ONLY IMPORTANT TO ENVIRONMENTALISTS MORE OFTEN ASSOCIATED WITH LIBERALISM BUT TO CHRISTIAN CONSERVATIVES WHO SEE IN THE NATURAL WONDERS THE AMAZING GLORY OF OUR CREATOR. FOR SOME, THE PARKS ARE A PLACE TO WONDER, OTHERS TO REFLECT, OTHERS TO TEACH, OTHERS TO PRESERVE WILD SPACES, OTHERS TO COMMUNE WITH GOD, OTHERS TO RECREATE. BUT WE ALL LOVE OUR PARKS.

BECAUSE OF THIS, THERE IS TREMENDOUS PUBLIC AND POLITICAL SUPPORT FOR OUR NATIONAL PARKS.

BUT OUR PARKS ARE IN PERIL.

THERE ARE NUMEROUS REASONS. MOST SIMPLY, THESE ARE DIFFICULT BUDGET TIMES FOR NEARLY EVERY PUBLIC PROGRAM. IN REALITY, EVEN IN THIS TIME OF TOUGH BUDGETS, THE NATIONAL PARK SERVICE HAS DONE BETTER THAN MOST AGENCIES THAT ARE FUNDED WITH DISCRETIONARY DOLLARS. AS LEGISLATORS WE FACE DIFFICULT CHOICES – SHOULD THERE BE EXTRA DOLLARS FOR HEALTH BENEFITS FOR VETERANS? FOR AIDS PREVENTION? SCHOOLS? PRESCRIPTION DRUG COVERAGE IN MEDICARE? NEW HIGHWAYS? NATIONAL PARKS?

IN THE PROCESS OF WEIGHING THESE DECISIONS, WE MUST HAVE A BALANCED POINT OF VIEW THAT LOOKS BOTH AT THE PRESENT AND THE FUTURE. BUT ONCE THE NATION'S WILD SPACES ARE GONE, IT IS EXTREMELY DIFFICULT AND EXPENSIVE TO RECOVER OR RESTORE THEM. AND SOMETIMES IT IS NOT POSSIBLE AT ALL.

IT IS EXPENSIVE TO TEAR DOWN BUILDINGS THAT WERE BUILT UPON IMPORTANT HISTORIC SITES, BUT WE HAVE DONE IT. BUT IF INDEPENDENCE HALL, OR IMPORTANT SITES LIKE ANGEL ISLAND (THE ELLIS ISLAND OF THE WEST) DISAPPEAR, THE ORIGINALS ARE GONE. STANDS OF SEQUIOA TREES CAN'T BE REPLACED IN MULTIPLE LIFETIMES. IN CONGRESS, WE HAVE AN OBLIGATION NOT TO ABANDON OUR RESPONSIBILITIES TO FUTURE GENERATIONS BY SOLELY FOCUSING UPON CURRENT PROBLEMS.

LESS DRAMATICALLY, THE PARK SERVICE HAS MULTIPLE OTHER MISSIONS AS WELL. NPS NOT ONLY HAS THE DUTY TO PROTECT OUR

NATION'S TREASURES FOR FUTURE GENERATIONS, BUT TO INTELLIGENTLY MANAGE THEM FOR THE APRECIATION OF CURRENT AMERICANS.

THIS MEANS THAT ROADS SHOULD BE IN DECENT SHAPE. IT MEANS THAT RESTROOMS SHOULD FUNCTION. VISITOR CENTERS SHOULD BE USEFUL AND VISITOR FRIENDLY.

THE FAVORITE WORD FOR NATONAL PARKS IN THIS ADMINISTRATION AND MANY ON THE HILL IS "BACKLOG". ONE OF THE MANY GOALS OF THESE HEARINGS IS TO BETTER IDENTIFY WHAT THIS PRECISELY MEANS. IT IS UNCOMPLETED PROJECTS? WISHED FOR PROJECTS? ANNUAL MAINTENANCE? ALL OF THESE PLUS MORE? HOW IS IT PRIORITIZED?

BUT THE BACKLOG, WHICH EXISTS AND ALWAYS WILL, IS NOT THE ONLY ISSUE. VISITORS WANT AND SEEK INTERPRETATION. THEY WANT TO TALK TO REAL LIFE RANGERS. THEY WANT UP TO DATE AND ACCURATE SCIENTIFIC INFORMATION. IF HISTORICAL RESEARCH HAS DISCOVERED NEW INFORMATION, THEY WANT IT REFLECTED AT THE PARK. THEY ARE NOT TAKING THEIR FAMILIES ON HISTORIC LEARNING EXPERIENCES TO FILL THEM WITH OUTDATED OR INACCURATE INFORMATION. THEY WANT FILMS AND SIGNS AT VISITOR CENTERS AND THROUGHOUT THE SITES THAT, IF NOT UP TO THE LATEST STANDARDS OF TECHNOLOGY AND INFORMATION, ARE NOT DECADES BEHIND.

THE NATIONAL PARK SERVICE IS THE GREATEST COMBINATION REPOSITORY OF HISTORIC CULTURAL INFORMATION IN AMERICA. IT HAS THE ACTUAL SITES BUT MUCH MORE. JOURNALS AT VALLEY FORGE, RIFLES AT GETTYSBURG, AN INCREDIBLE COLLECTION OF ARTWORK, AT MESA VERDE INVALUABLE ARTIFACTS FROM AMERICA'S EARLIEST DAYS – JUST TO NAME A FEW.

ADD GRIZZLY BEARS IN ALASKA, BATS AT CARLSBAD CAVERNS, BISON, BIRDS OF ALL SORTS AND VARIETIES, FISH, FROGS TO GRASSLANDS, MOUNTAINS, LAKES, DUNES AND MASSIVE WETLANDS LIKE THE EVERGLADES AND BIG CYPRESS - AND YOU HAVE AMERICA'S PREMIER COLLECTION OF NATURAL HISTORY AS WELL.

CAN THESE RESOURCES BE BETTER UTILIZED IN OUR NATION'S EDUCATION SYSTEM?

AND, ULTIMATELY, YOU CAN FIX THE BACKLOG BUT IF THERE ARE NOT ENOUGH RANGERS OR OTHERS TO CLEAN THE RESTROOMS, MAKE SURE THE ROADS ARE MAINTAINED, GREET THE VISITORS, DO THE RESEARCH, AND ALL THE OTHER TASKS FACING THE PARK SERVICE, THE NATIONAL

PARK SERVICE WILL NOT BE SERVING THE DESIRES OF THE AMERICAN PUBLIC.

WHILE THE PARK SERVICE HAS RECEIVED INCREASES IN FUNDING, WE HAVE ADDED NEW AREAS AND LAND TO THE SYSTEM. THE PARK SERVICE HAS FACED RAPIDLY RISING HEALTH AND PENSION COSTS FOR THEIR EMPLOYEES. WE HAVE SEEN NATIONAL PARKS LIKE ORGAN PIPE IN ARIZONA OVER-RUN WITH ILLEGAL IMMIGRANTS AND DRUG TRAFFICKING SUCH THAT A RANGER WAS KILLED IN A SHOOTOUT AND ONE OF ARIZONA'S TOP HIKING TRAILS IS CLOSED FOR SAFETY REASONS.

HOMELAND SECURITY DEMANDS HAVE BEEN SIGNIFICANT. THE FAVORITE TARGETS MENTIONED BY TERRORISTS INCLUDE MANY MANAGED BY THE NATIONAL PARK SERVICE. THE CAPITOL MALL HERE IN WASHINGTON IMMEDIATELY COMES TO MIND, BUT ALSO INDEPENDENCE HALL, THE STATUE OF LIBERTY, THE GATEWAY ARCH, MOUNT RUSHMORE, AND EVEN THE LAND AT BOTH ENDS OF THE GOLDEN GATE BRIDGE ARE ALL THE RESPONSIBILITY OF THE PARK SERVICE.

SO WHILE WE HAVE INCREASED SPENDING FOR THE NATIONAL PARK SERVICE, THE CHALLENGES HAVE OVERWHELMED THE DOLLARS AVAILABLE.

THE ADMINISTRATION HAS TAKEN MANY CREATIVE AND INNOVATIVE MEASURES TO TRY TO STRETCH THESE DOLLARS. JUST BECAUSE THERE IS A DECLINE IN THE NUMBER OF PERSONNEL DOES NOT NECESSARILY MEAN THAT SERVICES MUST DECLINE. EVERY AGENCY, INCLUDING THE NATIONAL PARK SERVICE, MUST BECOME MORE EFFEICITENT. NPS WORKS WITH THE ORGANIZATIONS PRESENTING TODAY, AND OTHERS, TO RAISE PRIVATE DOLLARS. DEMONSTRATION FEES AND OTHER FEES FROM CAMPING TO CONCESSIONAIRES, ADD DOLLARS TO THE SYSTEM.
THE CHALLENGE WE FACE IN HEARINGS SUCH AS THIS, AS IT IS IN EVERY AGENCY OF THE FEDERAL GOVERNMENT UNDER EVERY ADMINISTRATION, IS GETTING SPECIFIC TESTIMONY ON BUDGET CHALLENGES. EVERY ADMINISTRATION IN EVERY AGENCY HAS OMB, THE OFFICE OF MANAGEMENT AND BUDGET, REVIEWING ALL TESTIMONY. I UNDERSTAND THAT. WE HOPE THAT OMB, IN THIS ADMINISTRATION, WILL ALLOW THE NATIONAL PARK SERVICE TO AT LEAST TELL ITS SUCCESS STORIES. WE HOPE THAT EMPLOYEES WILL BE ALLOWED TO SPEAK FREELY WHEN QUESTIONED AND NOT JUST HAVE TO DEFEND THE STATUS QUO.

AS A STRONG REPUBLICAN, AND AN AVID SUPPORTER OF PRESIDENT BUSH, I HOPE THESE HEARINGS WILL BE PERCEIVED AS COOPERATIVE BY THE ADMINISTRATION. BUT WE ARE AN OVERSIGHT COMMITTEE. ANY LEGISLATION MUST ORIGINATE AND GO THROUGH THE AUTHORIZING

COMMITTEE. ANY APPROPRIATIONS MUST ORIGINATE AND GO THROUGH THE APPROPRIATIONS COMMITTEE. BUT THIS COMMITTEE IS AND ALWAYS HAS BEEN THE PRIMARY OVERSIGHT COMMITTEE OF CONGRESS. WHEN THE REPUBLICANS TOOK OVER CONGRESS IN 1994, WE CHANGED IT TO GOVERNMENT REFORM, BECAUSE IT IS OUR SPECIFIC DUTY THROUGH OVERSIGHT TO IDENTIFY WHAT IS WORKING, WHAT ISN'T WORKING, AND RECOMMEND REFORMS. TO DO THAT WE MUST HAVE COMPREHENSIVE INFORMATION, WHICH WE WILL OBTAIN OVER THE COURSE OF THESE HEARINGS.

OUR WITNESSES TODAY INCLUDE MANY OF THE MOST INFORMED PEOPLE IN AMERICA ON THE STATUS OF OUR NATIONAL PARKS.

STEVE MARTIN IS DEPUTY DIRECTOR OF THE NATIONAL PARK SERVICE, RECENTLY ARRIVED FROM BEING THE INTER-MOUNTAIN REGIONAL DIRECTOR. HE HAS SERVED AS SUPERINTENDENT AT NUMEROUS PARKS, MOST RECENTLY GRAND TETON.

VIN CIPOLLA OF THE NATIONAL PARKS FOUNDATION, GRETCHEN LONG OF THE NATIONAL PARKS AND CONSERVATION ASSOCIATION (NPCA), AND EMILY WADHAMS OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION REPRESENT THREE ORGANIZATIONS FOCUSED ON SUPPORTING OUR PARKS AT THE NATIONAL LEVEL WITH STATE AND REGIONAL AFFLIATES ACROSS AMERICA.

PEYTON KNIGHT OF THE AMERICAN LAND RIGHTS ASSOCIATION IS A PREMEIR SPOKESMAN FOR CONCERNS OF THE PEOPLE MOST IMPACTED BY MANY PARKS DECISIONS, THOSE WHO LIVE IN AND AROUND THEM.

DENNY GALVIN IS THE FORMER DEPUTY DIRECTOR OF THE NATIONAL PARK SERVICE, AS WELL AS FORMER SUPERINTENDENT OF NUMEROUS PARKS INCLUDING YELLOWSTONE, YOSEMITE AND EVERGLADES.

WE THANK YOU ALL FOR JOINING US TODAY.

Mr. SOUDER. First, let me do a couple of procedural matters. Before proceeding, I would like to take care of a couple of these matters.

First, I would like unanimous consent that all members have 5 legislative days to submit written statements and questions for the hearing record and that any answers to written questions provided by the witnesses also be included in the record. Without objection, it is so ordered.

I also ask unanimous consent that all exhibits, documents and other materials referred to by the members and the witnesses may be included in the hearing record and that all members be permitted to revise and extend their remarks. Without objection, it is so ordered.

Our first panel, as is the tradition of this subcommittee, is the administration; and today it is composed entirely of Steve Martin, Deputy Director of the National Park Service. Because we are an oversight committee, it is our practice to ask all witnesses to testify under oath. So if you would raise your right hand.

[Witness sworn.]

Mr. SOUDER. Let the record show that the witness responded in the affirmative.

Mr. Martin will now be recognized for his opening statement. We ask you to summarize in 5 minutes all opening statements; and any other statements, as you heard, will be put into the record. If you go over a little, that will be fine this morning, and we will allow for the questions too.

Mr. Martin.

STATEMENT OF STEVEN MARTIN, DEPUTY DIRECTOR, NATIONAL PARK SERVICE

Mr. MARTIN. Mr. Chairman, thank you for the opportunity to appear before you today; and thanks for that opening statement. That was great as well.

And, as you mentioned, I will submit a complete statement for the record.

The stewardship responsibilities of the National Park Service have grown significantly in both size and complexity since 1916. Today, we manage 388 parks and other units, with a diverse array of natural and cultural resources covering 88 million acres.

Visitation at parks last year was about 277 million. Surveys consistently show that about 95 percent of visitors are satisfied with the quality of their experience when they visit a park. We have every reason to believe that the parks and other units of the National Park Service and the external programs we manage will continue to be highly valued by the American public and a critical and important legacy that each generation leaves to the next.

President Bush has emphasized the importance of our stewardship responsibility by focusing resources on taking better care of our parks. We have had much success in reducing the maintenance backlog and in changing the way we manage our facilities. The administration and Congress have also supported steady increases in operating funds; and the administration has taken steps to improve management on several fronts, setting the stage for us to do more with available resources.

The President's budget request for the National Park Service for fiscal year 2006 is $2½ billion, $2.2 billion in national park appropriations and $320 million in transportation appropriations. We received a $64 million increase for operation of the National Park System for fiscal year 2005, which increased parks base budgets nationwide.

The fiscal year 2006 budget request would buildupon that growth by increasing operations by $50.8 million above the fiscal 2005 level, allowing for increases for paid benefits and other fixed costs.

As for other sources, we anticipate receiving about $106 million in revenue from recreation fees, national park pass fees, and transportation fees, and about $38 million in concession fees. In addition, the National Park Service also receives a great deal of financial and in-kind support from cooperating associations, friends groups and other partnerships.

Many parks benefit tremendously from the work done by volunteers. Currently, about 140,000 Americans serve as volunteers in our parks.

The maintenance backlog is a key issue. The fiscal year 2006 budget meets the President's goal of investing $4.9 billion over 5 years to address the deferred maintenance backlog. The fiscal year 2006 amount toward this goal is $1.1 billion; $320 million of that amount is for park roads funding. It depends on full funding by Congress and the administration's proposal for the highway reauthorization bill.

Through 2004, the National Park Service has undertaken over 4,000 facility improvement projects. Visitors are now seeing improved trails, more accessible campgrounds, better visitor centers, better roads, stabilized historic structures, and reduced environmental threats. With more funding per cycle for maintenance, we are ensuring recent improvements will be maintained.

In addition to funding, the National Park Service has developed a comprehensive asset management strategy that has enabled, for the first time in its history, the Park Service to inventory its assets and measure the condition of its facilities. During the last 3 years, we have produced a comprehensive inventory of our assets that includes 19,000 buildings. We anticipate having comprehensive condition assessments for all 388 units by the end of 2006. This will enable the Service to target funds to the highest priority needs.

On homeland security, since the September 11th attacks, the National Park Service has placed a priority on addressing security and law enforcement needs at icon parks, parks along the border and national park units that include critical infrastructures such as dams. Our law enforcement personnel are actively engaged in stemming the tide of drug cultivation, smuggling, illegal immigration, and tending to homeland security measures. We work closely with the Department of Homeland Security and other Federal, State, local and other agencies to coordinate these activities.

We're also doing a number of things in management improvements. Some of those things will have a huge impact long term on our ability to continue to provide good customer service to our visitors.

One area is concessions. Seven years ago, when Congress passed the new concessions law, the National Park Service Concession

Program was in poor shape. With the help of business consultants we have made the program much more business-like and we have begun to professionalize our work force. Since 2001, we have awarded 322 contracts, and by the end of the year we expect to have the total—we expect that total to be 447, which will reduce our backlog to about 100 contracts.

We are also improving the way we manage partnership construction projects, projects such as visitor centers, that outside organizations are helping us with. We need to ensure that these projects fit our needs. We have implemented a comprehensive project review process that includes service by training, project tracking and accountability.

In a third area, the National Park Service continues to make progress toward its goal of developing a scientific base of knowledge about park resources through the Natural Resource Challenge. This initiative has expanded existing inventory programs, developed efficient ways to monitor the vital signs of natural systems, and expanded natural resource conservation activities in parks. Park managers now have key information on the status and trends in park ecosystem health.

We are also undertaking improvement of our business practices in several ways. The National Park Service continues to expand the use of the Program Assessment Rating Tool to inform budget formulation and program management decisions. We have developed a parks scorecard, which is an indicator of park financial health used to aid in identification and evaluation of base budget increases. And we have developed a core operations analysis that integrates management tools to improve park efficiency.

Under another part of the President's management agenda we continue to pursue competitive sourcing, which provides a means for the National Park Service to evaluate its business practices and identify more effective ways to deliver service.

Mr. Chairman, in summary, we are working harder and more effectively to meet the challenges of managing the National Park Service and the other programs the Service is responsible for. We appreciate the interest and the support of this subcommittee in our endeavors.

That concludes my statement, and I would be happy to answer any questions.

Mr. SOUDER. Thank you very much.

[The prepared statement of Mr. Martin follows:]

STATEMENT OF STEPHEN P. MARTIN, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY AND HUMAN RESOURCES OF THE HOUSE GOVERNMENT REFORM COMMITTEE, AT AN OVERSIGHT HEARING ON KEY ISSUES FACING THE NATIONAL PARK SERVICE

April 22, 2005

Mr. Chairman, thank you for the opportunity to appear before you today at this oversight hearing on key issues facing the National Park Service (NPS). We are pleased to provide an overview on the subjects of this hearing, including funding for the NPS, the maintenance backlog, homeland security, and management issues. As the range of subjects is quite broad, my remarks will only briefly touch on each one.

The stewardship responsibilities of the NPS have grown significantly in both size and complexity since 1916, when the NPS was established to manage what was then about 38 national parks and monuments, all located west of the Mississippi River. Today the NPS manages 388 parks and other designated units covering 88 million acres of land throughout the United States and its territories, conserving and interpreting a broad and diverse array of natural and cultural resources. We also manage a number of grant and technical assistance programs to further conserve, protect, and interpret our Nation's historical, cultural, and recreational resources.

In 1916, the parks under the management of the NPS received about 360,000 visitors. By 1963, visitation had reached 100 million; and between 1963 and 1976, visitation doubled to 200 million. Last year, visitation at national park units was about 277 million. While growth in visitation has been relatively moderate during the last decade, the parks continue to be immensely popular. The parks offer an array of rewarding opportunities for enjoyment, respite, reflection, education, and outdoor recreation, and surveys consistently show that around 95 percent of visitors are satisfied with the quality of their experience when they visit a park. We have every reason to believe that the parks and other units of the National Park System and the external programs we manage will continue to be highly valued by the American public and a critically important legacy that each generation leaves to the next.

President Bush has emphasized the importance of our stewardship responsibility for the National Park System by focusing resources on taking better care of our parks. Most notably, the Administration has made it a priority to reduce the maintenance backlog at parks. We have had much success in that area, not only in terms of increasing investments in our park infrastructure, but also in changing the way we manage our facilities. The Administration has also supported steady increases in operating funds, while at the same time trying to slow the growth of the NPS's responsibilities so that the demand for funds would not grow faster than the available monies. And, the Administration has taken steps to improve management on several fronts, setting the stage for us to do more with the available resources.

Funding

The priorities of the Administration for the NPS are expressed in the FY 2006 budget request, which totals about $2.2 billion in Department of the Interior appropriations and $320 million in Department of Transportation appropriations. The FY 2005 appropriation for the Department of the Interior provided a net increase of about $64 million for operation of the National Park System, which resulted in an average increase to park base budgets this year of approximately 6 percent. The FY 2006 budget request would build on last year's substantial growth by increasing operations funding by $50.8 million above the FY 2005 enacted level, allowing for, among other things, increases for pay, benefits, and other fixed costs. The budget request also emphasizes funding for the deferred maintenance backlog and a variety of management improvements and reforms.

The NPS relies on other funding sources in addition to appropriations to help carry out our mission. We anticipate receiving about $278 million in FY 2006 in special fund receipts. That figure includes about $160 million in revenue from the recreation fees, National Park Pass fees, and transportation fees, and about $38 million in concessions fees. In addition, NPS also receives a great deal of financial and in-kind support from cooperating associations, friends' groups, and other partnership entities. Many parks benefit tremendously from the work done by volunteers, which increased by 14 percent in 2004, when we saw 140,000 Americans serving as volunteers in our parks.

Maintenance Backlog

The FY 2006 budget request meets the President's goal of investing $4.9 billion over five years to address the deferred maintenance backlog. The FY 2006 amount toward this goal is $1.1 billion. It includes $717 million for facility maintenance and construction in NPS appropriations, $320 million for park roads within the Department of Transportation's Federal Lands Highway Program, and an estimated $108 million in funding dedicated to maintenance from recreational fees. Park roads funding, which would bring 80 percent of park roads into good or excellent condition, depends upon full funding of the President's request and enactment of the Administration's proposed reauthorization of the Transportation Equity Act for the 21st Century (TEA-21).

Through 2004, with the funding requested by the Administration and provided by Congress, NPS has undertaken over 4,000 infrastructure and facility improvement projects nationwide. As a result, visitors are seeing improved trails, more accessible campgrounds, rehabilitated visitor centers, better roads, stabilized historic structures, and reduced environmental threats through improved drinking water and sewage processing systems. An increased focus on cyclic maintenance will help ensure that recent improvements will be adequately maintained.

In addition to promoting more funding for maintenance, the Administration has also focused on the management of facilities. The NPS has developed a comprehensive asset management strategy that has enabled the NPS, for the first time in its history, to inventory its assets and measure the condition of its facilities. During the past three years, NPS has produced a comprehensive asset inventory and established a NPS-wide baseline for facility conditions. We now have preliminary condition assessments for all 388 units, and we anticipate having

comprehensive condition assessments for all of them by the end of 2006. This management tool will enable NPS to target funds to the highest priority needs.

Homeland Security

In addition to the other challenges the current Administration inherited, we have also had to respond to the threat of terrorism following the September 11 attacks. While the NPS had long been aware that some of our icon parks—the parks that represent our national symbols—may be vulnerable to terrorists activities, the threat to those parks, and others, became much clearer in 2001. Since that time, the NPS has placed a priority on addressing security and law enforcement needs at icon parks, parks along the U.S. border, and NPS units that include critical infrastructure such as dams and water reservoirs. These parks have reevaluated their emergency operations and law enforcement capabilities and made changes as appropriate.

In addition to securing NPS units, the NPS also provides backup response services at several Bureau of Reclamation dams and reservoirs. NPS law enforcement personnel are actively engaged, in cooperation with the Department of Homeland Security and other Federal, state, and local agencies, in stemming the tide of drug cultivation, smuggling, illegal immigration and tending to homeland security measures at icon, border and coastal parks.

The NPS provides security for these areas through the deployment of additional law enforcement park rangers, contract security forces and U.S. Park Police Officers. Specialized training and improved equipment have enhanced security capabilities through physical and technologically advanced security systems. The NPS maintains a surge capacity to rapidly move law enforcement personnel for short or long stays to icon and critical infrastructure parks in the event of elevated threat level or large special events. We also work closely with other Federal, state and local law enforcement agencies to coordinate activities and share resources. The NPS will continue to work to the best of its ability to provide an appropriate level of protection at icon, border, and critical infrastructure parks.

Management Improvements

This Administration has also placed a high priority on improving the management of the NPS. We noted earlier the way NPS facilities are managed so that we can better prioritize spending. In addition, there have been other management changes that will have a huge, long-term positive impact on our ability to continue to provide good customer service to our visitors.

One area in which we have made improvement is in our concessions management program. Passage of the Concessions Management Improvement Act of 1998, which introduced more competition into the concessions contracting process, generated a dramatic change in the way in which the concessions program is conducted.

Five years ago, the NPS concessions program was in poor shape. The program had been criticized in numerous reports by the Department's Inspector General, the Government Accountability Office, and outside auditors, and it faced a huge backlog of expired or soon-to-be-expired contracts. For the first time in NPS history, the NPS needed to award almost all of the approximately 600 concession contracts.

In response, we conducted a top-to-bottom review and engaged PricewaterhouseCoopers to bring best practices to our efforts and develop protocols for contracting and contract oversight. We began to professionalize our workforce by hiring staff with graduate business degrees and developing training courses for NPS personnel. Since 2001, with the assistance of four top business consultants, we have awarded 322 contracts and expect to award another 125 by the end of this year, bringing the total to 447. This will reduce our backlog to approximately 100 contracts.

The change has not been easy for concessioners or for NPS personnel, and there are still issues that remain unresolved, but we now have a much more business-like program. We are beginning to see a real improvement in visitor services and a better return to the Federal government from concession franchise fees as well as improved maintenance of facilities often required in concession contracts.

The NPS has also improved the way we manage partnership construction projects. For the last several years, we faced a growing problem of well-meaning organizations that wanted to partner with us on building new facilities in parks, usually visitor centers that would ultimately require a larger Federal contribution not only for the project's construction, but also for the cost of maintaining the new facility. Over the last year, the NPS has undertaken a complete inventory of all partnership construction projects of more than $1 million and implemented a comprehensive project review process that will ensure that projects are mission-essential and achievable. As elements of this process, the NPS has instituted service-wide training, a project tracking system, and an accountability system that will be incorporated into the performance plans of regional directors and superintendents.

The NPS has identified 45 projects valued at $5 million or more at all stages of planning, the level that requires Congressional concurrence. The NPS will move ahead on projects only after the NPS leadership has determined that:

- the proposed projects address NPS priorities and are consistent with park general management plans,
- partners have the capability to raise promised funding,
- any expected capital contributions from the NPS have been prioritized in the five-year capital plan, and
- ongoing operation and maintenance costs are known and can be sustained over time.

Additionally, the NPS has initiated a standard policy of including language in all agreements with partners that specifically prohibits the solicitation of funding from Congress outside of the budget process.

The NPS is also working toward innovation and reform in the way it manages natural and cultural resources, as well as the way it manages money and information. The NPS Natural Resource Challenge (NRC) continues to make progress towards its goal of developing a scientific base of knowledge about park resources. The NRC is an initiative that has expanded existing inventory programs and developed efficient ways to monitor the vital signs of natural systems, enlisted others in the scientific community to help, and expanded natural resource conservation activities in parks. The FY 2006 budget proposal includes a $4.9 million increase to

allow for the monitoring of park vital signs and water quality in all 32 multi-park networks for the first time. This monitoring provides park managers with key information on the status and trends in park ecosystem health, defines normal limits of variation in measurable features, provides early warning of situations that require management intervention, suggests remedial treatments and frames research hypotheses, and in some cases determines compliance with laws and regulations.

In an attempt to move toward greater levels of budget and performance accountability, the NPS continues to expand the use of the Program Assessment Rating Tool (PART) activity-based costing, and preliminary planning efforts associated with competitive reviews. PART evaluations and recommendations continue to inform both budget formulation and program management decisions.

We have been working to improve our budget formulation process, particularly related to park specifics, by making it more transparent. We have initiated two new processes to meet this requirement. First, we have developed a park scorecard. The scorecard is an indicator of park financial, operational, and managerial health used to aid in the identification and evaluation of base budget increases for park units. It provides an overarching snapshot of each park's current situation by offering a way to analyze individual park needs and to compare these needs with those of other parks.

Second, we have developed a core operations analysis process that integrates management tools to improve park efficiency. The process is designed to assist park management in making fully informed decisions on staffing and funding alternatives that tie to core mission goals. This will ensure that: funds are spent in support of a park's purpose; funds are spent in an efficient manner; a park's request for funding is credible; and there are adequate funds and staff to conserve and protect the resources for which parks are responsible. The Intermountain Region has been successfully using these analyses and we are already taking steps to implement the process throughout the NPS.

The NPS maintains its support for the President's Management Agenda and has funding in the FY 2006 budget for improving information technology (IT), financial accountability, and other management reforms. The budget proposal includes funds totaling $6 million for fee program data analysis improvements, a dozen assorted IT initiatives, including security upgrades and the implementation of an enterprise server network, and reform of the Federal Land Acquisition administrative function. The FY 2006 budget also proposes a series of management actions, including rental space consolidation and fleet management reforms that will bring over $4 million in savings to the government.

Finally, I would like to touch briefly on competitive sourcing, another part of the President's Management Agenda. Competitive sourcing is providing a means for NPS to evaluate its business practices and identify more effective ways to deliver service. One successful outcome of this process occurred at our Southeast Archeological Center, where operations were reconfigured to a more efficient workforce structure, saving an estimated $850,000 per year over five years. Another was at Natchez Trace Parkway, where facility maintenance savings resulting from a competitive review will save $1.2 million over five years. In both of these cases, by

improving the management of these functions, the NPS employees were retained. Five areas began undergoing preliminary planning efforts in 2004. Another three parks are scheduled for preliminary planning in 2005.

Mr. Chairman, in summary, we are working harder and more effectively to meet the ongoing challenges, and new ones that come along, of managing the National Park System and the other programs the NPS has responsibility for. We appreciate the interest and support of this subcommittee in our endeavors. That concludes my statement, and I will be happy to answer any questions you or other members of the subcommittee may have.

Mr. SOUDER. One of the things that I've talked about personally as we've discussed this hearing and one of the things that our subcommittee does in our primary oversight areas has been—because we do authoring and oversight on narcotics, but it's true of multiple hearings that we've done in this past week and some that we have coming up on a number of diverse issues beyond narcotics.

Earlier this week, we did a hearing looking at Medicaid/Medicare funding in cases like Terry Schiavo with HHS. We have one coming up with the Office of Faith-Based. We have HHS questions, Department of Education, things where we have oversight is to get documents, because that's what we do, we review. You mentioned a number of these, and I would like to make a verbal request to also give a—we will put it in writing so you have a written request—among these—and we will work precisely, what is the best way to do this and how.

But toward the end of your testimony you said you had developed a park scorecard, which is an indicator of park operational and managerial health. We would like to see what that scorecard is, how you make that decision, and how measurements are done. I think it is admirable to try to do that.

We're having this same discussion—and it has become a matter of discussion in the narcotics area. We are having—Department of Defense, Department of Education, Department of HHS, Department of Homeland Security will all be testifying in the next 3 weeks; and one of the questions is, is when they made proposals to transfer, did they have such scorecards and on what basis are they making requests to do this.

Because when we are being asked, as Congress, to look around and how to fund, it's helpful to know how decisions are being made. For example, the administration was proposing moving from HIDTA to OCEDEF—which are two lingo names inside the drug task force area—but had no scorecard to identify or measure. Therefore, basically, although it hasn't been officially announced, they're not getting their request; and it's going to stay the way Congress designed it.

And as we look at these different parks and do the type of analysis, I think, A, it's good to have a parks scorecard. We would like to have a copy of that and then talk about it, and that may lead to other questions that come up as we move through the hearing process.

Similarly, you mentioned that you have a core operations analysis to see how that is working. At some of the parks I've visited, I've had different people describe, as they were developing it, it was kind of a new phenomenon to try to put these type of business-type criteria in a lot of the parks. But as we try to work with the type of budgets we have, we need to see how—and that's particularly what this committee does in reforming operations as whole—and all the different subcommittees—is look at how these processes are being set up. Are the agencies doing it in a wise management way? How are they making this decision? And, quite frankly, how is Congress tinkering with them? It's not like we don't do earmarks and we don't cause chaos in your life as well.

Also, could you tell me—you said that in this inventory of comprehensive asset inventory, which I believe the first time—you

have a lot of cultural assets at Golden Gate, and I remember them going through trying to do an asset inventory like this. You said they have all—you expect to have them all done at the end of 2006, and you have preliminary on 388. We're not really interested in seeing all the asset inventory of every park, but if you could give us some examples of how the inventory assessment is being done, where you think—and what do you think is being accomplished through the asset inventory management.

Some part of this—from who I have talked to at the parks, part of this is you have so many structures there, having to determine which ones are going to be the priority in fixing and so on. Could you describe where you're going to use the asset inventory and how you see that being utilized and, also, what will be the most useful things for this committee to look at as far as asset management?

Mr. MARTIN. In answer to the first part, we would be happy to share both the scorecard, which is a certain level of analysis and snapshot at the big picture, kind of being able to, at a glance, look at what is going on within all of the parks. And the core of operations is actually where we work with park staff to change, you know, kind of how we view priorities and how we view efficiencies and ways to save costs and other things. So we would be happy to, in much more detail, share that with you and your staff and can bring people in from the field or from our other offices.

The whole concept of asset management is something that we have been working on for a number of years; and I think this most recent effort is, I would say, the most sophisticated and has been the most broadly embraced by the field. It's something that I think, you know, as you look back at our efforts to take care of an aging infrastructure and also a very significantly important infrastructure with our historic facilities, we had to begin to get a grip on how do we manage this? How do we seat priorities? How do we invest literally hundreds of millions of dollars that are going into maintenance and improvements and service? And are we doing it in the right way?

We have actually—as the process has evolved, we have gotten better at it; and I think we are still improving.

But in a given park, you go in, and first you just start with a building inventory, and then from that you actually—you know, working with park staff, working with outside groups, you do an analysis of what is the priority for maintenance, how do you organize this, what is your most important asset, if you can do that, or certainly set a band of most important.

And then for all of them you go in—at Teton, where I was working, we got a group of people, including some engineering graduate students, to come in, and maintenance employees who had worked on these building for a few years, to go through and actually make a list of what kind of condition is this building in, what is the different building components, from the utility systems to the roof.

It begins to then generate a data base that says, you know, these are the needs of the Park Service for the next few years and these are the needs of these key priority assets for the next few years. So we can begin not only to look at, you know, what has been termed as the backlog, but, really, how do we develop a program

to maintain these assets for the long haul. Because that is really what we're all about.

And also to make decisions on should we build a new facility, is the lifecycle cost of this building, if it is not a historic structure, so onerous that maybe the best thing to do is build a new one, or is this even an asset that we need. And we're finding in many cases that we have things that should be trimmed out of our building inventory because they're not useful, they're no longer functioning as they were designed, and it makes the most sense to do that.

So it's a complex and I think a very good system. Like I said, it's really interesting because it's an initiative that this administration has been very supportive of, but it's also interesting to see the level of support by our chiefs of maintenance and other staff in the field, and I think over the next 3 years it will continue to help us make these decisions.

Mr. SOUDER. As we move into the field and do more formally what I have kind of done informally in the last years in visiting parks and probably—I mean, our intention is to finish with the hearing and focus in on, OK, here we have now prioritized things, these things are going real well, these are things that we need to focus on more.

I want to kind of plunge into the weeds of this area for a second before I go back and ask you some tradeoffs in what type of things we will look at, and let's talk about Grand Teton for a second. I want to give you a couple of examples—I'm not panicking you. I'm not headed anywhere specifically. I'm just going to use it as an illustration. Because when I visited Grand Teton and I told them this next piece of information, they immediately worried what my goal was. I didn't have a goal.

Years ago—since I'm older now, many years ago, we stayed at White Grass Ranch, which is basically going to seed now. You can go through the area. I think it had asbestos. And I think that you made decisions to keep one ranch, but let others, as Grand Teton park went, go to more natural states like they originally were. This one wasn't torn down, but it's falling down gradually.

I also was taken over to a—what would be, let's just say, a less sophisticated tourist—it wasn't a tourist ranch like White Grass, which was more or less a Rockefeller-funded type of a setup than was added to the park, one that was more a squatter, and then he had a couple of tourists. It was in terrible shape, and it was a question of should that stay or not stay. And the State Historical Society felt that it should stay because it was an unusual representation of that type of camp, unlike the other types of camp, and yet it was, in the visitor question, is Grand Teton a cultural or a national park?

Similarly, there are whole ranges of questions like that, and what I'm kind of, by giving those two particular examples, asking is, in this asset inventory, how do you factor in variables of—and is it built into your system to factor in the tradeoffs of cultural/natural, the tradeoffs of things that may exist outside the park in a given State, or even from a national perspective of this is very unique, we have 100 of these in the system, so here is the balance.

First off, just giving an asset inventory is a big step, then getting some criteria. But are these the type of value judgments that are

in, or does it tend to be more mechanical of the cost, and then kind of a gut feeling for the tradeoffs? How does it——

Mr. MARTIN. That's a great question, and it's something that we work on and struggle with, work with our partners and work with, you know, the outside groups like you mentioned, the historical societies and others, to make those choices.

The asset management system is largely set up to have decisions like that made outside of it. You would make those kind of decisions that you're talking about through your general management planning. We do evaluations and inventories of historic buildings. We have a process that we've started—I wouldn't say real recently, but it's relatively new in Park Service terms—of looking at cultural landscapes. And the protection of resources is an evolution, you know, like many things within our culture, and so we're learning more about some of these assets, that we're now finding, you know, this historic resource might be really important, and it might even be important, interestingly enough, for telling a natural resource story. So we make those evaluations all the time, but largely they're done outside of the specific, more, I would say, you know, kind of process looking at engineering and deployment of funds.

Now, the process, though, accepts those kinds of decisions. So as you rate the importance of your assets, as you determine what is our highest priority need, what is the most threatened of our resources, then you would incorporate those decisions into that. So it accepts that kind of information. But, generally, if it's significant information on what and how to save this building and should it be decided, that is done through one of our other planning efforts that includes quite often, you know, the NEPA compliance and other things. But it is compatible with that, and I think it will help us and allocate resources where they are most needed when we receive them.

Mr. SOUDER. You alluded to the Individual Parks Management Plan. Is there a standard approach that a park management plan needs to be updated a certain number of years, or is that at the recommendation of the superintendent that this is becoming outdated? Since that is the kind of critical this-is-where-we're-headed-over-the-next-period-of-time, then you're putting these other park scorecard core analysis and inventory management, how does a park—when I see these—Yosemite, for example, has been a real wonderful discussion on a park financial plan. How does it cycle through?

Mr. MARTIN. We try to keep those planning—the nature—what we call either master plan or general management plan current. It does vary on the cycle of those. Some of those have been in place for a long time and have been amended where it makes more sense to just tweak it, as opposed to making wholesale changes.

In a region like the intermountain region, at any given time, of our 88 units we will have 10 or 15 that are undergoing different levels of overall general management planning. And it really—it varies. If you have a park that is a new park unit that doesn't have one, that is a high priority because we need to work with the communities and work with our partners and also analyze the interests of Congress and others in the establishment of it. Are we meeting

those challenges? And others, it is because the plans have become outdated.

Like I mentioned, it is a continuum, it is a changing cycle, and they need to be updated just because of recognition of different resource needs, different operational needs, different visitor needs. So there is not any, you know, we do them all every 5 years, because in some ways the other thing that we found is that as we interact more—which we are very supportive of—with our public and others, it takes longer and it is more expensive to do them.

So we do an assessment. OK, do we need this? Do we have the right guidance? Are we making the right decisions? And then you would move forward into the planning. But there are ways of amending, doing minor changes as well trying to keep ourselves relevant, keep us in compliance with the Environmental Policy Act, and keep us in close connection and cooperation with our neighbors.

Mr. SOUDER. Do you have a backlog of management funds?

Mr. MARTIN. Yeah. We have some needs in those areas, but part of that is that it is also—like a lot of things, you know, I think we have adequate funds to meet the key needs that we have right now.

Mr. SOUDER. Could you also—this is kind of a side part of that, but a member from our park subcommittee asked this question, I believe, the last time, which is now 2 years ago, a National Heritage Area study that Congress had requested, I believe. If you could update this for our records that we have—I think you can process 8 a year, and we were backlogged 20 the last time I heard, or 30, which would mean 3 to 4 years after Congress passes a bill for a study, we didn't get the study, and so sometimes we're actually then passing the heritage era before the study is done. Could you get the latest data on that, of approximately how many studies can be done a year, and what is the backlog on the number of studies?

Mr. MARTIN. We'll get that to you.

Mr. SOUDER. I yield to Mr. Cummings.

Mr. CUMMINGS. I want to thank you very much, Mr. Chairman, for holding this hearing.

I will submit my opening statement for the record.

[The prepared statement of Hon. Elijah E. Cummings follows:]

Opening Statement of
Representative Elijah E. Cummings, D-MD-7
Ranking Minority Member
Subcommittee on Criminal Justice, Drug Policy, and Human Resources
Committee on Government Reform
U.S. House of Representatives
109th Congress

Hearing on "The National Parks: Will They Survive for Future Generations?"

April 22, 2005

Mr. Chairman,

America's national parks are among our greatest national treasures.

What began in 1864 with the federal government's granting of Yosemite Valley and the Mariposa Grove of giant sequoias to California for the public's "use, resort and recreation" has evolved into a national park system consisting of 388 national parks and other units managed by the National Park Service. Created by Congress in 1916, the Park Service's responsibilities also extend

to important preservation efforts aimed at locations and activities well outside the boundaries of these sites.

The nation's parks and monuments offer spectacular venues for recreation and enjoyment, historical preservation and education, and environmental research. Last year alone, more than 270 million people visited units of the National Park Service, compared to just 360,000 who visited the 38 parks and monuments in existence when the Park service was established.

My state of Maryland is home to 63 National Historical Landmarks and, across the state, the Park Service works to preserve a wide variety of physical sites, structures, and objects, as well as less tangible

commodities such community and tribal traditions. Historical buildings, lighthouses, archaeological sites, railroad stations, American Indian tribal communities, and various community traditions unique to Maryland all benefit from the Park Service's preservation efforts.

The tremendous growth of the park system has brought with it a need for ever-greater resources to maintain and preserve Park Service facilities, monuments, transportation infrastructure, and programs. Today's hearing offers an important opportunity to examine what progress has been made toward reducing what has become an enormous backlog of maintenance projects, as well as how various strains on Park Service resources, including those stemming from homeland security

burdens, are being managed and addressed by the Administration.

Whether proposed levels of funding will be adequate to address the maintenance backlog and whether the Park Service should be reimbursed for certain costs related to homeland security are important subjects for the Subcommittee to consider. Witnesses from the Park Service and private sector organizations dedicated to preserving our parks as a resource for future generations will provide their perspectives on these and other key issues facing the National Park Service during a time intense competition for limited federal resources.

I applaud you for your interest and leadership concerning this subject, Mr. Chairman, and I thank

all of our witnesses for appear to sharing their perspectives with us today.

I yield back the balance of my time.

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Mr. CUMMINGS. I'm just curious. You talk in your testimony about surges with regard to homeland security, and I was just wondering how do you—is there—do you expect the Federal Government to reimburse you for those special circumstances where homeland security is involved?

Mr. MARTIN. Well, we've—I guess I'm not quite clear. You said that——

Mr. CUMMINGS. You said that the law enforcement capacity to surge in response to homeland security threats, to other emergencies that may affect iconsites in the park system, and I just want to know how does that——

Mr. MARTIN. Right now, we have funding that allows us to respond within the park units to the critical homeland security needs. There has been an emphasis, we have received some additional money, and then we have also put a focus on it because we feel it is a really key national priority.

Mr. CUMMINGS. And what form does this usually take, in other words, these surges, these problems?

Mr. MARTIN. You know, there is, I would say, a broad focus. We work with homeland security. If there is, you know, something that is brought to our attention or if we go to an elevated security level, we help with protection of the icons, dams. We have a lot going on along the borders. We are working with Border Patrol. So I would say it is pretty all-encompassing for the breadth of the sites that we're responsible for.

But right now we don't get reimbursed from that for homeland security. That is money that we have within our budget or is absorbed within our budget.

Mr. CUMMINGS. And when it is absorbed within your budget, does that affect anything else? I mean, maybe you have money hanging around, but they tell us there is not much money anywhere. And I'm just curious as to how that affects—does that affect staffing, for example?

Well, first of all, how much money are we talking about.

Mr. MARTIN. Well, again, it's really varied. I can get the exact amounts of money, but we've put roughly—and again, I will get you the accurate numbers—but we've put roughly a hundred million into infrastructure improvements, and we've put roughly now around $40 million into reoccurring, and some of that has been appropriations that we have gotten for those purposes, for strengthening borders, working with icons and doing other things. But I will provide you with the exact numbers.

Mr. CUMMINGS. So what I'm trying to get to is do you have some—so even before the fiscal year begins, you're already contemplating those kinds of things? Because it seems logical, logical that if you have a budget, and I assume the budget is what you need, and I'm assuming you're not asking for more than what you need since we're in such dire straits——

Mr. MARTIN. Right.

Mr. CUMMINGS. But I'm trying to figure out what it is. Am I missing something?

Mr. MARTIN. I think—right now, we have the money for what would be considered routine operations, and we program that out, and not just on homeland security, but that's—and, again, through

some of the budget tools that we are looking at, it is enabling us to fairly distribute that over our, you know, what we consider our core and most important needs.

Then, you know, the things that you can't anticipate, then you would reprogram. If we go into—if the Nation goes into a heightened state of emergency, then we're going to participate in that and we're going to do our part. And I think, like others, you know, we're going to find ways to make that happen.

Again, I think it's something that, you know, you can't program for all contingencies, but we feel that we have the funds and the ability to meet, you know, our core responsibilities as they pertain to the homeland security within our budget, and we allocate that. And, again, recently we've received some additional funds for that, and I think that we're meeting those base needs.

Mr. CUMMINGS. Tell me—and you may have addressed this earlier—about understaffing. Do we have an understaffing problem anywhere?

Let me tell you why I'm asking that. A young lady—I can't remember her name offhand—was fired here in the Washington area because she complained about insufficient security at the monument—at one of the monuments or monument sites, I think, if I remember correctly. Why are you shaking your head?

Mr. MARTIN. No, I was trying to understand the——

Mr. CUMMINGS. A young lady who was a member of the Park Service, she was fired. It was a big story——

Mr. MARTIN. Yeah, OK.

Mr. CUMMINGS. Do you remember it now?

Mr. SOUDER. He's new.

Mr. CUMMINGS. I'm sorry, I didn't know you were new.

It was a big story, front page of the Washington Post.

Mr. MARTIN. Yeah.

Mr. CUMMINGS. I'm not going to get into all the details of her situation, but one of the things that she claimed was the fact that—with regard to homeland security and the fact that we needed to have a better situation with regard to those kinds of things, that we were—that there was understaffing. And eventually some higher-ups said you shouldn't have gone and told the public about the understaffing, and she basically said, well, I think I have a duty because, if something happens, then the public may be harmed.

Now all I want to know is about staffing. One of the reasons I asked you the earlier questions is I'm trying to figure out, is there a financial problem when it comes to our situation, the climate of our country since September 11th? We've got—let me finish.

Mr. MARTIN. Yeah.

Mr. CUMMINGS. We've got so many people who are trying to enjoy the parks. They are looking for things to do with their families that are inexpensive. We saw what happened down at—although this is not related to you—in the Olympics a few years back where folks were injured because somebody—some demented person came and blew people up and that kind of thing. And so what I'm trying to get to is, where are we with regard to staffing? Does the climate post-September 11th call for more staffing? Do you have the resources to do that? And should the public feel safe when they go to our parks?

Mr. MARTIN. Not only should they feel safe, but I think that they are safe.

I believe that since September 11th we have stepped up to those needs, and I think—and that's one area where we have increased both our physical needs, you know, making sure we have adequate structures and other things in place to meet those needs, as well as staffing. So I feel that, you know, things are going well.

On the other—it's interesting when you talk about needing a place to go, I think that parks are great places to visit. A study that was done a couple years ago showed that over a 2-year period about 30 percent of people in the United States visited parks. So it is something that is happening. So, yes, we are doing that.

Mr. CUMMINGS. Thank you.

You may be familiar with this, referring back to a CNN piece that appeared on their Web site—this is back July, 2004—and it says, according to a study conducted by the non-profit National Parks Conservation Association—are you familiar with that?

Mr. MARTIN. Yes. Maybe not that study, but I'm certainly familiar with the organization.

Mr. CUMMINGS [continuing]. The entire Park Service operates on about two-thirds of the budget it needs, about $600 million short. And that about—and this is what they said, I'm not saying this—and that about $50 million of that shortfall stems from duties related to homeland security at the so-called icons. So you disagree with that?

Mr. MARTIN. Yes.

Mr. CUMMINGS. How so?

Mr. MARTIN. Well, I feel that, No. 1, that we are meeting our responsibilities when it comes to protection of our parks, protection of our visitors and our icons, as well as the others—and, again, I think we have many, many important sites.

And I think that as we do some of our operations analysis, we're—you know, we're finding that to meet the core operational needs of the service that we're coming up with some different numbers; and we can provide you with some of those if you'd like some additional information.

Mr. SOUDER. What we will do is we will work on a list of 10 icons, ask what has been plussed up and where the rangers—that will be the simplest way to do it because they transfer rangers——

Mr. MARTIN. And we have that information available, and we can get back to you fairly quickly.

Mr. CUMMINGS. Let me just finish this up, because I'm curious about this. I'm going back to this CNN piece. And by the way, the lady's name was Chief Teresa Chambers. I just want to give you this quote, and I want to see what your response—I know you're new, but I just want——

Mr. MARTIN. And I'm somewhat familiar with that, so——

Mr. CUMMINGS. You are now?

Mr. MARTIN. Yeah, I understand what you——

Mr. CUMMINGS. It says, in a memo Chambers wrote that the budget crisis put new hires in doubt, potentially bringing the Park Police staff to its lowest level since 1987 and seriously undermined her officers' ability to protect the icons.

She goes on to say, my professional judgment, based on 27 years of police service, 6 years as chief of police and countless interactions with police professionals across the country, is that we are at staffing and resource crisis in the U.S. Park Police, a crisis that, if allowed to continue, will almost surely result in the loss of life or the destruction of one of our Nation's most valued symbols of freedom and democracy.

And again, in fairness to you, that is back in July, 2004. So I assume that even back then, based upon your knowledge, you would not have agreed with that statement; is that right?

Mr. MARTIN. Yes.

Mr. CUMMINGS. And now assuming—let's play the devil's advocate—and this is not you, me—assuming—you want to read your note?

Assuming that it's true—let's assume it's true. Has anything happened since then to make things—to increase the amount of money available for the Park Service Police?

Mr. MARTIN. Again, I can't speak to the specifics on their budget but would be happy to provide that to you.

That branch of the Park Police is one that is largely focused on the east coast and west coast, and certainly highly in this area. Coming where I did out of the Park Service, we had minimal interactions with them. We did that through our park ranger. We did our law enforcement through the park ranger. But I can provide that information for you.

But what I do know and what I have been briefed on, and I think I have some firsthand knowledge, is that we're continuing to evaluate that. We are looking at the Park Police's budget. We are analyzing, again, both the physical security and the staffing security at these areas to ensure that those—that our homeland security needs and the needs of our icons are being met and the needs of all of our parks.

Again, I really feel, you know, I visited 40 of our areas last year, 40 of our Park Service areas, and I really feel that we have been doing a good job in that area. And not that we aren't continuing to analyze, we are continuing to get additional information and we're continuing to improve, because a lot of this is not only new to the Park Service but it's new to the country. But I really feel like we're addressing those issues. But we can provide you specifics on exactly what has been going on within their budget over the last couple of years. I just don't have those figures off the top of my head.

Mr. CUMMINGS. In many of the parks you have to pay a fee, right?

Mr. MARTIN. Yes.

Mr. CUMMINGS. You may have addressed this a little earlier, but, again, I'm going back to people with families. You know, it's expensive, if you've got a family these days, for somebody who is making—maybe a family is bringing in, say, $80,000, it's tough. And families are consistently looking for things to do with their children. And I'm just wondering how do you all address the issue of fees. How do you do that? I mean, do you——

Mr. MARTIN. The fees are not, at this point, anywhere near what it costs to run a park. I would say that they're one of the greatest

values that's available to the American public. And it's interesting, as we do our surveys, you know, I think it's right around 95 or 96 percent of the people who come to the parks are just—just rate us overall as things are good, and that includes, you know, the fees and other things.

Not all of our parks charge fees. Many of our areas are open without fees. And everything from, you know, local areas to many of our bigger natural units don't. But many do. And it's been a great way for us—and especially recently, with what Congress is providing, not only do we collect them, but those fees go directly back into areas that improve visitor services, that improve our operations for the people that are coming.

So it's a relatively small fee. Many of our areas have $3 to $6 entrance fees per person, $15, $20 a carload. So it's, you know, those are really important moneys, but it's been always kept at a level where it's not a deterrent to visitation.

Mr. CUMMINGS. Is it increasing? I mean, is the number of people coming to our parks increasing?

Mr. MARTIN. After September 11th there was a flattening, in some areas, actually, a decrease; and what we're seeing in the last year or two is that it is going back up. Again, I think it is just that readjusting, you know, like many things within our society. But what we're seeing now is our visitation in our parks is going back up again. Again, it varies site to site, but the overall trend is more people are coming, and it will be real interesting to see what goes on this year. But we're anticipating to see a trend in the increase of visitation.

Mr. CUMMINGS. This is my last comment, Mr. Chairman.

I just had occasion to go to Topeka, KS, with regard to the Brown decision and saw what was being done there by the Park Service. They did just a phenomenal job. I'm not saying that—not just what they have done with refurbishing the schoolhouse and what have you, but it was a tremendous event there. And I know the Park Service was very much responsible for making that happen, so I just want to pass on that compliment to your folks. I don't want them to think that those things go unnoticed.

The thing that I also am concerned about is that people know about the parks, and I'm wondering how what is done to get that word out. I know that for myself, growing up in the city of Baltimore, as a child I probably went to one of our parks that you oversee one time in my first—not only as a child but in my first 30 years of life. So I'm wondering what is being done to make sure that word gets out to our inner city areas, our urban areas, and making sure that people everywhere know about this wonderful bargain that you just spoke about. It is one thing to have opportunity; it's another thing to know about it and to feel welcomed.

So I thank you very much for your testimony. I'm sorry I missed the beginning of it.

Mr. MARTIN. Thank you.

Mr. SOUDER. Thank you.

Since this is the initial overview hearing, and as we kind of build the layout, we will followup with some specifics on what visitation statistics and trend lines—would it be good to have a 5-year or 10-year? Also, to the degree possible that you can split natural parks

and some of the cultural/historical and then particularly the recreation areas, things like Santa Monica and Golden Gate and Gateway, which have huge attendance, which are more urban parks.

San Diego Missions Park, for example, illustrates part of the challenge we face in the park system. It's set up as a missions park but probably 80 percent of the utilization right now are Hispanic families picnicking in areas that weren't set up for picnicking, but it's some of the only open green space in a major open area. How do we adapt to the different cultural groups? How do we adapt to demands that weren't necessarily seen for this space? And then will they utilize and appreciate the history that's around them as you do that? And how many parking lots do you put in to accommodate that? But we're seeing different usage.

Also, one of my personal interests, but we have not figured out to how to address this, but it's critical as we look at the demonstration fees, as we look at more contracted-out services from the hotels to the—where you eat is contracted is out, where the hotel is contracted out, where the gift store is contracted out. If you're going to hike a mountain, or at least climb a mountain, there will be a mountaineering service that you will pay a fee, if you want to ride on a horse. Now these fees aren't outrageous. They're cheaper than almost anywhere you will go.

But one of the things that we have looked at—and there has been broad agreement in appropriations and authorizing to try to do something like this, but we haven't figured out how to do it in a fair way, and it's something I've been raising for roughly 6 years—and that is is that basically low-income people are exempt from that charge. Now, could you take it as a—not a deduction, but a credit on your tax form? Is there something that you can show when you are in the actual park? How do you do that without discriminating against individuals—which we ran into with the school lunch program.

But there is a willingness, because the number of individuals who will be impacted by this is small, and therefore it's a cipher in the budget. But psychologically it would be a major thing and might increase attendance in targeted groups. Because the challenge of the Park Service is always that parents are often more enthusiastic than the kids, that as you get older, you are more appreciative, the higher your income goes, the more you're appreciative, and the more your group gets mainstreamed, the more you are appreciative. So, initially, any immigrant group gradually comes in—this is not new. It's been going on this way for a long time. What creative ways can we do that?

I would also like to know—and we won't have time to pursue this here, but it's something I'm going to be working at—is, in addressing the maintenance backlog and the challenges of general ongoing, how do you analyze what gaps you have in the park system? This has been a pet concern of mine, not really formulated here. But even when you look at Lewis and Clark, as you look at American heritage, you say, look, this is a site that maybe we ought to be looking at. If we look at African American heritage, this is a site we ought to be looking at; Hispanic heritage. As we authorize the Lincoln Commission, are there things that—related to Lincoln—that we don't have in the system? As you look back at how to main-

tain what you have, it is a philosophy of saying what you need to add, and that's what I was alluding to.

I'm going to ask you two other—I'm going to ask you one to finish up so we can get to the second panel, and that is on roads.

In 2001, only 35 percent of park roads were considered to be in good condition. And I want to know if it has gone up or down, and how much money do you receive from the Highway Trust Fund for maintenance of these roads? And what is the funding level necessary for the maintenance of the roads?

Mr. MARTIN. I would say that is a key area in addressing our backlog and our needs to improve our facilities in the park and obviously something that's very important to visitation. We are in an interim where we are getting incremental amounts similar to what we have gotten in years past. And that number, I think it is in the neighborhood—if not, we can provide you the exact amount—around $170 million. We are within the President's budget. There is a request for $320 million, which would take us over that next 5 or 6-year period. We feel that, within our partnership with Federal highways and others, that with that amount, we can make a huge dent in our needs. And also, that is the amount that we can spend wisely. And that is the other thing; these are long-term commitments and goals. And so it is not only getting the funds, but, you know, what do you have the capacity to do? Yellowstone is a great example. You can only do a couple of road projects a year even though they have a tremendous need because it's during a visitation period. But we feel that target number would put us well on the way to improving that road condition.

Mr. SOUDER. This highlights a couple of things that we will be looking at in the funding question, and that is a fascinating thing, particularly in the snowy areas and heavy visitation in the summer, how much can you actually do? That was an interesting example. In effect, most Members don't even realize it in the highway bill, that the National Park Service gets a huge amount of dollars. I think that is a fairly safe statement to make and that when we are trying to work out a tight budget and trying to get roads in our own districts that we can hold a press conference about, the National Park Service isn't high on any of our personal agendas unless it happens to be a park in your area. You are saying the President requested $350.

Mr. MARTIN. $320.

Mr. SOUDER. Roughly $170 is incremental in the way we're doing the budget now. Do you know in the bill—I presume there are some differences between the House and Senate figure in the proposed bill, if you could get that. The bottom line is, looking at a bill, currently under funding, you are receiving a lot less. For planning, you have a problem compared to the gap what you are requesting compared to what we are likely to fund. Now raising the point that Mr. Cummings made earlier that I have been talking to different committees about is in plus-up for homeland security. Here is the fundamental problem, the dollar figure that you use in your opening statement, while significant in dollar terms—and I have been doing letters with Mr. Lewis and other members to try to increase that each year, working with the appropriators and compared to a lot of places; the Park Service, like I mentioned, is

doing OK. But OK means the figure you actually gave us looked like about 2½ percent increase; that your personnel costs are certainly going up more than 2½ percent. You are transferring and having to, in effect, rob Peter to pay Paul to cover, particularly in times of terrorist alert. You're now short on your road budget, that there is only—the question is—the tough question is what is being reduced when you are having to meet these increasing pension and health care costs? What is being reduced so we can make a case here? We need to understand what is being reduced. And that part of this is homeland security. I personally believe there ought to be a carve out in homeland security like there is in roads. If the government says that there is a heightened thing, and these are the things that may be hit, we don't necessarily want a ranger that is supposed to be protecting campers in Yosemite transferred to protect the Washington Monument. That's a homeland security question, not necessarily a traditional park service question. And why wouldn't that be handled in the homeland security budget like roads are handled in the roads budget? Similar in narcotics—and I know—and this is one of the things we are going to look at as we get into these parks. This is not easy, as I see from these different parks, but it has to be addressed. You have—I mean, one thing you are trying to work to professionalize the park rangers, who historically have not had some of the challenges that they today face in urban parks and on the border. But using Morgan Park as an example, you can see the place littered with water bottles, or if it is black, it is a drug milk carton that was used. You see tire tracks being put across areas to pop tires of people trying to run either drugs or illegal immigrants in; a danger in being able to hike the trials. Big Bend is at times overrun in Texas.

At South Padre Island, they say they have all sorts of things going up on the beaches. You can't even use the beaches on South Padre Island National Seashore, according to their rangers and superintendent. Needles coming up. It is a different type of a challenge when you are facing armed groups that are trying to invade certain areas of the territory because they are being pushed into these open spaces from the border. And we have to figure out how—and there are all these debates. Border Patrol, DEA, do you want them wandering through?

We are even having cultivation as we heard in one of the parks out west and particularly in the forest areas of narcotics in those parks. And it is likely to grow. In fact, yesterday, in talking to the head of Colombia National Police, as we take out the coca planting, guess where they're going? They're planting them in the national parks of Colombia. You fly over the national park in Peru, and in areas along the Amazon basin, what they're doing is planting coca. They are stripping the trees, not for lumber. They're stripping it to plant coca and for cocaine labs. We have an interesting phenomenon here. As we have other problems intervening in the park, how in the world can you do your traditional functions unless we either figure out a direct way to fund these in the park project or figure out, should some be in homeland security or some be in narcotics like we do highways? First, we have to fund the highways. Anything else you want to add?

Mr. CUMMINGS. I hope you will take the testimony—you know, one of the things I found interesting about these hearings is that, unfortunately, people have to leave. They are very busy. I am not trying to get you to stay here because I know you have to do things. I am going to have to leave shortly myself, but let me say this, that they give their testimony and then they leave. It would be nice—I want you to take a look at the National Parks Conservation Association's testimony because I don't want you to, in other words, I want you to hear about what some of their concerns are. But I think it would be nice to take that with you, because I think that way you can—when you go back to your people, not only can you take our concerns, but you can take their concerns and probably all the testimony of our witnesses who are going to come up.

Mr. MARTIN. And I appreciate that. And I think that we, you know, we do work together, and I think that's one of the things that as we met before this that the tone of the hearing is that, you know, what a great legacy to get to work together on. And I think we have, you know, great possibilities. I also believe that we are in a time of fiscal constraint. And I think that we have to—that makes for some stressful times. I think we are committed. The administration is committed. And it is represented in our budget from last year and in our proposal for this year that Congress is committed to all working together. So we have a responsibility to do well with what we have. And we have responsibilities to work with others to ensure the protection of the parks. And we appreciate the opportunity to do that. And we will take the testimony of the others and the reports and the continued dialog. Many of the people who will be on the next panel are ones that we work regularly with and have shared great partnerships and great successes with. So I will take that to heart and appreciate the interest, because you know, I think those of us who spent our career doing this are passionate about this task. And I think it is something that is a great legacy of the country.

Mr. CUMMINGS. Were you finished?

Mr. MARTIN. Yes.

Mr. CUMMINGS. I think the chairman pretty much hit the nail on the head. The problem is, something's got to give. Something has to give. I mean—and I try to tell people this. We have to have balance in this country. We have to fight terrorism, but we better take care of the people in this country, too. You have to have a balance. And it's not your fault that there may not be enough money. But when I ask the questions and then the chairman—I mean, he went through a lengthy description of various parks and the problems that are taking place at those parks. And those are just the ones he mentioned. You begin to wonder whether the personnel piece is coming to a critical moment. In other words, it's going to take personnel to do the things he is talking about, and you almost seem like you have to have some policing here. And I don't want a situation where our parks are overrun with drugs. I don't want a situation where, as he stated, people come for a nice picnic and then—I mean, they come for one purpose and come to find out, the park is being used for a whole other purpose inappropriately, and it just doesn't work. What happens then is actually, you have a counterproblem going on because then people will come, and they

will say, wait a minute, I thought we were coming to the place we came to 5 years ago. We have these wonderful memories.

And do you know what they are going to do? They are going to turn around and not only are they not going to come back, but they are going to tell their friends and neighbors not to come back. That is what I am concerned about. Some kind of way—what we're trying to do is help you help the people who want to come to the parks. And if there's not—if there are insufficient funds to do those things, we are going to have to fight harder to try to get that money there. The American people simply—I would say about my district and I will close with this, Mr. Chairman—I say in my district—I live in Baltimore. They are not trying to get to Disney World. They're just trying to get to Kings Dominion. They are trying to get to a decent place for a reasonable price and have a good time. They are not looking for a filet mignon. They're just looking for some hamburger. And so it is scary to me if we get to a point where the one thing that one of the many things that this country has to offer with our taxpayer dollars to offer to families then begins to erode—you know, erosion, by the the way, just doesn't happen overnight; a little piece there, a little piece there, a little piece there, and next thing you know, we don't have have what we had a few years ago. And that's what we have to be concerned about, that we maintain the quality and maintain a reasonable fee structure so the families will feel welcome. I wish you the best.

Mr. SOUDER. Thank you very much for your testimony.

Mr. MARTIN. Thank you very much.

Mr. SOUDER. If the second panel could come forward. Welcome all of you. And the first thing we do is to swear you in as you heard earlier. Our standard practice is to ask our witnesses to testify under oath. Would you each raise your right hand?

[Witnesses sworn.]

Mr. SOUDER. Let the record show that each of the witnesses responded in the affirmative.

Thank you all for coming, and we will start with Ms. Gretchen Long, who is the past chair of the Board of Trustees of the National Parks Conservation Association which already has been thoroughly praised this morning.

So thank you for coming today.

STATEMENTS OF GRETCHEN LONG, PAST CHAIR, BOARD OF TRUSTEES, NATIONAL PARKS CONSERVATION ASSOCIATION; VIN CIPOLLA, PRESIDENT, NATIONAL PARKS FOUNDATION; EMILY E. WADHAMS, VICE PRESIDENT OF PUBLIC POLICY, NATIONAL TRUST FOR HISTORIC PRESERVATION; DENIS GALVIN, RETIRED PARK RANGER, FORMER SUPERINTENDENT OF YELLOWSTONE, YOSEMITE, AND EVERGLADES NATIONAL PARKS; AND J. PEYTON KNIGHT, AMERICAN LAND RIGHTS ASSOCIATION

STATEMENT OF GRETCHEN LONG

Ms. LONG. Mr. Chairman, thank you for the opportunity to testify before you today. I am as you say the former Chair of the Board of Trustees of the National Parks Conservation Association and continue as a current trustee. It is indeed a privilege to be

here today as the subcommittee delves into the extraordinary challenges that do face our national parks.

Since 1919, the 300-member nonpartisan National Parks Conservation Association has been the leading voice of the American people in protecting and enhancing our National Park System for present and future generations. I personally have had the privilege of visiting more than 200 units of the National Park System from walking the Freedom Trail in Boston where I grew up to hiking quite recently in Big Bend in Texas; from the marvelous canoeing trip in Gates of the Arctic to visiting the home of the Reverend Dr. Martin Luther King in Atlanta. And I, like millions of Americans, have sought inspiration, recreation, education and relaxation in national parks, places that are truly superlative examples of our country's magnificent resources and heritage and help us to teach our children and our grandchildren about who we as America are and what values we have that we struggle to uphold. We are grateful, Mr. Chairman, that you have dedicated this unprecedented series of oversight hearings to the condition of our national parks. We also very much appreciate your leadership in co-sponsoring the National Park Centennial Act which can do much to rectify the fiscal woes of the national parks.

Over our 86-year history, NPCA has found that the most pervasive challenge facing America's parks is the failure of successive Congresses and Presidential administrations to fund them adequately. The national parks face two deficits, an annual operating shortfall that exceeds $600 million and the debilitating backlog of deferred maintenance projects estimated between $4½ million and close to $10 million. In addition, funding for the acquisition of nationally important lands has been drying up. To bring attention to these challenges, NPCA recently released, Faded Glory, Top 10 Reasons to Reinvest in America's National Park Heritage. This report, which has been provided to the subcommittee for the record, shows the debilitating effect of underfunding of the parks, some crumbling historic buildings, unsafe roads, theft of historic artifacts, loss of critical habitat to invasive and other worrisome threats.

I will only highlight a few of the 10 reasons in my oral testimony: 90 percent of Americans say they are drawn to the national parks for educational benefits. Yet parks today have roughly one interpretive ranger for 100,000 visitors. This is about more than merely about touring a park, it is about the education of the next generation of Americans. When I took my children to national parks, we counted on park rangers who would teach us the history of the place, but no longer can we expect to see the face of a helpful ranger. I visited Lowell National Historic Park on a Saturday last month, and I was disappointed that, when I walked through the Boot Cotton Mill, I could not find a park ranger to answer my questions about textile factories or talk about America's experiences in the Industrial Revolution.

Harper's Ferry National Historic Park, a short drive from here, must deny a ranger-led tour to three out of every four school groups that request it due to staff shortage. Here is, in relation to our previous discussion, the impact of the needs to meet other requirements affecting—having adequate staffing. At Everglades Na-

tional Park, the Park Service last year had to cut ranger-led education programs from 115 per week to fewer than 40 per week. The more rangers disappear, the more our society loses a key tool for understanding ecology and for inspiring the next generation of Thomas Edisons or Martin Luther Kings in creating the next generation of leaders and scientists.

Recognizing this problem, Congress intervened last year to increase operational funding for the parks. Despite the significance of that intervention, it barely kept the parks even in budget terms and did nothing to reduce the annual funding deficits the parks face.

Visitor safety: It is also affected by underfunding. For example, backcountry ranger patrols in many parks are being reduced. As the former chair of the Board of the National Outdoor Leadership Schools, I know that risk management is a critical part of any backcountry experience and the backcountry rangers are a critical part of any large park's operation. Rangers who meet hikers in the backcountry provide information and advice about such things as avoiding conflicts with bears or warnings about dangerous weather. Ironically, search-and-rescue operations cost parks far more than the funding of adequate backcountry patrols. But many park managers are being left with no choice other than to reduce patrols and wait until the next emergency strikes.

Then, as discussed earlier, there are the roads. Approximately two-thirds of the more than 5,000 miles of roadways in the national parks are in poor-to-fair condition, according to the U.S. Department of Transportation. The road repair portion of the backlog exceeds $3 billion. In addition, the Department of Transportation estimates the Park Service will need $1.6 million over the next 20 years to meet transit demands. Yet the park roads and parkways program funded under the Transportation Equity Act of the 21st century provides only $165 million per year. The administration's proposal to fund the parks at $320 million, if enacted, can do more than any single piece of legislation likely to pass this year to begin to address this enormous shortfall.

Near my home in Wilson, WY, in Grand Teton National Park, the park will unveil a new transportation plan this summer which includes new bicycle paths that are necessary to improve visitor safety after two tragic deaths of cyclists that were forced to travel on the narrow edges of roads. The roads constitute much of the infamous backlog of deferred maintenance projects. This backlog will require a significant leap in funding like the one proposed in the Centennial Act if we are ever to hope to solve this chronic problem. If recent funding trends continue, the picture I have described will only worsen. The current proposed increase for fiscal year 2006 will likely lead to more service cutbacks in the parks unless Congress substantially increases funding above the President's request. This is partly due to the traditional failure to budget sufficiently for the mandatory annual adjustment for government salaries. Unbudgeted costs of living adjustments have cost the National Park System approximately $50 million over the past 2 years.

While the Park Service proposal for fiscal year 2006 attempts to account for most of the anticipated increases, the budget request for fiscal 2005 provided only 46 percent of the funds needed for

staff pay increases. As a result, parks absorb those unbudgeted salary adjustments shrinking the funds that they rely on to cover toilet paper for the rest rooms, visitor brochures and seasonal rangers to protect and to educate visitors.

The Park Service's budget woes are exacerbated by underfunded homeland security demands. According to recent Park Service testimony, security now costs $40 million annually. The Park Service receives no compensation from the Homeland Security Department for these costs. These increasing stresses on Park Service budgets not only jeopardize many of our more traditional parks but also innovative programs like the National Underground Network to Freedom. Congress created this unique park service-led partnership program in 1998 to preserve historic sites and promote partnerships to educate the public about the Underground Railroad, the informal network used by slaves to escape to freedom. However, this exciting initiative, which has the potential to add to the interest in and relevance of the parks for millions of Americans, is in serious jeopardy with insufficient funds to pay staff and with the modest $300,000 grant program eliminated from the President's proposed budget.

Hand in hand with the need for funding is the need to spend those funds wisely. That is why NPCA has placed such a significant emphasis on providing the Park Service with the tools to develop business plans and to implement new approaches to operate more efficiently, such as we have done in a recent recommended plan on fleet management. Nearly 100 parks have now developed their own business plans, which we initially originated, but they need to do more. Park managers of every rank and position need a firm grasp of park systems laws, regulations and policies and need training in the art of professional management. And they need the tools to maximize the effectiveness of their dealings with concessionaires, volunteers, gateway communities, philanthropies and other partners. In 11 years, America will celebrate the 100th birthday of the National Park System and Park Service. While Congress established Yellowstone in 1872, no unified professional government agency for parks existed until President Wilson signed the National Park Organic Act in 1916.

Mr. SOUDER. You are way over time.

Ms. LONG. Am I over the time? Let me finish with this. The creation of the park system requires bold vision, and we are grateful for that vision. If we are to maintain our responsibility and our legacy to realize the full potential of our national parks and to guard against their further deterioration, we need to consider, as your hearing is considering, ways in which we can strengthen and improve the National Park Service.

[The prepared statement of Ms. Long follows:]

NATIONAL PARKS CONSERVATION ASSOCIATION

Protecting Parks for Future Generations

Testimony of
Gretchen Long
Former Chair, Board of Trustees
National Parks Conservation Association

Re: "The National Parks: Will they survive for future generations?"

before the
Subcommittee on Criminal Justice, Drug Policy and Human Resources
of the House Government Reform Committee
U.S. House of Representatives

April 22, 2005

Mr. Chairman and members of the subcommittee, thank you for the opportunity to testify before you today. I am Gretchen Long, a current member and former chair of the board of trustees of the National Parks Conservation Association. It is a privilege to be here today as the subcommittee delves into the extraordinary challenges that face our national parks.

Since 1919, the nonpartisan National Parks Conservation Association has been the leading voice of the American people in protecting and enhancing our National Park System for present and future generations. Today we have 300,000 members nationwide who care deeply about our national parks.

I personally have visited more than 200 units of the National Park System: From walking the Freedom Trail in Boston where I grew up, to hiking in Big Bend in Texas; from canoeing Gates of the Arctic to visiting the home of the Reverend Dr. Martin Luther King, Jr. in Atlanta – I, like millions of Americans, have sought inspiration, recreation, education, and relaxation in national parks—places that preserve superlative examples of our country's magnificent resources and heritage, and help us teach our children and grandchildren about who we as Americans are and what values we have struggled to uphold.

We are grateful, Mr. Chairman and Ranking Member Cummings, that you and your fellow subcommittee members are dedicating this unprecedented series of oversight hearings to the

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condition of our national parks. We also appreciate your leadership in sponsoring the National Park Centennial Act, which can do much to rectify the fiscal woes of the national parks.

The Challenge Facing America's Parks

Over our 86-year history NPCA has found that the most pervasive challenge facing America's parks is the failure of successive congresses and presidential administrations to fund them adequately. The national parks face two deficits—an annual operating shortfall that exceeds $600 million and a debilitating backlog of deferred maintenance projects estimated at between $4.5 and $9.7 billion. In addition, funding for the acquisition of nationally important lands has been drying up.

To bring attention to the multiple funding-related challenges that face the national parks, NPCA recently released *Faded Glory: Top 10 Reasons to Reinvest in America's National Park Heritage*. *Faded Glory* examines the very real risks to the National Park System posed by chronic underfunding—poaching that could eliminate 19 species from the parks; crumbling historic buildings and structures, two-thirds of which are in need of repair; unsafe roads; the theft of precious artifacts of American history; loss of critical habitat to invasive species; and many more challenges.

Managing the National Park System is an enormous undertaking. The 388 units that comprise the National Park System include more than 30,000 structures and 80 million artifacts. The Park Service's portfolio includes 8,000 miles of roads, 1,500 bridges, 5,385 housing units, 1,500 water and wastewater systems, 200 radio systems, 400 dams and more than 200 solid waste operations. These are all integrated into a magnificent, awe-inspiring repository of our collective American heritage. As has been said, if the Smithsonian is our nation's attic, the national parks are the rest of the house.

Classrooms without Teachers

A particularly troubling impact of the $600 million annual operating shortfall is the dwindling number of education programs and other opportunities in the parks. While 90 percent of Americans say that they are drawn to the national parks for educational benefits, funding shortfalls have resulted in only one interpreter per 100,000 visitors. Insufficient funding means a lost

opportunity to excite, educate and inspire the schoolchildren who could be the next Thomas Edison, Martin Luther King, Jr., or Stephen Mather.

The recurring shortfall in operational funding means that many schools that request guided tours in parks to enliven their students' lessons in science or history are turned away because of a shortage in park interpretive and educational staff. All too often, visitors who try to find information at park visitor centers during the middle of the week are finding locked doors and no rangers. During fiscal year 2004, Shenandoah National Park offered 800 fewer ranger-led programs than it did just two years before. The museum exhibit at Gettysburg, the world's classroom on the American Civil War, contains a wealth of items that tell the story of the battle and offer a glimpse into the life of a Civil War soldier, but more than half of the items in Park Service museums and archival collections have yet to be catalogued or shared with visitors.
At Harpers Ferry National Historical Park, a short drive from Washington or Baltimore, the Park Service must deny a ranger-led tour to three out of every four school groups that request one due to the shortage of interpretive staff. Gettysburg must deny one out of four such requests.

Each time school children are denied such an experience, we lose a vital opportunity to connect them with American history—the role Harpers Ferry played as a safe haven for so many runaway slaves on the Underground Railroad; the part the Lewis & Clark expedition played in the settlement of the west; the meaning of such great places as Independence Hall and Valley Forge, which were so significant to the birth of our nation; the role of W.E.B. Dubois and the Niagara Movement. The national parks enrich our culture, enlarge our minds, and bring history to life in a manner difficult to accomplish through even the best of textbooks.

According to the Harpers Ferry business plan, the park had an annual shortfall in 2002 of more than $660,000 and a shortage of nearly 13 full-time equivalent positions (FTE) in education and interpretation, alone—a shortfall of more than 25%. The entirety of Harpers Ferry's program areas, including maintenance, research and resource protection, are more than $3.5 million and nearly 60 FTE short of the need. In other words, Harpers Ferry had only 64 cents for every dollar it needed for routine operations.

The business plan for Everglades National Park, one of the largest remaining subtropical wilderness areas in the United States, reveals an annual operations shortfall of $10 million. In addition, the park does not have the funds to fill 41 positions, which has made it necessary to cut the number of ranger-led education programs from 115 per week to fewer than 40 per week. Moreover, some education programs that were once free to the public now cost visitors $20 each.

With its proximity to millions of Floridians, Everglades could do much more to reach nearby diverse ethnic populations that too often are underserved by the national parks.

During the recent mid-week visit by one NPCA staff member to Olympic National Park, a remarkable natural area in the State of Washington known for its spectacular glacier-capped mountains, rare temperate rainforest, and extraordinary biological diversity, the visitor center was closed. Instead, our staff person was greeted by an electronic ranger-in-a-box--a computer terminal accessible to visitors standing outside the locked visitor center door, which may be used to search the park's website for information about trails, wildlife, and other sites. Certainly this is a creative effort by the park to make do with scarce resources. But we must ask ourselves what is sacrificed when we use such means to interact with the public, rather than the park rangers who so enrich the national park experience.

Last summer at historic Cades Cove, one of the most popular sites in Great Smoky Mountains National Park, the park could afford only one full-time and one part-time interpreter to greet and educate the cove's two million annual visitors. The business plan for the park, which is the most visited national park in the nation with nearly 10 million annual visits, indicates the park has only 14 FTE for education and interpretation—half of what is needed, and a ratio of more than 640,000 visitors to each full time interpreter. This staff must provide educational opportunities, research and develop programs, produce interpretive trail signage and exhibits for roadsides and visitor centers, and meet other such needs in a park more than half a million acres in size, divided between North Carolina and Tennessee.

Chesapeake and Ohio Canal National Historical Park (C&O Canal) extends along the Potomac River from Washington, D.C. west to Cumberland, Maryland, and was established to protect and interpret the most intact canal system remaining from that era in America's industrial history. Although C&O Canal serves 3 million annual visitors, staffing declines mean that only one person is available for each of the park's four visitor centers. When one of these individuals calls in sick, the visitor center is closed, leaving tourists without a resource from which to learn about this historic, 185-mile-long canal system. In fact, C&O Canal is one of the system's most severely underfunded parks. An analysis by NPCA in partnership with the National Park Service of the park's fiscal year 2001 annual operating budget of $7.9 million revealed that the park has only 37 cents for every dollar it needs to do the job that the public expects and Congress requires. The park's fiscal year 2005 budget is $8.1 million. The business plan revealed the need for 299.2 FTE to conduct the routine duties required to run the park. However, actual FTE from all funding

sources (except emergency flood-related funding) declined from 125 FTE in fiscal year 1995, to an estimated 95 FTE in fiscal year 2005. Resources management staffing fell from 9 FTE to 2.

Cuyahoga Valley National Park in Ohio has an annual shortfall of $1.4 million. This has led to reduced staffing, which in turn has led to fewer interpretive programs and fewer hours of operation for park visitor centers. While visitation continues to grow, the park has had to reduce its 170 full-time equivalent employees by roughly 20.

NPCA has witnessed this trend in declining educational and interpretive services systemwide. In 1999, the Park Service had 1,847 full-time interpretive rangers and 843 part-time rangers. By 2004, even though the total number of park units has increased, the Park Service had to manage with 56 fewer full-time and 116 fewer part time interpreters (1,791 full-time and 727 part-time). The budget increase that Congress provided last year may temporarily stop this downward trend but parks need the funds to reverse it, regain lost ground, and boost education and interpretive staffing to appropriate levels that can meet visitor demands.

Visitor Safety Concerns in Parks

Staffing shortages are also hurting other important park services such as law enforcement and visitor safety services. As a resident of Wilson, Wyoming, a community that lies on the border of Grand Teton National Park, I can speak directly to this issue. My family, friends, and I have enjoyed many hikes in Grand Teton and nearby Yellowstone's backcountry and wilderness areas. But I have learned that patrols by park rangers in the backcountry of many of our large parks, such as Grand Teton, have been reduced.

As the former chair of the board of the National Outdoor Leadership School (NOLS), I know that risk management is a critical part of any backcountry experience and that backcountry rangers are a critical part of any large park's operation. Rangers who meet hikers in the backcountry provide important advice about such things as avoiding conflicts with bears and warnings about dangerous weather. Ironically, search and rescue operations cost parks far more than the funding of adequate backcountry patrols. But many park managers are being left with no other choice than to reduce patrols and wait until the next emergency strikes.

Last October, an early winter storm stranded a number of hikers and climbers in Sequoia/Kings Canyon and Yosemite National Parks, resulting in several deaths. Yet Sequoia's backcountry patrols were effectively closed down for the season, resulting in much less information

and advice being available to backcountry users and more complicated and expensive search and rescue operations.

Diminished ranger patrols also allow crime to proliferate, resulting in the destruction and theft of park resources. Just having rangers visible in park front and backcountry areas can discourage crime. But today in Shenandoah National Park, poachers kill black bears so they can sell their gall bladders on the black market for $3000 each. Brown bears are being poached from Katmai National Preserve in Alaska. In its fiscal year 2005 budget, the administration raised concerns that the illegal removal of wildlife from parks could cause the extirpation of 19 species from the parks. Without better staffing, the wildlife and other resources that people visit parks to see will continue to be at risk.

Safety and conservation issues manifest themselves at Assateague Island National Seashore in Maryland and Virginia, which preserves outstanding coastal resources and the ecological systems on which they depend. Two million visitors travel to this wild beach annually to enjoy a wealth of recreational activities compatible with natural resource protection. Since fiscal year 2000 the park has been forced to lapse seven positions, including four lifeguard positions at its popular beaches. In fiscal year 2005 the park has no seasonal resources management staff, compared to the recent past, when the park has relied on up to six seasonal resources staff to set up enclosures around endangered piping plover nests to protect them from predators, and to conduct surveys on the endangered sea beach amaranth.

Park Road and Transportation Needs

The lack of funding also diminishes the experience of visitors who must travel on park roads that are frequently crumbling, overcrowded, and unsafe. During seasons with peak visitation, many roads in our national parks are so jammed with traffic the experience they seek is diminished.

Grand Teton National Park, near my home in Wyoming, is working hard to improve the safety and options for visitor travel, and will unveil a new transportation plan this summer for visitor access that will include bicycling, walking and transit alternatives. It became apparent that such a plan was critically needed after the tragic deaths of two cyclists—one in the park and one nearby—who were forced to travel on the narrow edges of roads because no alternative paths were available to them. Other parks face similar challenges.

Approximately two thirds of the more than 5,000 miles of roadways in the national parks are in poor to fair condition, according to the US Department of Transportation. The road repair

portion of the backlog exceeds $3 billion. In addition, DOT estimates the Park Service will need $1.6 billion over the next 20 years to meet transit demands. Yet, the Park Roads and Parkways Program funded under the Transportation Equity Act for the 21st Century provides only $165 million per year. The administration's proposal to fund the parks at $320 million, if enacted, can do more than any single piece of legislation likely to pass this year to begin to address this enormous shortfall.

The Burgeoning Park Maintenance Backlog

The much discussed maintenance backlog continues to be an intractable problem which, according to the National Park Service, "has had a profound effect on the visitor experience and the public's ability to appreciate and enjoy our national parks' natural, historic, and cultural wonders." The reasons for this growth are basic—insufficient funds to get ahead of the curve and aging infrastructure, much of which is 40 or more years old, dating back to the days of Mission 66—the last time our nation made a significant new investment in the parks.

The backlog is analogous to maintaining your car: If you do not pay for regular oil changes and maintenance, you pay much more to replace the engine or the car, itself. Many parks lack the staff and budget to provide regular, routine care for historic buildings, road repair, and other vital infrastructure needs. As a consequence, the backlog continues to worsen, historic structures continue to decay, and many park roads deteriorate to the point where they are unsafe. The most recent estimates of the size of the backlog range between $4.5 billion and $9.7 billion.

One illustrative example of how the backlog impacts specific parks is Canyonlands National Park in Utah, which celebrated its 40th anniversary in 2004 and has a backlog of $36 million. Three of every five historic structures in the park are deteriorating. In addition, archival and museum collections do not get the attention they deserve because the park must share its part-time curator with three other parks. This is typical of many national parks.

Heritage At Risk

Many national parks do not contain all the resources they were created to protect, making land acquisition and other innovative approaches necessary to protect them. Unfortunately, funding for the Land and Water Conservation Fund (LWCF), a central tool for acquiring nationally important parkland for four decades, has been under steady attack in recent years. While the federal

side of LWCF, which funds national park acquisitions, achieved a high watermark of $130 million in fiscal year 2002, Congress appropriated only $55 million for the program last year, and the administration's request for this year is $53 million.

Insufficient funding jeopardizes our ability protect historic landscapes, remarkable natural areas, civil war battlefields, and other priceless pieces of America. For example, today one of the most exciting opportunities for protection of our Civil War history is at Petersburg, in Virginia, where the Park Service is attempting to protect an additional 7,238 acres associated with the Petersburg battlefield and expand interpretive themes to better reflect the roles of African Americans and of women in the Petersburg Campaign, and in the siege and defense of Petersburg.

In 1993, at the request of Congress, the Civil War Sites Advisory Commission reported that 23,000 of the more than 100,000 acres of lands associated with the Petersburg campaign retained their integrity. In the decade since, some of these lands have been lost to suburban, commercial, and industrial development. And development pressures in southeastern Virginia continue to escalate. In only a few years, pressures at Petersburg likely will be comparable to those now faced by Valley Forge, Fredericksburg, and Harpers Ferry, each of which has faced high-profile, high-stakes, expensive battles against proposed development on sacred ground in the recent past.

Last year at Harpers Ferry, Congress authorized a boundary change to allow the park to add 1,240 acres of historic lands along School House Ridge, lands key to the Confederate victory at the siege of the town in September 1862. While most of the lands already were owned by other federal agencies, 191 acres were privately owned. In 2002 the Park Service estimated it would need $3.7 million to acquire the entire 191 acres, but land values in the area are rising rapidly. Congress approved $2.9 million in LWCF funds for fiscal year 2005, which will be used to acquire two tracts totaling 111 acres. Development proposals are actively moving forward on almost all of the remaining 80 acres in expanded boundary, but the current proposed budget for the Park Service does not include money for protecting this remaining historic landscape.

Partnerships

The long-standing tradition of philanthropy, volunteerism and partnership remains enormously important to the future of our national parks. It remains, however, only one part of the solution due to the enormous fiscal needs of the parks. In fact, the scarcity of federal operating funds means the Park Service is relying on many private organizations that raise funds for the parks to help pay critical, core operating expenses. Whereas these organizations historically have

contributed a margin of excellence to the parks, many now contribute the margin of survival, because the federal government is not living up to its side of the bargain.

Partnerships take many forms. One partnership under threat due to insufficient funding is the National Underground Railroad Network to Freedom. In 1998, Congress created this unique program to preserve historic sites and promote partnerships that educate the public about the historical significance of the Underground Railroad. The Underground Railroad refers to the informal network of safe houses, waterways, routes, and sites, used by freedom seekers to make their escape from slavery to freedom.

The Network to Freedom is the only federal program dedicated to the interpretation and preservation of Underground Railroad history. With a staff of six coordinators, the Network to Freedom has ably assisted community partners across the country with research, documentation, and interpretation of local Underground Railroad stories. In five short years, the Network to Freedom has expanded to include sites and programs in 26 states and the District of Columbia, and has greatly enhanced our understanding of this important chapter in American history.

In fact, success has attached itself to every portion of the Network to Freedom program except one: funding. The program has an annual operating budget of $482,000--less than one third of the $1.5 million the program needs to sufficiently cover the salaries of its 6 full time employees and to fund other program expenses. The grant-making portion of the program—the very heart of the effort to help communities preserve these important sites—was not funded as part of the administration's proposed budget for fiscal year 2006.

The fiscal situation for this program is so dire that in February of this year, Network to Freedom staff began accepting a series of voluntary 3-month reassignments to other programs and offices in order to make their meager budget stretch as far as possible. These reassignments, even for short periods of time, further reduce the ability of the program to fulfill its mission to "promote and preserve" Underground Railroad history.

Efficient Management of Shrinking Discretionary Budgets

The national parks need additional funding and must wisely manage their scarce resources. That is why NPCA has placed such a significant emphasis on providing the Park Service with the tools to develop business plans and to implement innovative approaches to strategies like fleet

management that help scarce dollars go farther. Nearly 100 parks have now developed their own business plans, but they need to do more. Park managers of every rank and position need a firm grasp of park system laws, regulations, and policies and need training in the art of professional management. And they need the tools to maximize the effectiveness of their dealings with concessionaires, volunteers, gateway communities, philanthropies, and other partners.

Business plans of individual national parks are among the best available tools for understanding the fiscal situation in the national parks. The National Park Business Plan Initiative began in 1998 as a partnership between NPCA, the National Park Service, and a consortium of private philanthropies. The program placed management students from some of the country's top MBA programs in parks to review the parks' fiscal status; the resulting analyses show the level of funding and staffing necessary to operate each park to meet congressional mandates, visitor expectations, and preservation needs. The Park Service now runs the program itself.

An analysis of national park business plans to date reveals that annual operations of the national parks are underfunded by well over $600 million. A number of factors have contributed to and compounded this shortfall, including unbudgeted cost of living increases, unreimbursed storm damage, insufficient funding for homeland security needs, and across-the-board cuts to final appropriations bills. Over the past three years, the operating budget of the parks has increased by only 6 percent, or approximately 2 percent annually. The President's fiscal year 2006 budget requests an increase of only $50 million, or 3 percent—which barely keeps the parks even given inflation and other costs. Importantly, the administration this year did a better job budgeting for fixed costs, but the amount proposed remains insufficient. Without more significant increases to their operating budgets, our parks will continue to face chronic shortfalls, threatening the resources the parks were established to protect and adversely affecting the experience of the millions of the visitors to the parks every year.

The overall budget for the national park service has been stagnant since fiscal year 2001. Importantly, Congress has recently focused within that budget on increasing base operations funding for the individual national parks. But the amounts appropriated have not made a dent in the $600 million annual operations shortfall, and all parts of the Park Service budget are under enormous stress. If recent funding trends continue, we predict that the budget picture for parks will only worsen over the next five years, which would require further reductions in visitor services and park resource protection activities.

The Causes of Underfunding

Inflation Impacts

Among of the most significant root causes of the parks annual shortfalls is inflation and growth in staff workload. For example, the annual operating budget for Indiana Dunes National Lakeshore, which completed a business plan in 2002, grew only 12% in real dollars from 1980 to 2000. Meanwhile, park electricity costs climbed 70% and natural gas costs climbed 68%.

Cost of Living Adjustments

Unbudgeted cost of living adjustments have cost the national park system approximately $50 million over the past two years. While the proposed Park Service budget for fiscal year 2006 attempts to account for most anticipated increases, the budget request for FY 2005 provided only 46% of the funding needed to cover pay costs for staff. Furthermore, the administration has budgeted less for cost-of-living adjustments for the Park Service and other civilian employees than for the military, which is an unrealistic proposal based on history. For example, in its 2005 budget the administration proposed a 3.5% pay increase for military personnel, but only a 1.5% increase for civilian employees, including Park Service employees. As it has done consistently, Congress provided pay parity for military and civilian employees. As a result, individual parks have had to absorb these unbudgeted pay increases for their employees, narrowing what some refer to as the "toilet paper gap"--the difference between a park's total annual operating budget and its required annual salary costs. This "gap" is what parks rely on to cover necessary non-salary and benefit expenses—purchasing toilet paper for park restrooms, printing brochures for park visitors, hiring seasonal rangers to protect and educate visitors in the peak season, and buying tar to repair cracks in roads and shingles to patch leaky roofs on park buildings. When salary costs climb at a higher rate than a park's operations budget, a park manager loses his or her ability to support necessary expenses and visitor services and resource protection.

For example, while appropriations for Gettysburg National Military Park increased by $309,000 in fiscal year 2005, the purchasing power of the park—the money park managers have to spend on programmatic needs—actually decreased by $65,000 due to cost-of living pay increases, technology assessments, and other unfunded mandates placed on the park. Unbudgeted salary adjustments and other cost-of-living increases greatly affect the budget of parks like Gettysburg, because more than 90% of its operating costs must be used to pay the salaries and benefits for the park's dedicated employees.

New Homeland Security Costs

The Park Service's operational woes are being compounded by unfunded demands related to homeland security. Examples of these costs include the protection of key assets and operational security at icon and border parks, radio communication upgrades, and the temporary relocation of staff on detail to protect parks during elevated threat levels. Since September 11, 2001, the Park Service has spent $26 million from its operating budget for security needs, primarily in border and icon parks. The National Park Police have spent an additional $14 million, for a total expenditure of $40 million. The Park Service now estimates it must pay $40 million in new, recurring security costs annually.

Homeland security demands also affect the Park Service budget in other ways. For example, construction costs associated with increased security needs at five locations—Lincoln Memorial, Washington Monument, and Jefferson Memorial in Washington, DC, Jefferson National Expansion Memorial in St Louis, and Organ Pipe Cactus National Monument in Arizona—have totaled $48 million since September 11, 2001. The Park Service does not receive any compensation from the Department of Homeland Security for the costs it incurs and is forced to pay the bills by reducing resources devoted to core operational needs like resource protection and visitor services.

Across-the-board cuts

Across-the-board cuts have also taken their toll on the budget of the National Park Service. While one or two percent cuts may not appear particularly significant, these cuts have severe impacts on park budgets.

Since 2002, across-the-board reductions have cost the national parks more than $50 million in operations funding. Last year alone, the across-the-board reduction to the final fiscal year 2005 appropriations bill for the Park Service reduced by $24 million the Interior Appropriations Subcommittee's planned increase to parks' operating budgets (from an increase of $98 million going into Conference, to the final increase of $74 million).

Conclusion and Recommendations

In 11 years, America will celebrate the 100th birthday of the creation of the National Park System and Park Service. While Congress established a number of parks prior to 1916, starting

with the world's first national park, Yellowstone, in 1872, there was no unified professional government agency dedicated to the protection and promotion of parks until President Woodrow Wilson signed the National Park Organic Act. The creation of the first parks and the Park System required bold vision on the part of leaders had the foresight to realize the necessity for protecting and preserving many poignant examples of our nation's heritage. Their gift to us can only be fully realized if we confront the parks' fiscal challenges every year for the next eleven years.

If Congress wishes to realize this vision and tackle the funding and management problems facing America's parks, we recommend a series of actions:

- Increase the parks' base operations budget by a total of $150 million--$100 million over the president's request for fiscal year 2006--an amount sufficient to begin reducing the $600 million annual shortfall;
- Pass the National Park Centennial Act;
- Provide $320 million per year for the Park Roads and Parkways Program in the transportation reauthorization bill, as requested by the administration, and $90 million for alternative transportation needs;
- Continue to encourage private citizens and organizations to provide philanthropic support, including volunteer time, to help protect parks and educate visitors, in the full knowledge that philanthropy is extremely important but can only be part of the solution;
- Support and encourage the Park Service to expand business planning and implementation, promote managers who are forthright about park challenges, reward creativity and performance, and equip park employees with the tools they need to deal with the complex business relationships they confront every day.

Mr. Chairman, the national parks are at the core of our national identity, and they are one of America's truly unique gifts to the world. We owe it to our forebears, ourselves, and our grandchildren to see that these remarkable pieces of America are preserved forever. Thank you, Mr. Chairman. I am happy to answer any questions.

Mr. SOUDER. Thank you very much for your testimony.

Next witness is Mr. Vin Cipolla, president of the National Parks Foundation.

Welcome.

STATEMENT OF VIN CIPOLLA

Mr. CIPOLLA. Mr. Chairman, my name is Vin Cipolla, and I am the president and CEO of the National Park Foundation. The Park Foundation was chartered by Congress in 1967 to encourage private philanthropic support of America's national parks. Thank you for the opportunity to appear today before the subcommittee to comment on national parks today and into the future.

The mission of the National Park Foundation is to strengthen the enduring connection between the American people and their national parks by raising private funds, making strategic grants, creating innovative partnerships and increasing public awareness. The National Park Foundation operates above what we call the bright line of congressionally appropriated funds by contributing direct monetary support, goods and services to the National Park Service that add to but do not replace Federal appropriations. Over the past 8 years, NPF has enjoyed substantial growth, over $239 million in contributions and $217 million in total grants and program support to national parks across the country. The foundation's growth has been achieved with fundraising and administrative costs kept to a minimum. Money Magazine recently recognized the NPF as one of eight charities best at maximizing the percentage of donations going directly to programs supported.

As I know you are aware, national parks have a long tradition of private philanthropy. National park philanthropy began with an innovative approach to preservation, purchase vast tracts of land and donate them to the Federal Government. A hundred years ago, simply converting land from private ownership to public ownership was all that was necessary to protect it for future generations. Today, whether it is funding new junior ranger programs that connect with today's youth, supporting volunteerism programs that empower citizens to care for the land, assisting with multilingual outreach efforts inviting new Americans to the national parks or backing park programs that bring classroom lessons to life, the National Park Foundation is bringing new and different approaches to preserving and protecting national parks.

Just as the needs of parks have changed over time, so has philanthropy in this country. The opportunity before us is to bring these two traditions together. We have built on the conventions of public, private partnerships by developing innovative approaches to improve visitor services, increase volunteer opportunities, offer more educational programs and engage the community with their parks over the long term. The role of private philanthropic support is to fund inventive, cutting-edge programs in these areas and to ensure evaluation of those programs to determine their effectiveness. There are many levels of this support from the local friends, groups supporting individual parks to national partners like the National Park Foundation giving system-wide support to parks. Private philanthropy has traditionally been held in the hands of a few individuals and corporations whose commitment is strong, con-

sistent and valuable. We view the future success of private support not only in the capable hands of Congress in these traditional partners, but also in the hands of the 80 million-plus national park visitors and enthusiasts. The future of philanthropic support is both diversifying the opportunity you experience in national parks and also in diversifying the opportunity to support our parks.

Along with our Board of Directors, I am committed to expanding the base of individuals that support our national parks directly. We want to engage these millions of park visitors and enthusiasts and take their love of these special places to the next level to ensure that their interest in financial support is manifested in direct support to national parks. We will use many of the new communication technologies available to reach the American public and connect them with their parks.

I am new to the National Park Foundation. I am in my third week on the job, but not to the world of nonprofits, entrepreneurship and innovative technology. Ensuring the future of the national parks through the generosity of Americans with use of this new technology will be one of my top priorities in starting here at the National Park Foundation. The fabric of our Nation is strengthened and enriched through the unique cultural, historical and scenic beauty of our national parks. They inspire us and challenge us to understand more deeply American history, the American way of life and the natural processes that surround us. They can be powerful tools of education for our children and offer the very best of these United States to all who seek them out. Support for national parks ensures the very best of returns, not those of monetary value, but those values of preserving and protecting uniquely American principles. Thank you, Mr. Chairman, for your ongoing support of national parks and the National Park Foundation and thank you again for the opportunity to appear before you today. Thank you.

[The prepared statement of Mr. Cipolla follows:]

Testimony of
Vin Cipolla, President & CEO National Park Foundation
Before the Subcommittee on Criminal Justice, Drug Policy and Human Resources
United States House of Representatives Committee on Government Reform
"The National Parks: Will they survive for future generations?"
April 22, 2005

Mr. Chairman and honorable members of the Subcommittee, my name is Vin Cipolla and I am the President and CEO of the National Park Foundation. The National Park Foundation was chartered by Congress in 1967 to encourage private philanthropic support of America's National Parks. Thank you for the opportunity to appear before this subcommittee to comment on National Parks today and into the future.

The mission of the National Park Foundation is to strengthen the enduring connection between the American people and their National Parks by raising private funds, making strategic grants, creating innovative partnerships and increasing public awareness. The National Park Foundation operates above what we call the "bright line" of Congressionally appropriated funds, by contributing direct monetary support, goods and services to the National Park Service that add to, but do not replace Federal appropriations. Over the past eight years NPF has enjoyed substantial growth: over $239 million in contributions and $217 million in total grants and program support to National Parks across the country. The Foundation's growth has been achieved with fundraising and administrative costs kept to a minimum – Money Magazine recently recognized the NPF as one of eight charities best at maximizing the percentage of donations going directly to programs supported.

A Tradition of Private Philanthropy

As you are aware, National Parks have a long tradition of private philanthropy. National Park philanthropy began with an innovative approach to preservation – purchase vast tracts of land and donate them to the Federal government. One hundred years ago, simply converting land from private ownership to public ownership was all that was necessary to protect it for future generations. Today, whether it is funding new Junior Ranger programs that connect with today's youth, supporting volunteerism programs that empower citizens to care for the land, assisting with multi-lingual outreach efforts inviting new Americans to the National Parks, or backing Park programs that bring classroom lessons to life, the National Park Foundation is bringing new and different approaches to preserving and protecting National Parks. Just as the needs of Parks have changed over time, so has philanthropy in this country today. The opportunity before us is to bring these two traditions together.

Building on Tradition with Innovation

We have built on the conventions of public private partnerships by developing innovative approaches to improve visitor services, increase volunteer opportunities, offer more educational programs and engage the community with their Parks over the long term. The role of private philanthropic support is to fund inventive, cutting edge programs in these areas and to ensure evaluation of those programs to determine their effectiveness. There are many levels to this support, from the local friend's groups, supporting individual Parks, to national partners like the National Park Foundation giving system-wide support to Parks.

The Future of Private Philanthropy for National Parks

Private philanthropy has traditionally been held in the hands of a few individuals and corporations whose commitment is strong, consistent and valuable. We view the future success of private support not only in the capable hands of Congress and these traditional partners, but also in the hands of the 80 million plus National Parks visitors and enthusiasts. The future of philanthropic support is in both diversifying the opportunity to experience National Parks, and also in diversifying the opportunity to support our Parks. Along with our Board of Directors, I am committed to expanding the base of individuals that support our National Parks directly. We want to engage these millions of Park visitors and enthusiasts and take their love of these special places to the next level to ensure that their interests and financial support are manifested in direct support to National Parks. We will use many of the new communication technologies available to reach the American public and connect them with their Parks. I am new to the National Park Foundation, but not to the world of non-profits, entrepreneurship, and innovative technology. Ensuring the future of the National Parks through the generosity of Americans with use of this new technology will be one of my top priorities in starting here at the National Park Foundation.

Conclusion

The fabric of our nation is strengthened and enriched though the unique cultural, historical and scenic beauty of our National Parks. They inspire us and challenge us to understand more deeply American history, the American way of life and the natural processes that surround us. They can be utilized as powerful tools of education for our children and offer the very best of these United States to all who seek them out. Support for National Parks ensures the very best of returns, not those of monetary value, but those of preserving and protecting uniquely American principles.

Thank you, Mr. Chairman, for your ongoing support of National Parks and the National Park Foundation, and thank you again for the opportunity to appear before you today. I can answer any questions you may have.

Mr. SOUDER. Thank you very much. Our next witness is Emily Wadhams, vice president of public policy at the National Trust for Historic Preservation.

STATEMENT OF EMILY WADHAMS

Ms. WADHAMS. Mr. Chairman, thank you for the opportunity to offer the views of the National Trust For Historic Preservation on the condition of our national parks and the need to support the National Park Service's substantial historic and cultural inventory. My name is Emily Wadhams. I am the National Trust vice president for public policy.

We are concerned not only about the funding for the national parks themselves but also for a host of other National Park Service cultural resource programs and historic preservation in the States and communities around the country. Arguably, the National Park Service has responsibility for the stewardship of America's most significant historic sites and museum collections: 62 percent of the 388 park units managed by the Service were designated as historic or cultural in nature by Congress, and every one of them contains important prehistoric and historic places or collections. The Service's inventory their structures and reports that 55 percent of the approximately 26,000 buildings and structures under its stewardship are in poor to fair condition. National Park Service has relatively little data on the number of archeological sites in the parks, but for those sites that they do have data on, less than half are in good condition. To compound this situation, in 2003, approximately 370 incidents of vandalism or looting related to those sites were reported. Only 48 percent of the Service's museum collections which rival those of the Smithsonian in size and significance have even been cataloged. Of the park's historic landscapes identified, nearly 70 percent are in poor or fair condition. The National Trust has attempted to help by partnering with the Park Service to restore important but threatened buildings by raising private sector dollars for a number of parks including the McGraw Ranch and Rocky Mountain National Park and at White Grass, where we are supporting and encouraging efforts to raise funds to save the buildings as a Western Park Service Employee Training Center. But it is apparent that the National Park Service does not have the financial resources to document, repair and maintain these important cultural assets. This unhappy story of the conditions in the national parks does not end with the parks themselves.

The National Trust feels compelled to draw your attention to the array of cultural programs that assist State and local historic preservation efforts that are managed by the Park Service, and I will highlight just a few of them: The National Register of Historic Places, which recognizes historic sites through a formal designation process. This provides eligibility for Federal grants, tax credits and is a very key component in the regulatory review process for Federal agency undertakings. Funding is inadequate; staff resources are strained. The public interest in this program is overwhelming. In 2004, there were 145 million hits on the National Register Web site representing over 4 million individual users. Only a small percentage of those documents, however, are in digital format due to lack of funds. The National Trust is working with the Park Service

and the National Park Foundation to find non-Federal dollars to bring this incredible record into the 21st century and make it more accessible to the public.

The Historic Preservation Fund, also within the Park Service's purview, supports important State and tribal preservation programs and special grant programs. States receive matching funds to manage the State Historic Preservation Offices, a unique Federal-State partnership between the Park Service, the Advisory Council on Historic Preservation and the States. The FHPO activities range from historic surveys to heritage tourism programs to assisting Federal agencies and reviews of their projects on historic resources to assisting developers with rehab tax credit projects, which have the economic benefit of leveraging about $2 billion a year. In 2001, the FHPOs received $46.6 million. By 2005, that number has diminished to $35 million.

There is a similar Tribal Historic Preservation Office Program. The number of certified tribes participating in that program has increased from 34 to 59 in 2 years, but the funding for this program is embarrassingly low, $3.2 million in 2005, and has not increased proportionately.

The Historic Preservation Fund also includes Save America's Treasures Grants, a program in which the National Trust plays a significant role. The Federal grants require a 50–50 match and are made to nationally significant, threatened historic buildings and collections. Thanks to broad, bipartisan congressional support for SAT over the last 7 years, over $200 million has been awarded in matching grants supporting 726 nationally significant preservation projects in every State. SAT has leveraged private and public funds of over $23 million for projects like the south side of Ellis Island, Mesa Verde and Thomas Edison's lab. Other SAT projects include Akima Pueblo in New Mexico, Louisa May Alcott's home in Concord, MA, and Lincoln Cottage in Washington, DC. Lincoln's summer home is now being restored through a SAT. The National Trust is raising the match and coordinating the project, and the future plans include full public access and increased visibility through the designation of Lincoln Cottages and affiliated areas with the National Park Service as recommended by the National Park Service Special Resource Study.

In 2004, Congress appropriated $30 million to Save America Treasures. The currently proposed budget cuts that in half. The entire Historic Preservation Fund that I have just gone over received $74 million in 2004. And the 2006 budget proposes a 27 percent reduction for these important programs.

Mr. Chairman, as we approach the centennial of the National Park Service in 2016, we strongly support your bill that would establish finally a dedicated fund to address the maintenance backlog for the national parks. We applaud your efforts to find solutions to the chronic underfunding for these places and programs that define our American heritage. The National Trust will continue to work with and support the Park Service in any way we can. As a Nation, we cannot afford to be derelict in our responsibility as good stewards of our unique and spectacular cultural national heritage. Thank you very much.

[The prepared statement of Ms. Wadhams follows:]

Emily Wadhams
Vice President for Public Policy
The National Trust for Historic Preservation

Testimony
Before the Committee on Government Reform
Subcommittee on Criminal Justice, Drug Policy and Human Resources
Chairman Mark Souder

The National Parks: Will they survive for future generations?
April 22, 2005

Mr. Chairman, thank you for the opportunity to offer the views of the National Trust for Historic Preservation concerning the condition of our National Parks and the need to support the National Park Service's (NPS) vast historic and cultural inventory. For more than 50 years, the National Trust has been helping to protect the nation's heritage as the Congressionally chartered leader of the private historic preservation movement in America. The Trust, a nonprofit organization with more than a quarter million members throughout the country, is directly involved in saving the best of our past for future generations.

While the Trust observes that there are serious issues with support throughout the Service, I will focus today on the historic and cultural properties owned and managed by the NPS and those programs and funds that support historic preservation in communities across the United States. As documentation for the assertions I make today, I will primarily rely upon the data contained in the Service's own "Fiscal Year 2006 Budget Justifications and Performance Information" or from the agency's own official publications and information.

We are concerned not only about funding for the National Parks, but also for the host of other related cultural resource programs managed by the NPS, which are experiencing similar, chronic under funding. In this regard, let me underscore the Trust's support for your bill that would finally establish a dedicated fund to overcome the NPS maintenance backlog and rally citizens around the plight of these national treasures. We thank you for your leadership as we approach the Centennial of the National Park system.

Cultural Properties in National Parks

Arguably, the National Park Service has responsibility for the stewardship of America's most significant historic sites and museum collections. Sixty-two percent of the 388 park units managed by the NPS were designated as historic or cultural in nature by the Congress and every one of the 388 park units contains important prehistoric and historic places or collections.

1. Historic Structures: Several laws and Executive Orders direct federal agencies, including the NPS, to have current and reliable data on their real property. The Service has counted and evaluated their historic structures and reports that 55 percent of the approximately 26, 500 structures are in poor or fair condition. Some examples of sites that have suffered from deferred maintenance include:

    - Fort Jefferson in the Dry Tortugas National Park, off the coast of Florida (built in 1846-66, Fort Jefferson is the largest all-masonry fortification in the Western world);

    - the nationally significant steam schooner "Wapama" built in 1915, now located in San Francisco Maritime National Historical Park;

    - the Walnut Hill Estate at Valley Forge, a part of General George Washington's winter encampment; and

- the "Arts of War" sculptures by Leo Friedlander located at Arlington Memorial Bridge. Flanking the eastern ends of the bridge and the parkway are two pairs of gilded monumental neoclassical equestrian statuary on identical pedestals.

2. Archeological Sites: When it comes to archeological sites, the National Park Service has relatively little data on the number of archeological sites within their purview. And for those archeological sites for which they do have information, less than half are in good condition. In calendar year 2003, approximately 370 incidents of vandalism or looting related to archeological or paleontological sites were reported.

3. Museum Collections: The NPS's museum collections rival those of the Smithsonian, in size (105 million objects, specimens, documents, and images), scope, and significance, yet the Service has catalogued only approximately 48 percent of their collections. The collections include a wide variety of objects from personal objects like Abraham Lincoln's cane – given to Frederick Douglass by Mary Todd Lincoln, and General Robert E. Lee's mess kit and field desk, to important American art like Thomas Moran's painting of the Yellowstone Valley, and furniture. The picnic table used by President Johnson when he signed the Education Bill is an example from the more recent past.

4. Historic Landscapes: Of the historic landscapes identified, nearly 70 percent is in poor or fair condition. One example in that category is the farm, recreation buildings, and landscape at Sleeping Bear Dunes National Lakeshore in Michigan. This site represents the history of the area as it grew from farming and lumbering to a tourist destination in the 1920's and thus to designation as a National Seashore.

In summary, the National Park Service simply does not have the financial resources to collect the most basic data, to repair and maintain our nation's most important historic structures, archeological sites, historic landscapes, or museum collections in the National Park system. All are irreplaceable elements of our shared American heritage and worthy of public support.

Cultural Programs of the National Park Service

The Trust's concerns do not end with the story of the conditions in the National Parks. The NPS has also been directed by Congress to manage an array of cultural programs to assist state and local historic preservation efforts. These programs are covered in the "National Recreation and Preservation" and the "Historic Preservation Fund" sections of the budget. While the operating funds support National Park Service employees at the national and regional level, the grant funds go to states, tribes and nationally significant projects and require a 40 percent match.

1. The National Register of Historic Places and NCPTT: The United States is the only country in the world that relies on its citizens to identify and nominate properties of national, state and local significance for recognition by the federal government. The National Register Program, as it is called, assists states, communities and individuals in recognizing their historic places through formal designations and technical assistance.

This federal designation provides eligibility for federal grants and tax credits and it is a key component in the formal review process for federal agency projects. The public interest in this program is overwhelming. In 2004 alone, there were 145 million hits on the National Register web site representing 4.2 million individual users. In addition, in 2004, the public requested copies of 80,000 pages of documentation held by the National Register. This is about the same number of pages as published by the "Federal Register" every year.

Another related program, The National Center for Preservation Technology and Training (NCPTT) supports research, training and skills development in preservation and conservation. In 2003, Congress enacted $17,467,000 for these programs. In 2006, the Administration's budget request for these activities was $15,309,000. That is over a $2 million dollar cut in real dollars from just three years ago and it does not factor in inflation.

2. The Historic Preservation Fund (HPF): The National Park Service manages several grant-in-aid programs that directly assist states, Indian tribes, institutions and significant historic properties. The HPF provides funds to the states, Indian tribes, Historically Black Colleges and Universities. A separate category within the fund, "Save America's Treasures," assists nationally significant buildings and collections.

3. HPF Grants to the States: When the Congress established the federal Historic Preservation programs in 1966, it established, in law, a federal-state-local partnership that shares responsibility for identification and protection of historic places. The federal government shares the responsibility, and the cost, with the states, and localities. As a result, substantially fewer federal employees and federal resources are required, and the states and local governments have a significant role in the program. The NPS estimates that the states and localities will nominate 1,400 historic properties to the National Register of Historic Places and that the states will directly assist federal agencies with their responsibilities to evaluate 10,000 federal projects such as highways, urban redevelopment and hydro-electric for their possible impact on historic properties. Were it not for the assistance of the State Historic Preservation Officers, much needed federal projects would be indefinitely delayed, and much more expensive to complete.

4. HPF Grants to the Tribes: Grants-in-aid to Tribes support tribes' participation in the National Historic Preservation Act. As tribes are recognized as meeting the criteria to assume Tribal Historic Preservation Officer (THPO) duties, they become eligible for equally distributed grants to support on-going activities. A smaller amount of money is reserved to assist tribes that have no THPO and have a need for a specific project. There are presently 59 tribes that must share a portion of the $3,205,000 proposed in 2006 for this grant category (an average of $54,322 per certified tribe if no other grants were awarded). For comparison, in 2003, 43 tribes shared $2,981,000 (an average of $69,325 per certified tribe using the same measure.) As the number of certified tribes grows, there will be less and less money to support their important work if the present trend continues.

5. HPF Grants to Historically Black Colleges and Universities: Grants-in-Aid to Historically Black Colleges and Universities support the rehabilitation and restoration of significant historic buildings on the campuses of the colleges and universities. The 2006 budget proposes to eliminate the $3,451,000 available in 2005 for this work.

6. HPF Save America's Treasures Grants: Save America's Treasures (SAT) is a program in which the National Trust has a significant role. The federal grants require an equal share of private money and are made to nationally significant threatened historic buildings or collections. Thanks to the broad bi-partisan Congressional support for SAT over the past seven years, $218 Million has been awarded in federal challenge grants to 726 nationally significant preservation projects in every state, Puerto Rico and the Midway Islands. The Trust has been instrumental in raising over $55 million in preservation dollars for 100 federal grantees and other significant preservation projects, often leading the way with private funds subsequently applied to meet a federal challenge grant. In FY2004, over $156 million was requested for the $32.6 million available in SAT. The need is five times the available funds in that account alone. In 2004, the Congress appropriated $32,592 million dollars for SAT. In 2006, the NPS budget proposes that $14,583 be appropriated – half the amount appropriated in previous years.

   In 2004, the Congress appropriated $73,582,000 for significant and effective grant-in aid programs described above. In 2006, the budget proposal for the same programs is $53,705,000. A 27 percent reduction in the amount of money available to preserve the history of the United States as reflected in its monuments and neighborhoods is not the right thing to do.

Mr. Chairman, in 2016, a decade from now, the National Park Service will be 100 years old. In setting aside places of history and natural beauty, Congress expressed, in a very tangible way, its belief in the nation's future. It appointed the National Park Service as the steward of those 388 parks and entrusted their care to its men and women. Seeing that the desire to preserve significant places was not limited to National Park Service sites, Congress asked the states, tribes and individual citizens to help. These groups have rallied to meet this mandate. Yet the National Parks and the National Park Service's cultural programs have remained under funded for the task. As we approach the centennial of the National Park Service, Congress and the Administration have the opportunity to remedy the situation by appropriating the funds necessary to maintain our cultural and natural heritage for America's public and America's posterity.

Mr. SOUDER. Thank you very much for your testimony.

Our next witness is Mr. Dennis Galvin, retired park ranger, former superintendent, former deputy director.

Thank you for coming today.

STATEMENT OF DENNIS GALVIN

Mr. GALVIN. Thank you, Mr. Chairman. It is a pleasure to be in front of this committee again. I won't bore you with the details of my biography, but I have not been superintendent of Yellowstone and Yosemite, although I have worked in those parks extensively and in many other parks. I retired as deputy director in 2002. I was deputy director under three presidents, President Regan, President Clinton and the current Bush administration, until I retired.

Many of the issues brought before the committee thus far are outlined in my testimony, and I want to congratulate you on your opening statement. I think it simply sums up the dilemma we face in maintaining a first-rate National Park System. I have a prepared statement, and I will submit it for the record. Mr. Martin mentioned the 96 percent approval rating, the 270 million visitors. One in three Americans visited a park in the last 2 years, all based on surveys. In addition, many parks are hubs of regional economy so they are very important to local communities. People say the most-cited reason for their visit is sightseeing. The attraction of parks is their intrinsic quality.

Over time, the vigorous protection of these park resources has enhanced, not encumbered, public enjoyment. I will spend the balance of my time, Mr. Chairman, discussing budget issues and how they affect individual parks. But for the record, the budget of the National Park Service has been decreased slightly since 2001. Now that is not true of the operations budget, but it is true of the overall budget. However, due to the emphasis of Congress and the National Parks Conservation Association, a great deal of attention has been focused on both the dilemma of park operations and the backlog. This committee and other committees have held hearings on that.

Last year, the park-by-park increase for the individual parks, not for the operations budget as a whole, increased by 6.1 percent, and that was, as far as I know, certainly in recent history, the largest increase at the park level in the history of the park. So all involved need to be congratulated for that.

Let me say a little bit about how individual parks budget for increases. There is a standing file of increases that parks can contribute to at any time. And there is also a standing file in which parks can put their project needs into—they have acronyms. So parks can catalog their increases at any time. When a budget is put together, those increases are looked at. Now sometimes there is an emphasis placed on the budget by a given administration. One year it might be coral reefs. Another year it might be homeland security. What the regional offices and the Washington office do in those circumstances is go into the standing file and look for coral reef projects or homeland security projects. And the effect of that over time has been inattention to this business of fixed costs that you outlined in your statement, that you talked about in your questions

and that the NPCA witness outlined. And as a result, many years at the park level, the pay increases and the rising costs exceed what they get out of the budget, in effect. And even though you can look over years, and every administration does this, and say, well, over the last 10 years, we have increased the park budget by 20 percent; if you look at this record on fixed costs, you will find at the park level, many times a park is going backward. What do they do? They lay off people, seasonals, or they don't hire permanent employees.

The air quality specialists at Shenandoah are a perfect example, a park that has a significant air quality problem, has a vacant air quality position. Why is that? I'm guessing, but it is an educated guess, because not showing one permanent position allows the superintendent to fill three or four seasonal positions. So over time, that kind of rational decisionmaking results in parks not filling critical permanent vacancies. And many park budgets are 90 percent salaries. They should be 75 percent, in my experience.

Now, finally, a few words about the backlog. If you look at the infrastructure at the National Park System, it essentially was built in two periods of history: in the Franklin Delano Roosevelt New Deal Era, when the emergency conservation work and CCCs built the basic infrastructure of parks; and beginning in the Eisenhower administration with Mission 66, which was a 10-year program after World War II to renew the infrastructure of national parks. We talked about Grand Teton earlier. That is a classic Mission 66 park. Except for a few rustic housing units, everything in that park was built in Mission 66, which is to say it was finished about 40 years ago.

Let me give you one example of how that history affects a given asset in a park. The Old Faithful sewage treatment plant at Yellowstone was built during Mission 66. It's being reconstructed right now, so it's not a problem. Here's the dilemma when that sewage treatment plant, Old Faithful, was closed in the winter. There was no food service and no visitors to Old Faithful. The design theory behind that plant was, you close it down for the winter and you switch to a septic tank. Has no heating inside. And so when winter visitation—now 20 years of winter visitation comes to Yellowstone—you are dealing with an asset that not only faces maintenance problems, but it is simply obsolete and can't meet current-day conditions.

One thing to look at in the facility condition index is OK, this facility has been maintained properly, but does it have a modern day function? Is it meeting modern day loads? At the end of Mission 66, there are 140 million visitors to parks. There are more than two times that now, and there has been concomitant investment in park infrastructure.

Another example, I think, of changes in the National Park System, are that the principal changes that affect infrastructure have been inheriting large military bases, industrial complexes. Lowell was mentioned, south side of Ellis Island, the Presidio, Gateway, which included many military facilities. When you get those undeniably nationally significant assets, you get a lot of buildings. The only way to solve that problem it seems to me is through partner-

ships and leasing, because they don't really have—far more square feet than a park needs or uses.

I will close with a story, Mr. Chairman. One of the great advantages of being retired is the opportunity to explore these parks in depth and at leisure. Two years ago, I stood at the cemetery at Gettysburg and watched a father place his two small children in front of the Lincoln bust under which there is a text of the Gettysburg address. He translated the Gettysburg address for those children into their native tongue. No statistic will ever capture that moment, but for me, it illustrates the power and potential of the national parks' enduring mission and the enormous importance of national parks as educators of our citizens and protectors of our heritage. Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Galvin follows:]

Testimony of
Denis P. Galvin
Former Deputy Director
National Park Service

On "The National Parks:
Will they survive for future generations?"
Before the
Subcommittee on Criminal Justice, Drug Policy and Human Resources
Committee on Government reform
U.S. House of Representatives

April 22, 2005

Thank you, Mr. Chairman.

My name is Denis Galvin. It was my honor and privilege to serve the American people in their National Park System for 38 years. I am delighted to have an opportunity to address the distinguished members of this subcommittee. The series of hearings you are holding on the future of the National Park System are unprecedented in the history of the system, and are extremely important to future generations of Americans. Before I address the issue of the future of our national parks, perhaps it would be helpful if I explained my background.

It was my honor to serve three presidents as Deputy Director of the National Park Service: President Reagan from 1985 to 1989; then, nine years later, President Clinton, from 1998 to 2001; and President George W. Bush until my retirement in 2002. Before I came to Washington, I worked as an engineer in Sequoia and Mt. Rainier national parks, as an instructor of ranger trainees at the Albright Training Center in Grand Canyon National Park, as a supervisor of 600 professional engineers and their associated staff at the Denver Service Center, and as a construction manager in scores of our national parks. I led the implementation of a priority-setting procedure in the National Park Service to ensure that funds appropriated by Congress were put to the best use. And I was responsible for ensuring that the Service complied with cultural and environmental laws at national, state, and local levels.

Throughout those nearly four decades, I witnessed the appreciation and affection that Americans feel for their national parks. I heard their passionate insistence that the national parks should be preserved for their children and grandchildren. I learned that the citizens of this country recognize, and care deeply, that there is no other place like Yellowstone, no parallel for the Grand Canyon, and no better way to know what shaped our nation than to visit park units such as Independence Hall and Gettysburg, Martin Luther King's birth home and Thomas Edison's laboratory.

A major part of the National Park Service mission is to ensure that the American people are able to access, enjoy, and learn from the System's 388 units. But from the beginning, the agency's responsibility has been larger. Congress directed the Park Service to ensure that enjoyment of the national parks occurs in a manner that preserves them in a natural condition for others. Congress said that to do less would allow America's irreplaceable treasures to shrink in value for the next visitor, or the next generation of visitors, and such erosion would be wrong.

Every year we see the strongest evidence possible that the Park Service mission—to preserve the parks unimpaired—is popular. More than 270 million people visited America's national parks last year. We know from visitor surveys that every two years about one-third of all adults in the country visit a unit of the National Park System, and they give the parks an approval rating of 95 percent. The most frequently cited reason for their visits is sightseeing. The preeminent attraction of the parks is their intrinsic qualities—their scenery and wildlife. Through their visits and comments, the American people have let it be known, year after year and by overwhelming margins, that vigorous protection of these park resources has enhanced not encumbered their enjoyment.

During the last five years, appropriations for the entire National Park Service are flat or slightly down. In FY 2001, total NPS appropriations were $2.3 billion. The estimate for FY 2006 is $2.2 billion. Importantly, however, Congress and the administration recently have focused on better funding annual operations of the parks so they can open the doors, turn on the lights and protect the resources. Last year, although the overall increase for park operations was not as high as in 1999-2002, the park-by-park increase 06.1 percent for base operations of the national parks—the money that funds park level needs—was the most significant that has been enacted.

To put the importance of this in perspective, it is useful to understand the annual budgeting process for the Park Service. Each national park has a file of needed increase. The regions and the national office review that list based on budget targets from OMB and the administration. Those annual targets frequently have a specific emphasis—one year they might emphasize coral reefs, another they might emphasize homeland security, the next they might emphasize partnerships. At the end of the day, parks generally receive little additional money for the effort they expend producing their requests. At the same time, the administration may build a 2.3 percent civilian cost of living adjustment into its budget, which Congress then raises to 4 percent to provide parity with military employees. That difference comes straight out of park budgets, since it rarely, if ever, is funded. So, the parks may receive a sum of money. It is often an amount that does not meet their most basic needs. They take what they receive and plug as many holes in their budgets as they can with it. One byproduct is that the structure of filled positions varies significantly park-by-park, and frequently leaves important positions unfilled, because the parks simply have to make do by deciding not to fill vacancies that occur when the park needs money for fixed costs and seasonal employees. This problem is further compounded when the Park Service budgets increases for cyclic maintenance and repair and rehab activities through the annual operations funding line, further impacting the draw on scarce park operational funding.

These issues are particularly important, because many park budgets are 90 percent salaries. Inadequate operations funding means the parks go backwards in terms of their personnel, since their fixed costs continually rise more than their appropriations.

Then there is the maintenance backlog. There have been two times in the history of the national parks when significant new investments were made in their infrastructure—the CCC in the 1930s and Mission 66 between 1956 and 1966. These two built 90 percent of today's park infrastructure.

Because Mission 66 was completed 40 years ago, the national parks have aging facilities as well as facilities whose capacity is being exceeded. The classic example of this is the sewage treatment plant at Old Faithful in Yellowstone National Park, now being reconstructed. The plant was built in the 1950's to operate during a five to six month visitor season. Half a century

later that plant would be operating all year, including the winter season. This raises a question regarding the Park Service's Facility Condition Index, which rates the condition of individual items of Park Service infrastructure. If this plant was fully repaired and in top condition, the FCI would indicate that no further work is needed on it. Yet, it was obsolete due to changing conditions and does not meet the current day needs of the park.

Since 1966, the park system has grown, which also has a fiscal impact. That impact is less driven by actual land acquisition than it is impacted by infrastructure. The historic buildings at Golden Gate, Sandy Hook, Ellis Island, and elsewhere, are examples of infrastructure that is enormously expensive to preserve and maintain. For these kinds of facilities, appropriate partnerships that involve leases or other solutions, like Sandy Hook is now exploring, are necessary alternatives to consider. They also point out the inadequacy of the Interior budget.

When the Presidio was transferred to the Park Service, $125 million actually came from the defense appropriations bill. This may be a model to consider where former military installations are involved. Clearly, based on its typical allocations, the Interior appropriations bill is insufficient to eliminate the backlog and meet the fiscal needs of the parks without some additional infusion of dollars analogous to what was done in the 1930s and 1950's-60's time period.

After 40 years in the Park Service, I'm as convinced as I ever was of the enormous importance of the national parks as an educator of our citizens and protector of our heritage. They bring together people from every corner of our, and other, nations. Their capacity for engaging the citizenry in the meaning of the American experience is enormous. One of the pleasures of retirement is the opportunity it provides to explore these places in depth. Two years ago I stood in the cemetery at Gettysburg and watched a father place his two small children in front of the Lincoln bust. He translated the Gettysburg address into their native tongue. No statistic will ever capture that moment, but for me, it illustrates the power and potential of the national park's enduring mission.

Thank you for hearing my testimony. I welcome your questions.

Mr. SOUDER. Thank you.

Our last witness on this panel is Mr. Peyton Knight, who is the executive director of the American Policy Center and Washington, DC, representative for the American Land Rights Association. Thank you for coming today.

STATEMENT OF J. PEYTON KNIGHT

Mr. KNIGHT. Thank you, Mr. Chairman and thank you for your comments earlier.

I have submitted a written statement for the record. Quite frankly, America's park system is in trouble. Our Nation's 388 national parks, historic sites, battlefields, landmarks, lake shores, recreation areas, scenic rivers and trails have an estimated collective maintenance backlog of between $4.1, $6.8 billion and, according to Ms. Long, could be as high as $10 million or $10 billion. Yet as this crisis continues to snowball, Congress has not done enough to strike at the heart of the problem. Will our national parks survive for future generations? The answer is, no, unless Congress acts responsibly and reins in the ravenous appetite of the National Park Service and Federal land acquisition programs.

The Federal Government currently owns almost one-third of America's total land mass. NPS is assigned for caring for much of this property. It clearly can't handle its current responsibility. How on earth does it make sense to give it more? In order to solve this crisis, Congress must make a sincere commitment to curb all future NPS programming and acquisitions and scale back expansion plans that are already in the pipeline that are only going to add more fuel to the backlog fire. You simply can't pledge more funding at one end and continue it with out of control expansion at the other. It only exacerbates the problem. This reckless expansion threatens the future of our Nation's National Park System and undermines the ability of the agency to meet its commitments to future generations.

According to the National Parks Conservation Association, public safety and public access rank high among the casualties of our overdrawn park service. Yosemite National Park in California desperately needs everything from trail and campground maintenance to a new sewage system and electrical upgrades. Yellowstone has decrepit buildings and over 150 miles of roads that need repair. In Mount Ranier National Park in Washington, travel to backcountry cabins is impossible because of neglected bridges and trails. The foundation at the visitor center of the USS Arizona Memorial in Hawaii is crumbling and literally falling into the ground.

When public access to parks isn't taking a backseat to scarce resources, the Park Service is actually promoting spending money to shut people out. The Park Service's Yosemite Valley Plan would cost close to a half billion dollars and would actually reduce the number of parking spaces by two-thirds. Instead of being able to leisurely enjoy the sites and wonders of Yosemite, this grand plan calls for the park patrons to be herded on to a fleet of buses and shuffled through the park on the Park Service's schedule. Under the plan, hundreds of camp sites that were destroyed in the 1997 flood would not be replaced and nearly 60 percent of the park's remaining campsites accessible by car would be removed. The Na-

tional Park Service is quickly earning the moniker of our Nation's slum lord. And Congress's response should not be to award NPS with more property and more programming.

Rather Congress should seek to scale back the Park Service's duties until manageable levels are attained. The National Park Service is already slated to receive $2.2 billion in the next fiscal year. That is almost $1 billion more than it received just 10 years ago. The real answer to the Park Service's maintenance woes is fewer holdings and programs. For Congress—unfortunately, Congress seems determined to ignore this solution and drive the Park Service and our national treasures into further disrepair. For example, the House and Senate this year are moving to create a National Heritage Areas Program. Heritage areas are permanent units of the Park Service and, therefore, lifelong dreams on already scarce resources. Even more importantly, heritage areas are Federal land-use mandates foisted upon local communities. Heritage areas are being sold to Congress under false pretenses. Proponents claim that these areas are simply temporary funding grants, seed money that is scheduled to sunset once the area becomes self-sufficient. Predictably, this has not happened with current heritage areas. These pork barrel land-use schemes are forever dependent on Federal funding because they lack local interest. Ten years ago the late representative Gerald Solomon strongly warned that heritage areas are targets for increased land-use control by the Park Service as well as funding drains on the agency. In Solomon's letter he wrote, "I urge you to defend property rights and strongly oppose the America Heritage Area Participation Program. The environmentalists advocating this bill have Federal land-use control as their primary objective. This bill wastes tax dollars that can be more appropriately spent on maintaining our national parks." And he goes on. He would be appalled to learn that Congress is pushing harder than ever for a National Heritage Areas Program when the Park Service's problems have only increased exponentially since he penned this letter.

When the Federal Government acquires property, it compounds the current crisis in two ways. One, it adds more property and burden to the maintenance backlog, but it also removes private property from the tax rolls, thereby reducing funds that could help address the current crisis. In spite of this, a provision currently sitting in the Senate budget resolution would earmark $350 million guaranteed every year for the next 3 years for the Land and Water Conservation Fund. That's over $1 billion not subject to annual appropriations for Federal and State governments to buy up more private property. Fortunately, the House budget resolution includes no such nonsense, but representatives must make certain that the final conference report is free of this land grab boondoggle. The future of the National Park Service also depends on how the agency is viewed by the public. Unfortunately, NPS has shown itself to be a bad neighbor with a history of hostility toward land owners in local communities. Through programs like the National Natural Landmarks Program, NPS has run roughshod over many private property owners. Though advertised as voluntary benign designations to inform landowners of the natural features of their property, as if they weren't already aware, the program is in fact a

feeder system for future NPS holdings and crackdowns. One day, the Park Service knocks on your door and hands you a bronze plaque honoring your property. The next day, you find your property ensnared in a quagmire of planned progressively stronger land-use prohibitions and sometimes outright acquisition. In a great number of instances, the Park Service has been found to be trespassing and snooping around on private party, evaluating it for landmark designation without ever notifying the landowner. The most prevalent abuse occurred in Maine where the Park Service routinely ignored its own notification rules and refused to inform landowners of pending designations. In fact, the Park Service was working in collaboration with environmental organizations and land trusts targeting private property for future landmarks.

Syndicated columnist and author Alston Chase documented several examples of Park Service misdeeds under this program. For example, Jim Shelly, a New Mexico rancher, didn't even learn that his property was being considered for landmark designation until a friend noticed it in the Federal Register. The Nature Conservancy had evaluated Mr. Shelly's land for the Park Service without his knowledge. Lucy Wheeler of Vermont became suspicious when she noticed mysterious survey markers on her land. NPS officials were in fact sneaking around her property and neglected to inform Ms. Wheeler, because, as they reported, she was already, "sensitive."

Because of this controversy, a moratorium was placed on the landmark program. However, it has been lifted about 6 years ago. It is far past time for the Park Service to locate and notify victims of this debacle and seek their written permission for inclusion in the program. If the Park Service is not willing to reconcile its misdeeds, then the Natural Landmarks Program ought to be abolished.

In summary, if the Park Service is to survive for future generations, the agency's holdings and programming must be scaled back. Congress should direct the Department of Interior to take a careful inventory of its current holdings and determine which of these properties would best be turned over to States or sold to private interests. Undoubtedly, there are many national parks and recreation areas that have no business on the Federal dole. Some examples would be the Santa Monica Mountains National Recreation area in California or the Gateway NRA in New York. These properties might make good city or State parks, but American taxpayers nationwide should not be forced to carry this burden. Congress should also make certain that the Federal Government does not swallow any more of our Nation's land mass. The No Net Loss of Private Land Act, S. 591, would help in this regard. The bill's sponsor, Senator Craig Thomas, notes it is time for Congress to protect the rights of private property owners and instill some common sense into the Federal land acquisitions. No net loss of private lands will provide that discipline.

Thank you, again, Mr. Chairman for allowing me to testify on this important issue. Time is now for Congress to assert real authority and inject discipline into Federal land management agencies like the Park Service. Only this can save our national parks

and treasures, and I will be happy to answer any questions you may have.

[The prepared statement of Mr. Knight follows:]

Statement of

J. Peyton Knight

Executive Director of the American Policy Center

and

Washington D.C. Representative for the American Land Rights Association

Concerning

Oversight of our National Park System

Read before the

Subcommittee on Criminal Justice, Drug Policy, and Human Resources

of the

United States House of Representatives Committee on Government Reform

April 22, 2005

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today. My name is Peyton Knight. I am executive director of the American Policy Center in Warrenton, Virginia. The Center is a nonprofit grassroots organization dedicated to advancing the principles of private property rights, free markets, and limited government. In addition, I am the Washington, D.C. representative for the American Land Rights Association (ALRA). ALRA promotes the protection of property rights, public access to federal lands, and the wise use of our nation's resources.

America's park system is in trouble. Our nation's 388 national parks, historic sites, battlefields, landmarks, lakeshores, recreation areas, scenic rivers and trails have an estimated collective maintenance backlog of between $4.1 and $6.8 billion. That's almost $18 million per entity. Yet as this crisis continues to snowball, Congress has not done enough to strike at the heart of the problem.

Will our national parks survive for future generations? The answer is simply "no", unless Congress acts responsibly and reins in the ravenous appetite of the National Park Service (NPS) and federal land acquisition programs. The federal government currently owns almost one-third of America's total land mass. NPS is assigned to caring for much of this property. It clearly can't handle its current responsibility. How on Earth does it make sense to give it more?

In order to solve this crisis, Congress must make a sincere commitment to curb all future NPS programming and acquisitions, and scale back expansion plans already in the pipeline that will only add more fuel to the backlog fire. You can't simply pledge more funding at one end, and continue with out-of-control expansion at the other end. This only exacerbates the problem.

In the private sector, businesses must consider expansion carefully, lest they find their resources overdrawn and succumb to implosion and bankruptcy. In the world of the federal government, agencies such as the National Park Service seek an infinite expansion of their fiefdom, and all too often Congress rubberstamps these requests with little regard for practicalities such as available resources or funding. This reckless expansion threatens the future of our nation's national park system and undermines the ability of the agency to meet its commitments to future generations.

According to the National Parks Conservation Association, public safety and public access rank high among the casualties of our overdrawn Park Service. Yosemite National Park in California desperately needs everything from trail and campground maintenance to a new sewer system and electrical upgrades. Yellowstone National Park has decrepit buildings and over 150 miles of roads that need repair. In Mount Rainier National Park in Washington, travel to backcountry cabins is impossible because of neglected bridges and trails. The foundation of the visitor center at the USS Arizona Memorial in Hawaii is crumbling and literally sinking into the ground. Ancient stone structures are collapsing at Chaco Culture National Historical Park in New Mexico. In Gettysburg National Military Park, many historic structures need rehabilitation and a failing water line needs to be repaired.

When public access to parks isn't taking a backseat to scarce resources, the Park Service is actually *spending* money to shut people out. The Park Service's "Yosemite Valley Plan" would

cost close to a half-billion dollars and would actually reduce the number of parking spaces in Yosemite Valley by two-thirds. Instead of being able to leisurely enjoy the sights and wonders of Yosemite, this grand plan calls for park patrons to be herded onto a fleet of buses and shuffled through the park on the Park Service's schedule. Under the plan, hundreds of campsites that were destroyed in a 1997 flood would not be replaced, and nearly 60 percent of the Park's remaining campsites accessible by car would be removed.

The National Park Service is quickly earning the moniker of our nation's slumlord and Congress' response should not be to reward NPS with more property and more programming. Rather, Congress should seek to scale back the Park Service's duties until a manageable level is attained. The National Park Service is already slated to receive 2.2 billion dollars in the next fiscal year. That is almost one billion dollars more than it received just ten years ago. The real answer to the Park Service's maintenance woes is fewer holdings and programs. Unfortunately, Congress seems determined to ignore this solution and drive the Park Service and our national treasures into further disrepair.

For example, the House and Senate are moving this year to create a National Heritage Areas (NHAs) program (S. 243 and H.R. 760). Funding and technical assistance for NHAs is administered through the National Park Service. Indeed, Heritage Areas are permanent units of NPS, and therefore, lifelong drains on already scarce resources. Even more importantly, Heritage Areas are federal land use mandates foisted upon local communities. Quite simply: Heritage Areas have boundaries, and those boundaries have consequences for property owners unfortunate enough to reside within them.

National Heritage Areas are being sold to Congress under false pretenses. Proponents claim that these areas are simply temporary funding grants—seed money that is scheduled to sunset once the Area becomes self-sufficient. Predictably, this has not happened with current Heritage Areas. These pork barrel land use schemes are forever dependent on federal funding because they lack local interest. There are only three entities interested in Heritage Areas: local preservation groups; state and local bureaucrats; and the Park Service. And all three of these entities are interested for just two reasons: money and power.

Ten years ago, the late Representative Gerald Solomon (R-NY) strongly warned that Heritage Areas are targets for increased land use control by the Park Service, as well as funding drains on the agency. Solomon's September 19, 1994, letter he wrote to his colleagues shows that the Park Service's maintenance crisis did not sneak up on anyone:

> I urge you to defend property rights and strongly oppose the American Heritage Area Participation Program ... The environmentalists advocating this bill have FEDERAL LAND USE CONTROL as their primary objective.
>
> The bill wastes tax dollars that could be more appropriately spent on maintaining our national parks ... Property rights defenders have legitimate concerns about the provision in the bill requiring localities to obtain approval by the Secretary of Interior for land use plans...

WHY SPEND $35 MILLION ON NON-FEDERAL HERITAGE AREAS WHEN OUR NATIONAL PARKS DESPERATELY NEED FUNDS FOR MAINTENANCE AND REPAIR?

Again, I ask you to defend property rights and oppose this bill.

(The emphasis is Rep. Solomon's—not mine.)

Representative Solomon would be appalled to learn that Congress is pushing harder than ever for a National Heritage Areas program when Park Service's problems have only increased exponentially since he penned his letter.

When the federal government acquires property it compounds the current crisis in two ways. Of course, it adds more property and burden to the maintenance backlog. But it also removes private property from the tax rolls, thereby reducing funds that could help address the crisis.

In spite of this, a provision currently sitting in the Senate budget resolution would earmark $350 million, guaranteed, every year for the next three years for the Land and Water Conservation Fund. That's over one billion dollars, not subject to annual appropriations, for federal and state governments to buy up more private property. Fortunately, the House budget resolution includes no such nonsense, but Representatives must make certain that the final conference report is free of this land grab boondoggle.

The future of the National Park Service also depends on how the agency is viewed by the public. Unfortunately, NPS has shown itself to be a bad neighbor with a history of hostility toward land owners and local communities.

Through programs like the National Natural Landmarks Program, NPS has run roughshod over many private property owners. Though advertised as voluntary, benign designations to inform landowners of the natural features of their property (as if they weren't already aware) the program is in fact a feeder system for future NPS holdings and regulatory crackdowns. One day the Park Service knocks on your door and hands you a bronze plaque honoring your property. The next day you find your property ensnared in a quagmire of planned, progressively stronger land use prohibitions, and sometimes outright acquisition.

In a great number of instances, the Park Service was found to be trespassing and snooping around private property—evaluating it for landmark designation without ever notifying the landowner. The most prevalent abuse occurred in Maine, where the Park Service routinely ignored its own notification rules and refused to inform landowners of pending designations. NPS claims that property owners love the Landmarks program and are eager to join. If this is true, why the deliberate secrecy? And why do so many property owners fear a Landmark designation?

In fact, the Park Service was working in collaboration with environmental organizations and land trusts, targeting private property for future Landmarks. Syndicated columnist and author Alston Chase documented several examples of Park Service misdeeds under the program. Jim

Shelly, a New Mexico rancher, didn't learn that his property was being considered for a Landmark designation until a friend noticed the nomination notification in the Federal Register. The Nature Conservancy had evaluated Mr. Shelly's land for the Park Service without his knowledge.

Lucy Wheeler of Vermont became suspicious when she noticed mysterious survey markers on her land. NPS officials were in fact sneaking around her property and neglected to inform Ms. Wheeler because, as they reported, the subject was "already sensitive."

Because of this controversy, a moratorium was placed on new Landmark designations in 1989. However, that moratorium was lifted ten years later. It is far past time for the Park Service to locate and notify victims of the Landmarks debacle, and seek their written permission for inclusion in the program. If the Park Service is not willing to reconcile its misdeeds, then the National Natural Landmarks program ought to be abolished.

In summary, if the Park Service is to survive for future generations the agency's holdings and programming simply must be scaled back. Congress should direct the Department of Interior to take a careful inventory of its current holdings, and determine which of these properties would best be turned over to states or sold to private interests. Undoubtedly, there are many national parks and recreation areas that have no business on the federal dole. Some examples would be the Santa Monica Mountains National Recreation Area (NRA) in California or the Gateway NRA in New York. These properties might make good city or state parks, but American taxpayers nationwide should not be forced to carry this burden. Despite this, Congress is considering a massive addition to the Santa Monica Mountains NRA called the "Rim of the Valley." The estimated cost of this addition is $2 billion. When the Santa Monica NRA was originally created, it was only supposed to cost $155 million. The price tag is now over one billion with another $2 billion in the pipeline. This sort of mission creep and reckless expansion has got to stop.

Congress should also make certain that the federal government does not swallow any more of our nation's land mass. The "No Net Loss of Private Land Act" (S. 591) would help in this regard. As the bill's sponsor, Senator Craig Thomas, notes:

> It's time for Congress to protect the rights of private property owners and instill some common sense into federal land acquisitions -- No-Net-Loss of Private Lands will provide that discipline.
>
> The federal government has not always been a good neighbor to the people of the West. Federal land management agencies continue to lock up public lands throughout the West and restrict access to areas for multiple-use purposes. This creates great hardship for local communities, destroying jobs and depressing the economy in many areas around the West.

Thank you again, Mr. Chairman, for inviting me to testify on this very important issue. The time is now for Congress to assert real authority and inject discipline into federal land

management agencies. Only this can save our national parks and treasures. I would be happy to answer any questions that you, or other members of the subcommittee, may have.

Attachments:

1. Congressional Testimony of American Land Rights Association Executive Director Chuck Cushman concerning the Conservation and Reinvestment Act; June 20, 2001.

2. "National Park Service Entangled in 'Greengate'" by Alston Chase; March 5, 1990.

3. Senate Testimony of American Policy Center Executive Director J. Peyton Knight concerning National Heritage Areas; March 15, 2005.

4. "No to the Yosemite Plan: Don't Restrict Public's Access to National Parks" by Bonner Cohen; June 2003.

KEEP PRIVATE LANDS IN PRIVATE HANDS COALITION
P. O. Box 423, Battle Ground WA 98604
(360) 687-2471 – FAX (360) 687-2973 – E-Mail alra@pacifier.com

Testimony by Chuck Cushman, Coordinator
Keep Private Lands in Private Hands Coalition
Executive Director
American Land Rights Association
(Formerly the National Inholders Association)

House Resources Committee
US House of Representatives
Honorable James Hansen, Chairman

June 20, 2001
Washington, DC

Conservation and Reinvestment Act (HR-701)

We regret that we were denied the opportunity to testify in person at the hearing in Washington, DC as were many other organizations that requested to testify. We will share our concerns about HR-701, the Conservation and Reinvestment Act of 2001. We have considerable personal on the ground experience with how the Land and Water Conservation Fund really works, and the policies and practices of the Federal land agencies as they carry out their land acquisition programs. If HR-701 becomes law it will make land acquisition in America far more threatening to the future of America.

We compliment Chairman James Hansen on his distinguished career in Congress and the good he has done for multiple use and conservation in general. We feel, however, that HR-701 is a misguided response to a demand by several powerful special interest groups for a new entitlement and subsidy giving them a disproportionate share of our country's natural resources and an automatic yearly hand in the Federal treasury.

I am Charles S. Cushman, Coordinator of the Keep Private Lands in Private Hands Coalition and Executive Director of the American Land Rights Association. My father was a ranger for the National Park Service and I served the Park Service in the second Student Conservation Corps in Olympic National Park in 1959. I also served as a volunteer with the Audubon Society at what is now known as Channel Islands National Park. My son worked for the Park Service in the living history center in Wawona, Yosemite National Park and I served as a member of the National Park System Advisory Board from 1981 to 1984. I have personally visited most Park Service areas where land acquisition has taken place in recent years as well as many other Federal areas.

The Keep Private Lands in Private Hands Coalition opposes HR-701. It has over 600 organizations supporting it. The following list opposes CARA and includes a few groups that are not formal members of the Keep Private Lands In Private Hands Coalitions.

Adirondack Solidarity Alliance -- NY
AL Family Alliance
Alabama Family Alliance
Alaska Miners Association
Alaska Outdoor Council
Alaska Wildlife Conservation Assoc.
Albany County Farm Bureau -- NY
Alliance For America
Alliance For Constitutional Defense
Alsea Valley Alliance -- OR
American Agriculture Movement, Inc.
American Agri-Women
Am. Assoc.Of Small Property Owners
American Environmental Foundation
American Forest Resource Council
American Land Rights Association
American Policy Center
American Sheep Industry
Americans For Tax Reform
AR Scenic Rivers Landowner Assoc
Arizona Trail Riders
Arkansas Scenic Rivers Landowners

Associated Industries Of Vermont
AZ Trail Riders
Black Hills Reg. Multiple Use Coalition
Black Hills Women In Timber -- SD
Blue Ribbon Coalition
Blue Ridge Coalition
Bootheel Heritage Association –TX
Bruneau Valley Boosters -- ID
Building Industry Assoc Of WA
CA Association Of 4wd Clubs
California Outdoor Recreation League
Central Texas Taxpayers Association
Chamber Of Commerce, Wrangell – AK
Chelan County Citizens Coalition –WA
Citizens Against Government Waste
Citizens Against Refuge Proposal -- OH
Citizens Equal Rights Alliance
Citizens For A Sound Economy
Citizens For Const. Property Rights – FL
Citizens For Private Prop. Rights – CA, MO
Citizens For Responsible Zoning -- WI
Citizens Natural Resource Group – OR
Clallam County – WA
Clarks Fork Coalition – WY
Clearwater Resource Coalition – MT
Coalition For Land Use And The Envir.-- AZ
CO Off Hwy Vehicle Coalition
Collier Sportsmen And Conserv. Club – FL
Colorado Cattlemen's Association
Committee For A Constructive Tomorrow
Common Sense For Maine Forests
Communities For A Great Northwest
Competitive Enterprise Institute
Concerned Citizens For Respon. Gov. – WA
Conservationists With Common Sense
California Off-Road Vehicle Assoc.
Crooked Lake North Shore Assoc. – MI
Curry County Oregon Project
Davis Mountains Trans-Pecos Herit. – TX
Defenders Of Property Rights
Dredge Earth First
Eagle Forum
East Mojave Property Owners -- CA
Eastern Oregon Mining Association
Empire State Forest Products Assoc Inc
Environmental Conservation Organization
Exotic Wildlife Association – TX
F I G H T For Minnesota
Fairness To Land Owners Committee --Floc
Family Water Alliance -- CA
Federated Women In Timber - MT
Ferry County Action League -- WA
Fire Island Nat. Seashore Adv. Board –NY
FL Agriculture Coalition
FL Farm Bureau
FL Forestry Assoc
Friends Of Lake Crescent -- WA
Frontiers Of Freedom, National And WY
Glacial Area Conservancy Federation -- WI
Grant Cnty Farm Bureau -- WA
Grass Roots For Multiple Use
Grassroots ESA Coalition
Great Lakes Sport Fishing Council
Hardwood Lumber Mfrs Assoc/PA
Hardwood Manufacturers Assoc
High Desert Multiple-Use Coalition – CA
Hill Country Heritage Association -- TX
Home Builders Assoc Of ME
Houston Property Rights Assoc
ID Farm Bureau Federation
Idaho Cattle Association
Idahoans For Tax Reform
Illinois Agri-Women
Institute For Human Rights
Jefferson Cnty Prop Rights Alliance -- WA
Kankakee River Prop. Rts.Task Force -- IN
Keep Maine Free
Klamath All. For Res. And Environment – CA
Lake States Women In Timber
Land Improvement Contractors Of America
League Of Private Property Voters
Libertarian Party Of Humboldt Cnty
Libertarian Party Of NH
Lincoln Cnty Farm & Livestock Bureau
Maine Conservation Rights Institute
Maine Property Rights Alliance
Mason Cnty Heritage Assoc -- WA
ME Property Rights Alliance
MI Assoc Of Timbermen
MT Women Involved In Farm Economics
Montanans For Multiple Use
MS Loggers Assoc
MT Resource Providers Coalition
MT Wood Products Assoc
Mt. St. Helens Trackriders – WA
Multiple Use Association – ME/NH
Nat Assoc Of Reversionary Prop Owners
National Cattlemen's Beef Association
National Tax Limitation Committee
National Taxpayers Union
National Wilderness Institute
Natl Cattlemens Beef Assoc
Natl Hardwood Lumber Assoc
Natl Property Rights Commission
Natl Tax Limitation Committee
ND Cattlewomen's Assoc
New Mexico Cattle Growers
New Mexico Public Lands Council
New Mexico Woolgrowers
Niobrara Basin Dev.. Association – NE
NM Woolgrowers Action Committee
North Bay Agricultural Alliance
North Bend Chapter Of The GPAA
North Fork State Graz District -- ND
Northeast Regional Forest Foundation – VT
Northern Resources Center -- MN
Northwest Council Of Governments -- WA
Northwest Forestry Assoc

Northwest Mining Association
NY Farm Bureau
NW Council Of Governments – WA
NY Blue Line Council
NY State Grange
Okanogan Resource Council -- WA
OR Cattlemens Assoc
OR Log Truckers Assoc
OR Project - Douglas Cnty And Portland
Oregonians In Action
PA Forest Industry Assoc
PA Landowners Assoc
Pacific Northwest 4 Wheel Drive Assoc
Pacific Northwest Ski Areas Assoc
People For The Constitution – NV
People For The USA – Many Chapters
Plow (Private Landowners Of WI)
Prescott Open Trails Association -- AZ
Property Owners Assoc Riverside Cnty
Property Owners Standing Together -VT
Property Rights Alliance – WA
Property Rights Foundation Of America
Public Lands Council
Public Lands For The People – CA
Pulp & Paperworkers Resource Council
Rhode Island Wiseuse
Riverside & Landowners Prot. Coal. --TX
Riverside County Farm Bureau – CA
Rocky Point Grazing Assoc -- ND
San Francisco Bay Area Freedom Coal
Santa Barbara Cnty Taxpaer Assoc
Santa Barbara Grazing Assoc
Schoharie Cnty Farm Bureau -- NY
SD American Agriculture Movement
SD Corn Utilization Council
Small Property Owners Association
Southeastern Fisheries Association
Southeastern Wood Producers Assoc.
Southern Crop Protection Assoc
Stewards Of The Darby -- OH
Stop Taking Our Property - IN
Take Back Arkansas
Take Back Kentucky
Texas Wildlife Association
Trans Texas Heritage Association
TX Cattlewomen
TX Farm Bureau
TX Wildlife Assoc
U. S. Taxpayers Alliance
United Sports Council Of CO
Unorganized Territories United, Maine
Upper Catawba River Landowners All.-- NC
Vermont Forest Products Association
Virginians For Property Rights
Washington County Alliance -- ME
WA Commercial Forest Action Committee
WA Contract Loggers Assoc
WA Lands Coalition
WA Prospectors Mining
WA Snowmobile Assoc
WA State Farm Bureau
Washington County Alliance -- ME
Western Mining Council
Western Wildlife & Sportsmen Assoc
Whatcom Cnty Assoc Of Realtors -- WA
Wind River Multiple Use Advocates – WY
Women In Mining – Battle Mt Chapter - NY
Women In Timber\Black Hills – SD
Women In Timber\Quincy Chapter – CA
Women In Timber\Siskiyou Chapter -- CA
Women Involved In Farm Economics –Wife
Wrangell Chamber Of Commerce -- AK
WY Farm Bureau Fed
WY Geological Survey
WY Stock Growers Assoc

The American Land Rights Association, formerly the National Inholders Association, represents private landowners throughout the United States. Of special interest are those people owning private land or other interests within Federal boundaries or who are affected by Federal statute such as the Endangered Species Act and various Wetlands regulations. ALRA has over 22,000 members in 50 states and over 200 Federally managed areas. There are an estimated 1.2 million inholders nationwide. Many of these live in communities in National Forests who have no idea they are now threatened by a massive increase in land acquisition caused by HR-701.

Inholders are landowners in National Parks, refuges, forests and other Federal areas, recreation residence cabin owners and other special use permittees in National Forests, ranchers in areas managed by the Bureau of Land Management and Forest Service, small miners on Federal lands, all kinds of inholders in and adjacent to FWS Wildlife Refuges and National Forests and many other types of rights holders. They are also people who are impacted by the management, regulation of and access to Federal areas. Included are those concerned about the future of and access to an adequate supply of energy resources in America.

The American Land Rights Association also works to support continued multiple-use and productive contributions from our Federal lands. Recreationists, miners, hunters, sportsmen, ranchers, landowners, permittees, handicapped, elderly, and many others are encouraged to

cooperate to support access and multiple-use on our Federal lands and to oppose selfish single-use designations that limit access to millions of American families.

American Land Rights, National Inholders Association as it was called then, made a fateful decision in 1980 with the proposal by former Senator Alan Cranston to make Big Sur, California into a National Park. The idea of opposing parks was foreign to my personal beliefs but in the two years since our association was formed in 1978, we had been unable to stem the tide of abuses against landowners inside Federally managed areas. We had reduced them and stopped some when we heard about them in time, but overall, the wave of acquisition, condemnation and relocation continued.

We made a conscious decision that since we could not get the Park Service, and to a lesser extent other agencies, to stop abusing inholders inside Federal areas, we would begin to fight to keep people from becoming inholders. It was not an anti park decision. It was a pro people decision. Simply put, if we couldn't get the Federal Government to take care of the inholders they already had, we would try not to let them have any more inholders.

HR-701 clearly justifies our decision. If HR-701 passes, any families we had allowed to become inholders would now be subject to being aggressively eliminated over time. HR-701 is actually anti-conservation because it says that if people do a good job of taking care of nice places, they will be rewarded by being thrown out of those places.

"Those That Fail to Remember History Are Bound To Repeat It"

To date little has been done by the Congress or the Federal agencies to respond to the following reports by the General Accounting Office critical of land acquisition policies and practices carried out by those agencies. In large measure, the response by Congress has been to give the Park Service, Forest Service, Fish and Wildlife Service and Bureau of Land Management less money to buy land. That greatly reduced the problem.

"It's The Money, Stupid"

More money will start the problems all over again. We're reminded of the Clinton campaign motto in 1992, "It's the Economy Stupid." In the case of land acquisition, "It's the Money Stupid." The scope and harm caused by land acquisition is simply a function of how much money the Federal agencies get and the type of oversight they receive. HR-701 over time will increase the money and reduce the oversight. The result will be severe economic and cultural damage to rural America.

Today there is largely a new generation of Members of Congress and staff who do not remember the horror stories of the 60's, 70's and 80's and even the 90's. Most Members of Congress don't remember the days when every Member of Congress had to become a management consultant to the Park Service because the agency was unable to solve its conflicts. The situation at Saddleback Mountain Ski Area in Maine is a perfect example. For over twenty years the landowner had been unable to get the Park Service to resolve the route of the Appalachian Trail. Without Congressional intervention, there was no hope.

The owner of the ski area has been prevented from upgrading and expanding his potentially world class facility because the Park Service has continually refused to settle on a trail route. If the Park Service can't get it right on less than three miles of trail, why should the public in Maine or anywhere else trust them with billions of additional dollars for land acquisition.

It is critical that the House hold regional oversight hearings so that it can get a better sense of the land acquisition abuses of the past. If the Resources Committee does not want to face up to the history of land acquisition, then individual Congressmen should take the initiative and hold their own hearings in their own districts.

Some will say that the GAO reports listed below are dated. They are the most current reports on a problem that was greatly reduced with the reduction in funding. Since Congress is considering greatly expanded and guaranteeing the funding, these reports must be examined carefully to try to make sure any potential legislation does not cause a repeat of the same mistakes.

General Accounting Office (GAO) Reports About Land Acquisition

4 "The Federal Drive To Acquire Private Lands Should Be Reassessed" (CED-80-14) (December 14, 1979).
4 "Federal Land Acquisition and Management Practice" (CED-81-135) (Sep. 11, 1981).
4 "Lands In The Lake Chelan National Recreation Area Should Be Returned To Private Ownership" (CED-81-10) (Jan. 22, 1981).
4 "The National Park Service Should Improve Its Land Acquisition and Management At Fire Island" (CED-81-78) (May 8, 1981).
4 "Federal Protection of Wild and Scenic Rivers Has Been Slow and Costly" (CED-78-96) (May 22, 1978).
4 "Federal Land Acquisitions By Condemnation – Opportunities To Reduce Delays and Costs" (CED-80-54) (May 14-, 1980).
4 "Limited Progress Made In Documenting and Mitigating Threats To Parks" (RCED-87-36) (February 1987).
4 "New Rules for Protecting Land In The National Park System – Consistent Compliance Needed" (RCED-86-16) (October 16, 1985).

PBS Frontline Documentary, "For The Good Of All"

The committee should watch the hour long documentary, Public Television's "Frontline' about the Cuyahoga Valley NRA in Ohio which aired on June 6, 1983. It could have been filmed in areas managed by the Park Service, Forest Service and Fish and Wildlife Service. The only difference between when this film was made and today is money. You give the Park Service the money, and in five years, you'll get another film.

This tragic film documents the broken promises by the Congress and the Park Service in the Cuyahoga Valley National Recreation Area between Akron and Cleveland, Ohio. Only 29 homes were to be taken for the park. The law even promised the use of easements. Yet the number of homes purchased was well over 300, the small community was destroyed, churches and schools closed, their tax base eroded by unnecessary land acquisition. Cuyahoga Valley could have been a success without much land acquisition.

Willing Seller – A Myth

"John Jones is a willing seller. He didn't want to sell and held out as long as he could. First the Park Service came in and purchased the homes, farms and timberlands of his neighbors who did want to sell. There will always be some. Then the agency began to search out those families who were in some kind of financial distress such as from a death, divorce, loss of job and other reason.

"Jones watched as his community was checkerboarded by the Park Service. He remembered being told when the park was created that he would not be forced out. But now the agency was targeting local businesses and the county itself. Many small businesses were purchased and put out of business. The Park Service purchased the holdings of several large timberland companies. Smaller timber owners began to sell as they saw that the logging infrastructure would eventually not be there. The mill ultimately had to close because it could not get enough wood. Like a natural ecosystem, the economic ecosystem of a community is very fragile.

"As more timberland was purchased, more homes and farms began to disappear. Many residents wanted to hold out but with fewer jobs in the county, the value of their homes and property began to go down. As the Park Service purchased them, they lay empty for months or even years because the agency said they did not have the funds to clear them out. They became havens for vandals and drug houses.

"The Nature Conservancy, Conservation Fund and other land trusts circled like buzzards. They bought from financially distressed landowners, then turned the land over to the Federal government. Time after time this happened, quietly, secretly and silently they helped undercut the community.

"Churches, clubs and other community services began to close. The Rotary Club couldn't keep enough members. The library was in trouble. The hours were cut for it and other county services. There had been several markets in town and three gas stations. There is only one of each now and it looks like the store will close. That means a 80 mile drive to Millersville for groceries. Over time, other essential services and stores began to disappear.

"As properties were taken off the tax rolls, the schools and county services began to suffer. Several closed making longer trips to school necessary for families. The school district didn't have the money for the busses they needed. Roads began to close. As large areas were purchased by the Park Service, the agency put up chains across the roads. Some of these roads had been used for years by neighbors as access points to the river or to go camping, swimming, woodcutting or berry picking. Usually we knew another way but over time, all the access was closed off.

"Community leaders were overjoyed when oil and gas was discovered on a large parcel of timberland. But what had seemed like salvation quickly disappeared as the Audubon Society and other green groups swooped in organizing protesters, joining the Park Service and land trusts in throwing roadblocks at every permit application, road modification and environmental requirement. Audubon's participation seemed ironic since they have been drilling and pumping oil for years at their owned and operated Rainey Wildlife Sanctuary in Louisiana. With all the obstacles and opposition, it finally became too expensive. The oil and gas developers and the land owners gave up and sold out."

"When the park was created they promised tourism. I don't know where it is. We gave up a lot of good jobs for this park and the tourists don't come. Several motels and restaurants were built in anticipation of the visitors. All but one restaurant is closed, and it cut its hours back. We have two motels still open but they are struggling.

"We have a very nice ski area but a Park Service trail runs through it. The agency has harassed the owners so often that they're close to giving up. They can't get any kind of commitment from the Park Service as to a final trail location so they can't invest in modernizing and expanding the ski area. There sure are a lot of people in town who would benefit if the ski area were allowed to meet its potential.

"We thought the Park Service supported recreation. Now it seems the opposite is true. We heard from people out West that the Park Service and the environmental groups were becoming anti-recreation. It couldn't be true we said. It looks like we were wrong. They seem to be against skiing and snowmobiling. Snowmobiles are being kicked out of all parks. It doesn't make sense.

"The county had no choice but to raise our taxes. The tax base for the county was shrinking almost daily. We had one local bank and several bank branches. Now there is only one branch open as part of the market, but it may go away too. The banks have not made loans in our town for several years now because the future is unstable. They won't make loans to loggers, equipment suppliers, or small businessmen because of threat from the Feds. No new houses have been built in some time. The theater closed and the cable television company is considering shutting down. It feels like a ghost town.

"Some of my neighbors are determined to stay and suffer the consequences and severe hardships of living within a now nearly all Federal enclave. I love my town. I was born and raised here, went away to college and came back. It looks like that even though I stood up to those Federal land acquisition agents, there will soon be nothing left to stand up for. I never thought I'd be a willing seller. But I am now."

(The above article was written by Chuck Cushman, Executive Director of the American Land Rights Association, to illustrate how CARA will destroy communities all over America. The article is a fictionalized account, drawn from real examples many readers will recognize as taking place in their towns.)

"Willing Buyer, Willing Seller Meaningless" says top Park Service official.

The "willing buyer, willing seller procedure of acquiring land touted by park officials is 'meaningless' and a more proactive method is generally used," said William Kriz, chief of Land Acquisition in an article in the Concord Journal, Massachusetts in 1988.

Do Most People in Parks Want to Sell? That's Nonsense!

The American Land Rights Association would not exist if that were true. People would not support us with their membership dues and extra contributions if all they wanted to do is sell. A very small part of the authorized backlog is people who are willing sellers.

But these relatively few cases are hyped by the green groups and some in Congress to justify their land acquisition goals. Let there be no mistake. If a person wants to sell, we support his ability to do so. But having the government involved corrupts the whole system. Once a person makes the mental decision to sell, he'll sell the easiest way possible. The Park Service and other agencies will have little reason not to want to buy with a trust fund behind them. The result will be even more of what has happened in the past – the Park Service and other agencies have become a dumping ground for open space.

However, often the only reason a landowner wants to sell is that he has been harassed and driven half-crazy trying to deal with the Park Service who generally fails to negotiate in good faith. After enough pressure and abusive tactics, almost any landowner can become a willing seller.

But the bottom line is that most landowners still do not wish to sell their land and GAO says that it is not necessary to buy them to achieve project objectives.

In the 70's it was clear the Park Service and other agencies didn't bother to prioritize their acquisitions. In their view they were going to buy it all so who cared. The trust fund will simply restart that mindless attack on rural America. In a 1979 interview with the then Carter Administration Deputy Assistant Secretary of Interior David Hales and the author, Hales said, "If Congress puts a circle around it, we're going to buy it all." HR 701 will give the agencies the money to do just that.

NOTE>>>
Make sure to include how they planned Cuyahoga. Buy first, plan second

Neighbors – Follow The Money

THE MORE MONEY THE FEDERAL AGENCIES GET,
THE WORSE NEIGHBORS THEY BECOME.

Much of the following material is documented on the American Land Rights Website. Go to http://www.landrights.org

SOME SPECIFIC CASE STUDIES FROM THE 70'S.

Lake Chelan National Recreation Area in Washington State-----was created at the same time as the North Cascades National Park. Lake Chelan was made a NRA so that the small community of Stehekin could continue its pioneering subsistence way of life. It was necessary for the community to have access to wood, water and power to continue.

Lake Chelan offered a unique opportunity to provide the handicapped, elderly, and children a truly wild experience at the end of a 40 mile boat ride, the only regular method to get into Stehekin. There were only 1,600 acres of private land. According to the GAO, the Park Service purchased most of these, cutting off the ability of the community to provide for many visitors.

In fact, it has been said that by 1980 there were half as many beds available to disadvantaged recreationists as there had been in 1968 when the area was made a National Recreation Area. The Park Service had purchased some of the facilities and closed them down.

Lake Crescent in Olympic National Park----There had been more than fifteen recreation resorts and destinations at Lake Crescent before the Park Service went on its land acquisition rampage. Now there are only two. How many handicapped, elderly and children will not get that fine experience they would have had with those facilities still operating?

The Buffalo National River in Arkansas-----While preparing for a debate on the "Today" show on NBC in 1988 between myself and Denis Galvin of the Park Service, the NBC staffers found that the Park Service had started out with 1,103 landowners. The law clearly encouraged easements and did not intend to destroy the special cultural communities along the river. The culture was so unique it was featured in National Geographic. However, NBC said there were only eight landowners left in 1988, the 20th anniversary.

I served with former Parks Committee Chairman Roy Taylor on the National Park System Advisory Board and Council in 1982. He told me personally that Congress never intended for the people of the Buffalo to be destroyed.

St. Croix River in Minnesota -----According to a 1978 report on rivers by GAO, they found the Park Service had acquired 21,000 acres when they were only supposed to acquire 1,000 acres of access sites according to the legislative intent.

St. Croix River----- Another GAO report issued in 1979 found the Park Service had 2,100 acres under condemnation, which was 900 acres over the legal limit. The Park Service agreed but said that when they concluded the condemnation trials on people enough to reach the limit, the rest would receive scenic easements.

St. Croix River ----- Park Service was found guilty by the Justice Department of using project influence to pay landowners less than fair market value. Justice planned to make the agency go back and re-appraise the land and pay for what it had taken illegally. American Land Rights had to pressure the Justice Department to follow through.

St. Croix River-----Park Service is now over its legal limit for using condemnation to buy fee title. They are now threatening landowners with excessively restrictive public access easements that only leave the landowner with the right to pay taxes and liability for personal injury.

St. Croix River-----Ironically, one of the best examples of the use of easements was not by the Park Service. The Kettle River is a tributary under the responsibility of the State of Minnesota. The state purchased land protection in the form of easements for a fraction of the average cost paid by the Park Service in adjacent areas.

Boundary Waters Canoe Area, Minnesota----The Forest Service used LWCF funds to buy up and remove many resorts throughout the whole region of Minnesota. The result was not more recreation but recreation transferred to the young and healthy at the expense of the elderly,

handicapped and children. There was a massive loss of access to traditional hunting and fishing areas further reducing broad-based family recreation.

Voyageurs National Park, Minnesota-----The Park Service admitted in a 1979 GAO report that they had acquired enough land for the park from the timber companies and did not need to acquire all the private landholdings that dotted this sparsely populated area. The agency went on to acquire the inholders.

Fire Island National Seashore in New York-----The Park Service was found guilty by the GAO in a 1981 report of acquiring an expensive home completely surrounded by other homes and not available for any form of public recreation. The Park Service justified its condemnation simply because the landowner had built his deck a little too large and had received a zoning variance from the local town. The cost to the taxpayer was $100,000 for nothing.

C & O Canal in Maryland ----- The Park Service threatened all landowners with condemnation in the years around 1974. Even though they were required to offer landowners a life tenancy under the 1969 Uniform Relocation Act, the agency failed to provide each landowner notice of his rights because park officials wanted to limit any use and occupancy reservations to 25 years. The result is that now the landowners are fighting to get what was fairly theirs. Their Congressman, Roscoe Bartlett, has worked tirelessly to try to save the former landowners from Park Service eviction.

Mt. Rogers National Recreation Area in Southwest Virginia-----A Forest Service area created in 1966. Congress had specified that the agency should acquire 39,500 acres, 40% of them in fee title that would have allowed the communities to stay. When questioned by congressional investigators and the author in 1979 about how many acres they had purchased in fee and how many easements, they responded that they had purchased over 26,000 acres in fee and no easements. The agency thought Congress didn't really mean what they said in the law. They viewed it as just a suggestion. It took a surprising amount of hard work by former Congressman Bill Wampler of Virginia to stop a massive new round of condemnation actions planned by the Forest Service.

Yosemite National Park in California-----76 year old James Downey, a survivor of the 1906 San Francisco Earthquake, was threatened with condemnation in 1971 because he wanted to add a bathroom. He had no tub and had a double size septic tank and there was a covered breezeway under which the bathroom was to be built. There would be no new land coverage. The Park Service said what he was doing was an incompatible act and he would be condemned. They came back to him two weeks later after realizing their political insensitivity and said that if he would sell them his home, they would lease it back to him and then it would be OK to build his bathroom. Was the goal to stop the bathroom or buy the house?

Yosemite National Park----- Harold Tischmacher's home burned down in December 1977. When he tried to rebuild it on the same foundation, the Park Service started condemnation proceedings because they said it was an incompatible act. He was saved by congressional intervention by Congressman Bernie Sisk (D-CA).

Foresta Fire, Yosemite National Park-----In the late 80's a fire got out of control in Yosemite National Park, roared up a canyon and wiped out the entire village of Foresta, about 80 homes. Park Service Superintendent Michael Findley had turned down help from the Forest Service and the state forestry service. After the fire, Findley requested that Congress give him immediate permission to condemn all the home sites because he could buy them cheaply since fire insurance would pay for the lost houses. When he was denied, he then set up as many roadblocks as possible to prevent the landowners from rebuilding, thereby forcing some to sell.

Unfortunately these cases are just the tip of the iceberg. Hundreds and perhaps thousands more have not been recorded. Investigators can find these kinds of stories at nearly every park or other special designation Federal area.

NO LAW TO PREVENT THESE ABUSES HAS BEEN PASSED.

In the 1980's condemnations went down because the Reagan Administration opposed the use of this tool wherever possible. Offshore oil and gas money was reassigned to other social priorities by sending it directly to the treasury.

THERE WERE ABUSES IN THE 80'S

Grand Teton National Park in Wyoming-----In an important national case a landowner had been trying to sell his 160 acres to the Park Service for 10 years. They've had the money. The problem was the bad faith negotiations extending all the way up the highest levels of Park Service management. The landowner finally had to threaten to subdivide his land in order to get them to make the purchase. The landowner did not want to subdivide and had been a good steward. The agency condemned him. During the next five years this case took, the landowner offered to settle with the Park Service and it was agreed to right up to the Directors level. William Mott overturned the agreement for $1.8 million. The case then went to trial and ultimately cost the government over $3.2 million, far more than the agreed upon settlement. The judge was not complimentary to the bad faith negotiating by the Park Service. To make the case more bizarre, this piece of land was the highest priority acquisition for the Park Service in the country and they still could not manage to negotiate in good faith.

Santa Monica Mountains NRA in California-----In the Murphy Duane case the landowner spent years going through all the vast permitting process and Coastal Commission approval to get to the point were he could build his dream home. The Park Service strategy was to let him go. Only when he had spent thousands of dollars and man-hours to get local approval, did they say they were going to condemn his land. Intervention by Members of Congress stopped this abusive example.

Chesboro Canyon, Santa Monica Mountains NRA in California-----The Park Service had enough money to purchase this Trust For Public Land Property for $8 million leaving hundreds of small landowners in another area of the NRA laying helpless and strangling. This is the exact kind of case that gives the impression that lots of landowners want to sell and that there is the need for HR-701 because there isn't enough money.

The plain fact is that if the Park Service had used its money wisely to buy hardships and willing sellers they knew existed, there would be no cry for more money. It was lobbying by the Trust For Public Land that allowed the $8 million to go for property the Park Service did not need to purchase thereby preventing the truly needy landowners from being paid.

Golden Gate National Recreation Area, Sweeney Ridge in California-----The Trust For Public Land acquired an option on this property for $8.5 million. They then negotiated a sale to the Park Service for $9.6 million. The Park Service really did not want to buy the property at all. Both the Carter and Reagan Administrations agreed that the land was not of park quality and should not be purchased.

However, as is often the case with large land trusts, TPL orchestrated a political campaign and forced a political confrontation. They obtained appraisals to show that the land was valued at anywhere from $21 million to $24 million. The landowner, part of a large oil company, hoped to obtain a large tax deduction. Our investigation showed the land worth from $7 to $10 million. Interior Secretary Bill Clark ultimately negotiated a sale near the $8.5 figure, due in part to our campaign against this unfortunate use of land acquisition funds. The figure was 8% of the entire land acquisition budget for the Park Service. Many other deserving landowners were left out because of this misuse of money. The problem is not that there wasn't enough money, but that the money was spent unwisely.

Appalachian Trail, Hanover, New Hampshire-----The Park Service, working closely with the Dartmouth Outing Club, attempted to use LWCF funds to buy a greenway around Dartmouth College. They did this by moving the Appalachian Trail over to make it go through the middle of farmlands rather than along the fence lines as they were supposed to do and using a 1000 foot corridor to build their impact. They were found to be lying to Washington officials about their activities when called in to explain and ultimately had to move the trail back to the fence line and

share the impact among adjacent owners. They were forced to use easements even though they tried to avoid using them. Only American Land Rights intervention saved their lands.

Appalachian Trail, Sheffield, Massachusetts----- Park Service ignored the Land Protection Planning Process and ran the trail through town without consulting local officials, holding hearings or meetings or producing a land protection plan for the area that had been shown to either local landowners or officials. In fact, the Park Service had deliberately rerouted the trail at the request of the green groups to run it through the land that was planned to be used for a high tech, low impact recycling plant the greens wanted to stop. The Appalachian Trail has often been used as a weapon. Park Service officials repeated this kind of abuse over and over along the Appalachian Trail.

As in the earlier examples, this is the tip of the iceberg. When there is little oversight there is no reason for the agency to even attempt to obey the law. And they end up spending billions of dollars that do not have to be spent.

HOW ABOUT THE 90'S? THE ABUSES CONTINUED.

Sleeping Bear Dunes National Lake Shore in Michigan-----Riverside Canoes owned by Kathy and Tom Stocklen has been serving the public well for many years. Even the Park Service admitted they ran a good clean recreation business. But they would not sign over an easement type contract to the Park Service without compensation. The Park Service had already purchased two other canoe liveries and a campground either in condemnation or under threat of condemnation.

Finally, in 1990, the Park Service condemned the Stocklens. After several meetings with Park Service officials in Washington, no one at the agency could justify the condemnation, yet it went forward none the less. Finally, in 1992 just before the election, American Land Rights planned a huge demonstration in front of the Interior Building in Washington, DC. The Interior Department forced a settlement that gave the Stocklens back their land and compensated them for their attorney's fees prior to the demonstration.

Sleeping Bear was originally set up as a National Recreation Area. That is what a National Lakeshore is. It is tough to have full access to recreation when the managing agency buys out all the services providing certain types of recreation.

Moosehorn Wildlife Refuge in Maine-----The FWS wanted to expand the refuge. They promised the local people they would only buy from willing sellers. The others relaxed. After the willing sellers had been purchased, the agency came back, denied they had ever said they would only buy from willing sellers, and began threatening condemnation. This is a pattern that repeats itself over and over again.

Saddleback Mountain Ski Area in Maine-----Time after time, for over 20 years, the family that owns Saddleback has tried to work out a settlement of the route for the Appalachian Trail so that they could modernize and complete their ski area. Bad faith followed by bad faith by the Park Service in negotiations continues to this day. In fact, Saddleback recently offered the Park Service twice the land they could condemn under law just to settle the matter. Yet Saddleback sits twisting in the wind. The losers are the family, the community that loses jobs and $40 million of much needed economic activity per year for the region. The recreation ski community loses access to what would become one of the finest ski areas in America. The greens want new National Parks in Maine. It is hard to imagine why Maine or Congress would allow the Park Service to take over 5 to 10 million more acres in Maine when they cannot seem to solve problems and get along on a simple trail.

Little River Canyon National Preserve in Alabama-----Here is an example of pure politics at work. The former Congressman from the area essentially told the Park Service to find him a park in his district. He apparently needed another monument. Fortunately, the agency found the Little River Canyon, which we consider of national significance. The State of Alabama and the Alabama Power Company owned it. As usual, the Park Service wanted much more. They tried to include the homes and farms of over 500 nearby landowners. American Land Rights helped fight the

proposal, which ultimately was settled by Congress using just the state and power company land. The cost to the Park Service was minimal. It was totally unnecessary to include the 500 landowners. This kind of expansionist process that is imbedded in the Park Service culture raises the cost of parks and hurts the taxpayer.

Nature Preserve in PA

Friars in New York

Can It Happen Again?
HR-701 Makes It Appear Impossible To Avoid!

Congress has passed no law that would prevent a return to the terrible days of the 70's. The only difference is money. A simple change in policy by the Interior Department or less enforcement of the present policy that already falls short is all it would take. HR-701 will bring on a nightmare to rural communities across America.

A Summary

The Problem

+ While HR-701 starts out more modestly, it will ultimately and inevitably increase to over $1 billion per year and probably more with modest additions each election cycle. That is not counting the likely possibility of a compromise with the more aggressive bills proposed by others. Once the Trust Fund is set up, the gradual expansion process is inevitable. There will be no going back. The cow will be out of the barn and down the road. Just like the Endangered Species Act, Congress will be cowed into allowing a law that hurts people to continue to hurt people.

+ Why should the Park Service, Forest Service or Fish and Wildlife Service be given a new entitlement by this Congress which gives those agencies a higher priority for funding than the Defense Department, education, aids research, and many other important issues. Every program should have to compete for appropriations. No more entitlements.

+ No private property will be safe with the funds from HR-701 available. Gradually, over time, all inholder families will be wiped out. Special Interest Groups will seek to create new congressionally designated lands to apply their newfound largess. As was said about former Congressman Phil Burton, "if the only tool he had was a hammer, everything he saw would look like a nail." With HR-701, everything will begin to look endangered to certain special interest groups and in need of Federal purchase.

+ How much is enough? Is it the policy of this Congress to buy up all America? There should be a no net loss of private land policy in America so that any new acquisitions are accompanied by a corresponding sale of government lands.

+ What is the end game? Many members of Congress keep asking how America is gong to extract itself from Kosovo and the Balkans. We would ask how Congress would be able to shut off this new unappropriated, dedicated and off-budget trust fund entitlement once it is started. The experience of the past says you will be unable to do so. The end result for anyone who cares to look beyond the years of his own term is obvious. The solution is so much bigger than the problem that the solution becomes the problem. Land acquisition will overwhelm rural America.

+ There is little oversight of land acquisition now. There will be virtually none if this bill passes.

+ Why are inholder families targeted for acquisition and removal? Senator Orrin Hatch once referred to this process as "cultural genocide." Why cannot Federal areas be managed with

families and communities still there? Why this hysterical rush to wipe out this cultural resource? Hundreds of small communities in existing Federal areas will be wiped off the map.

+ Land acquisition has always been used as a weapon to regulate and control private landowners. With billions of dollars to spend in a dependable and continuing stream, Federal agencies will be able to threaten landowners and control their activities. The reach of HR-701 into the very underpinnings of our Republic is remarkable.

+ Land acquisition destroys the culture and history of the US, often driving out old families. The Park Service is essentially the curator of our nations history and culture. Yet, Park Service practice in the past has been to buy out and destroy much or our cultural heritage.

+ Special Interest Groups will seek to designate hundreds of areas of private land as new government reservations. It will never stop. Just look at their current attempt to convert the 26 million-acre Northern Forests of Maine, New Hampshire, Vermont and New York into new Federal parks, refuges and other reservations of various kinds. Even the bill language of HR-701 appears to encourage this massive government sponsored population relocation plan.

+ Billions of dollars of private land will be taken off the tax rolls, forcing local taxes up. The taxes for those people who are not acquired will go up forcing some to sell, others not to invest and generally place a negative push against community development.

+ The basic tax base of many jurisdictions will be damaged or destroyed. It is true that HR-701 will provide money to the states, which they can choose to build swimming pools and other recreation alternatives. But HR-701 also funds the purchase of land by the state and Federal government which ultimately and permanently weakens that community or jurisdictions ability to provide basic services or even maintain those same swimming pools.

+ Reports over the past twenty years by the General Accounting Office document an ever increasing trend of poorly maintained National Parks. From an estimate of $2 billion in maintenance backlog in 1981, the estimate by some seems to indicate that the backlog may approach $10 billion or more. Does it make sense for this country to buy more land when it cannot take care of what it already owns?

+ The Payments In-Lieu of Tax Program, PILT, has never been fully funding by Congress. Local communities don't get near enough money to replace the tax revenue they lost to Federal land acquisition. What is worse, PILT is essentially a "snapshot" concept where future payments are based on the value of land as of the date of acquisition. Thus a county that must meet the needs of 1999 gets payments based on 1976 values for example.

+ HR-701 will fund the buying out of new mining ventures, a vast array of the timber supply and ranching operations all over America. Thousands of jobs will be lost and with them a tremendous loss in economic opportunity and vitality. Rural communities don't take much economic upheaval to permanently damage the economic ecosystem.

Park Service Is Being Damaged

Unfortunately, Cuyahoga Valley is not an isolated example of how our Park Service areas are being managed. It is rather common place. Yet Congress has largely failed to examine the abuses discussed in this important film or how they could be corrected. The loss is to the Park Service. Because Congress failed to provide proper oversight, the Park Service feels it is immune from criticism. People who don't have to compete generally fail to be the best they can be. Congress, the Administration and yes, even the environmental groups, are cheating themselves and the American public out of a better Park Service.

Conservation and Reinvestment Act Will Buy Land and Destroy People

Inholders are the targets of HR-701. They are the families in communities that will be removed at will by the National Park Service and other Federal agencies who will no longer be constrained to attempt to be good neighbors because they don't have enough money. If they cannot condemn people, they will simply threaten them, harass them, cut off their access, cut off Federal loans and grants and disaster relief and eventually drive them out. It's easy. It just takes a little more time.

The Conservation and Reinvestment Act (HR-701) will make victims out of people who are discriminated against because of where they live. These people will be rewarded for taking care or their land by having it taken from them.

Condemnation is a terrible tool often abused in its use in the past by the Park Service and Forest Service. Only limited funds have kept it under control. It is vital that any legislation adding financial strength to the Land and Water Conservation Fund also carry with it the restraints necessary to monitor and control that strength. We would be glad if HR-701 ultimately applies funds only to willing sellers but find the likelihood of that happening not very high. Even if willing seller passes this Congress, it will be easy to add condemnation back in next Congress. It's the Trust Fund, the money that does the damage.

In the near term, the Fish and Wildlife Service may be the most dangerous Federal agency. They are the only agency that can set up a Federal area without authorization by Congress. HR-701 says that money will only go to areas designated by Congress. It will be a simple matter for the Fish and Wildlife Service to set up a new refuge, then go for congressional designation. The FWS has such a huge constituency behind it that Members of Congress are afraid to put any real oversight into this agency or its abuses. HR-701 will only make matters worse.

Millions of Acres Inside National Forests Will Now Be New Targets Of Land Acquisition

Perhaps the most amazing aspect of HR-701 is that it will make tens of thousands of landowners with millions of acres of private land inside National Forests almost entirely new targets of land acquisition. They don't even know it is coming. They have no experience with land acquisition because the Forest Service has never focused on land acquisition other than specially designated areas like National Recreation Areas and Wild and Scenic Rivers. And there hasn't been the money. Now there will be a massive attempt to consolidate all the checkerboarded private lands and inholdings in the National Forests. Hundreds of small, unincorporated communities will find that if HR-701 passes, life in the National Forests will be changed forever.

Members of Congress with National Forests in their districts ought to hold a few hearings where they explain clearly to their constituents that they are supporting a bill that would target these people. You would see a huge uprising. As of now, the potential victims have no idea of the impending danger. Who do you think they'll blame when they figure it out? It will certainly be their Congressman who failed to tell them. Then he'll spend the rest of his career being a management consultant trying to mitigate the damage and hold off the Forest Service.

Hunters and other Sportsmen Are In For A Surprise

Hunters and other sportsmen who count on private lands intermingled with Federal land as their access to those lands that are often closed because they're designated as Wilderness will find their favorite hunting and fishing spots closed as the government targets these areas for acquisition to eliminate the access.

Some sportsmen's organizations have recommended buying out the ranchers and farmers around the forests and the parks to protect the winter range for their hunting targets. We support hunting. But some sportsmen seem to think that those farms and ranches will supply the same level and quality of forage when the farmer or rancher is no longer their. It is the working farm or ranch that provides the quality winter range. Sometimes the farmer or rancher is not happy about it because he is actually subsidizing the government and the hunters with his private property. But

the fact is that these farms and ranches provide far more in winter range than they would if land acquisition cleared out the occupants.

Trails Will Become the New Battlegrounds

Congress is creating a number of new trails across the nation. They are trying to make sure there will not be massive land acquisition. But like night follows day, the Appalachian Trail will be the model.

First, each new trail is a model of cooperation with landowners. There are no threats. Deals are struck to run the trail across the land of willing participants. Eventually this arrangement gets too cumbersome so the trail society (like the Appalachian Trail Conference and all its local groups) lobby Congress to add land acquisition. Gradually the power of the managing agency is ratcheted up as the lobbying intensifies. Because a trail is a long string of land, the trail clubs have the power of many Congressional delegations supporting them while the poor landowner only has one Congressman and two Senators and virtually no chance to fight back. The result is generations of anger and frustration as landowner after landowner loses his land. Examples along the Appalachian Trail are numerous.

Another problem with trail management is that the support groups or clubs like the Appalachian Trail Conference largely run the agency in charge of the trail. In the case of most people who manage parks, they are routinely rotated from park to park. But in a few cases they develop fiefdoms and spend most of their careers in one place. The current management of the Appalachian Trail is one example. The current project manager has been at that one location for over 20 years. The Appalachian Trail Conference wants consistent power. They constantly lobby to keep "their" person in charge. The result is bad management and political nest building that damages the Park Service and strains relations with local governments and others who must deal with trail management.

HR-701 Will Help Create a Slush Fund Subsidy or Entitlement

Certain powerful special interest groups have lobbied to set up their own single-use entitlement program, the Conservation and Reinvestment Act. It is curious that under the cover of the "word-tool" called "recreation" these groups actually support legislation such as HR-701 which is anti-recreation. At least for the broad spectrum of the American public families; children, handicapped and the elderly are largely locked out of areas created with the Land and Water Conservation Fund. Instead these areas are set aside for the privileged few that are young and healthy enough to gain access and enjoy them.

Why an entitlement or subsidy? Should we be setting up special interest entitlements for every segment of society? Shouldn't resource preservation and limited-use recreation have to stand in line with everyone else during the budget process? Shouldn't wilderness and parks have to compete with other important social priorities like the Defense Department, education, AIDS research, childcare, and children's programs.

Why should the environmental groups get a special deal? They have become the privileged class. The Sierra Club advertises that the median income of its members is well in excess of $60,000 yet it joins other environmental groups equally as wealthy standing in front of the line to the door to the Federal treasury. And they do it with tax-exempt dollars too. How many subsidies would they like?

The Land Trusts – Leading or Following? Who is Setting the Priorities?

It is very clear that the Nature Conservancy, Trust for Public Land, Conservation Fund and other giant trusts are essentially taking over the role of deciding where our new national parks and other conservation areas will be. They are setting our future conservation policy instead of Congress. This seems to us to be a very dangerous course of action.

Already the land trusts are buying huge amounts of land in the Northern Forests of Maine, New Hampshire, Vermont and New York in what appears to be a plan to render moot what Congress thinks or plans. The land trusts would not do this if they didn't think there was a very good chance they would eventually be reimbursed by the Federal Government for their efforts. Most of the land they purchase is eventually transferred in some way to the Federal agencies.

Local officials in New England cannot go to bed at night knowing they will still have a tax base in their town or county the next morning. These land trusts are essentially deciding who lives and who dies from a community standpoint. The potential for corrupting the system and the Federal agencies is tremendous. The land trusts stand to make huge profits as they often do from sales to the government. Yet they are deciding where our next parks are coming from. Congress needs to visit this issue and make some decisions. Who is in charge? We believe the land trusts need to be put on notice that just because they buy something, there is no obligation to Congress to reimburse them. Further, as we have said elsewhere in this testimony, no land trust should be able to sell land to the government that does not make their books available for review by the General Accounting Office and Congress.

Congress needs to decide just who is in charge. One Nature Conservancy official said several years ago that no developer or community should make plans about undeveloped land without going to the Nature Conservancy first. Their reach and their computer database are so large that they have that kind of power. In fact, the Nature Conservancy gave parts of its database to each state along with an operator so that hidden in all state land agencies is a computer data base with virtually single piece of private land listed and categorized. This database would never have passed the state legislature in each state but the Nature Conservancy sneaked it in through the back door. If that sounds scary, it is. It is clear that Congress needs to take charge of this situation. The self initiating park manufacturing system now in place with the large land trusts offers too much money, profits and opportunities for corruption without some careful regulation.

National Natural Landmarks
The Secret Park Service Land Grab

In the early 60's Interior Secretary Stuart Udall initiated a program whereby the National Park Service would reward landowners for being good stewards. If they met certain criteria, their land would be nominated as a National Natural Landmark. They would receive recognition and awards as good stewards. Interior Department and Park Service policy said the government had to ask permission of the landowner before moving forward so things seemed reasonable.

Somewhere in the 70's the Park Service got impatient. They stopped telling the landowners they were nominating and began quietly designating their land as National Natural Landmarks without telling them. Hundreds were designated and several thousand were nominated. Landowners only found out they had a problem when they went to do something with their property and were told by local and state authorities that they couldn't because their land was of "national significance."

When the program began to unravel, no one was prepared for the scope. One landmark nomination was for 10,000,000 acres. Huge amounts of private and public land were included. The National Parks and Conservation Association in their massive 1988 plan for park expansion called these areas "ladies in waiting."

In the early 90's the story broke courtesy of American Land Rights and a network of other private property advocacy groups. Various newspaper organizations and the Interior Department Inspector General investigated the Park Service. The agency was found to be guilty of taking

control of private land or putting a legal cloud on that private land without telling the landowners. The National Natural Landmarks program was put in limbo. It just sat there for a number of years.

Just recently, the Clinton Administration has restarted the program. They have a cute way of saying will never going to let go of those properties. Most of their announcement said they were backing off but if you read between the lines, the landowners are going to have one heck of a time getting released. So much for stewardship and a partnership with the Park Service. The landowners continue to have a cloud on their title and fear in their hearts. The Park Service knows it stole something and got away with it.

Land and Water Conservation Fund No Money For Maintenance

The General Accounting Office, the "non-partisan" investigative arm of Congress has released several reports over the past 20 years that say Park Service superintendents believe there is a shortfall in maintenance funding ranging in the billions of dollars. None of the money for Federal agencies from HR-701 can go for anything but buying land. Shouldn't we be able to take care of what we already own?

Parks Will Become Political Trading Stock

For those with short memories, the late Congressman Philip Burton used parks as a tool to achieve great political success in Congress. A Billion Dollar Trust Fund with a dedicated money source will allow all Members of Congress to create new parks and other reserves at will. They can say, "Let the trust pay for it." No one will be financially responsible... except the taxpayer.

Actually, it was Burton who hosted a secret meeting in 1979 with key Congressmen and staff from both parties along with agency officials and land trust executives who first planned out how to set up a billion dollar land acquisition trust fund and remove Congressional oversight.

HR-701 will make parks the political trading stock of the 90's. The Park Service will become the "Pork Service" as we head into the era of what the Washington Post referred to in 1980 as "one man one park." In the late 70's the Park Service became a dumping ground for open space because they were used in the pork barrel trading process. The University of California Press has released an important book about the life of Phil Burton called A Rage For Justice by John Jacobs. This book rivals the Power Broker, Robert Moses and the Fall of New York, written in 1975 by Robert Caro. Both books document the use of parks as political trading stock to control the political playing field and Congress.

During my term on the National Park System Advisory Board, other members appointed by the previous Administration, may not have agreed with me on some issues. But they were almost united in feeling that the resources and the will of the Park Service were being diluted by areas not deserving of inclusion in the National Park System. They felt that the National Park System was being damaged by its use as a political tool by trading parks for votes.

Park Service Has Taken the Land of Over 115,000 Landowners Through 1995

Even though HR-701 says the LWCF will only buy from willing sellers, we believe it will eventually allow for the condemnation and destruction of landowners and small communities all across America. It may happen with amendments in other Congresses but eventually this unappropriated off budget trust fund will fund condemnation. More than 115,000 landowners have already lost their land to the Park Service alone since 1966 because of the Land and Water Conservation Fund, which will be amended by HR-701.

Lack of Congressional Oversight

The National Park Service and to a lessor extent other agencies, have been immune from Congressional oversight because they manage nice places. Parks are good in political terms and it is bad to appear to be against parks. The result is a runaway bureaucracy with little or no accountability. These land buying agencies are buffered by support groups who intimidate and overwhelm opposition.

Land Protection Planning Process

There has been a definite trend for the better. Mostly related to funding. One of the true success stories of the Reagan Administration was the Land Protection Planning Process. The fact that the planning process is largely still in place testifies to the common sense nature of the policy. Responding to the severe criticism by the General Accounting Office in previous years, the Interior Department published the Land Protection Regulations in 1982. And many in the Park Service and Fish and Wildlife Service have made an effort to make them work.

Land Protection Plans were supposed to help the Park Service and other Federal agencies obtain protection for more land at less cost. They were supposed to encourage the use of cost effective easements and other alternatives to fee acquisition. They were supposed to buy the least amount of an interest necessary to meet congressional objectives.

Unfortunately, lack of support from certain Members of Congress and the long held belief that we will buy everything anyway so why bother prioritizing has led the Park Service and other agencies to largely ignore the Land Protection Planning Process. HR-701 could be improved by including the 1982 Land Protection Planning Policy into the bill.

We should make it clear that even though we have suggested improvements to HR-701 in various places in this testimony, we do that only to help landowners should this bill be made into law. As long as it creates a Trust Fund, increases land acquisition funding and those funds do not have to go through the appropriations process each year; our opposition remains total, complete and unequivocal.

The East-West Conflict Over Parks

The East is overcrowded and needs more open space according to some. The West feels it has been abused by having too much land locked up. HR-701 may well be a response to calls for more parks in the East, but much of the damage will still be in the West. The West understands what condemnation, land acquisition and loss of tax base will do. In some cases, the West never was given the tax base in the first place. The East kept control by keeping the land in government ownership to restrict Western growth.

We hope Eastern Congressmen and Senators will be truthful with their citizens about what HR-701 means. Massive land acquisition of private lands, much of it in the Northern Forests of Maine, New Hampshire, Vermont and New York. Yet, the public wants parks near where they live. Ask them if they want their neighbor to lose his home as a price for making the park? Ask the urban resident if he is willing to pull the dollars out of his pocket to pay for the park? Don't extort the money from him without letting him understand the price he is paying.

Let's Be Honest, HR-701 Is A Billion Dollar Tax Increase

Let's be honest about the Land and Water Conservation Fund. Any money that is appropriated for the fund, or that comes from the sale of public assets and put in the fund, is public money. Money that comes from off-shore oil and gas sales would normally go into the treasury to reduce taxes. Under HR-701, it will automatically be siphoned off for special interest groups and land acquisition and the taxpayer will have to make up the money. Lets not kid the folks back home

and tell them they won't have to pay for all this land acquisition. They are paying for it all right... only it's being done in a sneaky underhanded way.

HR-701 Says Only Willing Seller But Congress May Decide Otherwise

HR-701 contains no oversight provisions. The numerous General Accounting Office reports listed above have criticized the Park Service in particular and other Federal agencies for buying more land than they are supposed to; creating projects with huge cost overruns; not prioritizing their land acquisition so that they buy land they don't need instead or lands intended by Congress; failure to use easements and other cost effective protection alternatives; and failure to pay attention to the needs of local communities, landowners, and local government.

Use of eminent domain or condemnation must be severely restrained if money is added to the Land and Water Conservation Fund. On the St. Croix River the Park service has exceeded its condemnation limit. It continued to threaten to condemn easements that include public access over a person's entire property instead of just river access as the law intended. Otherwise unwilling sellers have gladly sold willingly rather than have nearly all the value of their land taken leaving them with little resale value but the right to pay taxes.

Land acquisition money is used as a giant regulatory umbrella. The Niobrara River Wild and Scenic River had a provision that limited condemnation to 5% of the land. When asked by the author how they would use this limited condemnation power, the Park Service said they would hold back condemnation and threaten everyone with it to keep them from making unwanted developments to their property.

The agency pays little or no attention to the legislative history of areas managed by them. According to GAO, they are just as apt to buy land they don't need as land that is critical. They assume they will buy it all anyway so why plan. Therefore, many condemnations take place that wouldn't have if more easements and other alternatives were used.

A court will not examine the taking—it is assumed that if it is for a "public purpose" then it is OK. The power comes with the power to govern. Courts only ask two questions. Does the agency have the money and the authority to spend it? They never ask if they have the authority to spend it on that land or at that project.

Therefore, the landowners cannot contest the taking. The Park Service uses condemnation as an abusive tool to intimidate. They know that the only thing that can stop them is congressional oversight and they have little to fear from that. Many landowners are squashed like bugs without a chance to fight back. Yes, they get paid. And sometimes they even get enough to replace what they had. But what is the price of land you don't want to sell?

The Reagan and Bush Administrations held down condemnations and funding for mass condemnation but even their Justice Department would not review the thousands of condemnations in process when they came into office. If the willing seller provision fails to survive, HR-701 will allow the Federal agencies to return to the wholesale condemnation era of the late 60's and 70's. According to a report to Senator Ted Stevens by the Justice Department released in 1979, of 21,000 condemnations in process nationwide by all Federal agencies that year, the Park service had over 10,000 of them. That number is skewed somewhat by the Big Cypress condemnations.

Despite the Willing Seller – Willing Buyer provision in HR-701, we believe that any bill coming out of Congress will include condemnation. Declarations of Taking will increase if HR-701 passes. DT's, as they are called, are used by the Park Service as an abusive tool to intimidate and depress opposition to local land acquisition projects. They give the government immediate title to the property and can be used to force the landowner off the land in 90 days even if he has no other place to go. Small businesses and farmers have been especially hard hit by the use of this tool.

In the past, the congressional committees have often approved a DT without ever taking the care to ask local elected officials or landowners whether a DT is appropriate. Some are but most are not. The Resources Committee in the past was often counted on by the Park Service as an automatic sign-off to get a DT approved. It failed to investigate the facts. As a result the Park Service often gave Congress information that was not accurate. The Park Service did not have to tell the truth because it knew the Committee was not likely to check.

The Committee has often not fulfilled its oversight role. By passing HR-701, Congress would be placing a loaded gun in the hands of the Park Service. HR-701 should carry some very carefully crafted oversight provisions for the use of Declarations of Taking.

HR-701 will eliminate any motivation on the part of the Federal agencies and particularly the Park Service to use easements to protect land while saving money. The GAO says that the Park Service objections to easements are more perceived than real. For example, on the St. Croix, (Kettle River Section) the State of Minnesota purchased hundreds of easements at a cost of 30% or less of fee title. On the St. Croix just a few miles away, the Park Service was condemning fee title costing far more money for the same kind of land. The difference in management is money. If they have enough money they don't have to negotiate. They take the easy way out. They don't have to be a good neighbor. They always threaten condemnation. They use condemnation. The use of a high percentage of easements would cut land acquisition costs by a minimum of 40% while saving valuable cultural communities. More land could be protected at less cost if Congress enforced the use of easements.

Public Law 91-646, the Uniform Relocation Act is supposed to protect landowners from overly aggressive bureaucracy. IT DOES NOT WORK. If HR-701 passes it will be turning loose powerful bureaucracies to prey on their own people. Money is the key. If the land acquisition agencies do not have quite enough money to do their job in the old way, they become creative and fiscally responsible. To some extent this has happened in recent years. Without very tight controls over land acquisition and the condemnation process, private land in rural America will face a grave threat at the hands of its government.

Multiple-use on Federal lands will be damaged by HR-701. Multiple-use lands will be converted into single purpose restricted areas where only a small minority of citizens can go. Congressmen and Senators are able to change multiple-use lands into parks now, but they must be responsible for huge costs associated with buying private lands in those areas. Mineral rights, grazing rights, water rights and other private interests must be paid for too.

If there is a Billion Dollar Trust Fund, Congressmen will simply have to say: 'Let the trust PAY for the new Park.' They will not have to take fiscal responsibility for their actions. HR-701 will lead to virtually no congressional oversight over land acquisition. HR-701 is not the final Trust Fund. It is a transition bill that amends the Land and Water Conservation Fund so that it has a dedicated source of funds that will eventually grow to $1 billion and more. The goal is to position the LWCF so that it will be removed from the congressional appropriations and oversight process. This would complete the plan laid out in June 1979 in the late Phil Burton's secret seminar where this whole process was planned. The goal of that meeting was "to get the Land and Water Conservation Fund out from under congressional oversight and give as much money as possible to land trusts" where there would be even less oversight.

Anyone who pays recreation or user fees on Federal land will eventually have to pay higher fees because of HR-701. Like night follows day. The environmental groups will use the excuse of paying for the Trust to prod Congress into raising user fees. Their goal, of course, is not really to raise money, but drive commodity production and other multiple-uses off the Federal lands.

HR-701 will eventually give the Park Service, Forest Service, Fish and Wildlife Service and Bureau or Land Management 200%, 300% and even 400% of the land acquisition funding that has been provided by Congress over the past ten years. The threat to rural America is staggering.

If HR-701 passes we will end up with a $25 billion backlog in 10 years. The appetite of some in Congress, the Park Service, and the environmental groups is very big. Their eyes are bigger than their funding. Instead of the current $8 billion backlog as we have now (if you can believe the

President's Commission on Americans Outdoors ten years ago) you'll simply see a $25 billion backlog as Congress loads up the process with new ego-political parks. Remember, they no longer have to be accountable for costs because the 'Trust will pay."

We will be mortgaging our children's future and setting impossible goals while guaranteeing to raise their taxes because LWCF funds that could have passed through to the general fund to help reduce the deficit will now be siphoned off.

It is suggested that we must take funds from an asset we are using up (off shore oil) to build another asset. There is some logic to that argument. Often, however, the Land and Water Conservation Fund is taking assets or their uses important to all Americans from them. We may buy land, but it is placed in a non-use category. Small communities are being destroyed and the local tax base damaged. HR-701 will remove millions of additional acres from the tax rolls throwing the burden of supporting necessary community services on other property owners. Often counties support the LWCF to pay for the swimming pool while giving up the tax base that could pay to keep up the swimming pool.

None of the money from HR-701 can be used by the Park Service, Fish and Wildlife Service or Forest Service for anything but buying land. No maintenance, no rehabilitation, nothing else. Yet the backlog in maintenance grows bigger with each passing year.

It seems inconsistent for the environmental groups to be suggesting the sky is falling about the preservation of land when advocating huge land acquisition increases while at the same time resisting to the death any attempt to add maintenance and rehabilitation funding to the Land and Water Conservation Fund.

If Congress passes HR-701, it will send a message to the Federal agencies. Remove private uses and commodity production from Federal lands. The logic is that if the government is spending so much money to buy private land for recreation and preservation then of course Congress must mean to rid existing Federal land of permits, leases, and other private uses for the same reasons.

The President's Commission on Americans Outdoors recommended massive increases in land use controls. These will be paid for by the Billion Dollar Land Acquisition Trust Fund. Examples: 2,000 Wild and Scenic Rivers by the year 2000; a national network of greenways modeled after the 1,000 foot wide Appalachian Trail from Maine to Georgia; a nationwide "scenic byway" program placing half-mile viewshed or buffer zones on either side of secondary highways across America; expansive new wetland and shoreline controls; growth shaping controls; and many more costly red-tape regulations. Some of these proposals like the "scenic byways" have been put into place on Federal land in areas managed by the Forest Service. Also the wetland, shoreline and growth controls. So far the impact on private land from the "scenic byways" has been minimal. What happens when there is a Billion Dollar Trust Fund?

Where Will The Trust Funds Be Spent?

There is a whole list of programs and plans ready and waiting for the money from this new Trust Fund. The National Parks and Conservation Association 1988 Park Plan Hit List included 88 new national parks and additions of 10 million acres to 212 existing parks. 25% of the additions would come from private landowners. No one knows how much private land is in the 88 new areas. Conservative estimates in 1988 suggested this plan would have cost a minimum of $30 billion and could well be more than twice that.

The Wilderness Society and other groups have followed suit with the "Blueprint For The Environment" which sets out a huge agenda. Dozens of other groups have their own ideas how to spend the new slush fund.

What is more onerous though are the secret future park projects that exist within the Park Service. The Park Service has one called the National Natural Landmarks program. Never authorized by Congress, this back room project gets landowners to list their property by promising that it will not

be purchased and that they do not list people against their will. It rewards them with special ceremonies and other ego gratification. On the surface, it sounds like a good program.

However, lots of evidence surfaced a few years back that in fact people's land is listed against their will without even telling them. Despite protests to the contrary, this program is really a plan for future additions to the National Park System. The NPCA calls them "Ladies in waiting". An Interior Department Inspector Generals investigation has clearly shown that the Park Service grew impatient waiting for landowners to give their permission and simply began bypassing them, designating millions acres of private land as landmarks without even telling the landowner they were under consideration. Land Trusts like the Nature Conservancy eagerly participated in this secret process in places such as Waas Island and Beals, Maine. Many more acres of Federal lands were planned to be designated with the result that other uses would eventually be removed.

The Biosphere Reserve and World Heritage Site program also appears to be tied into a program for expanding the parks while locking out the people. The first tangible evidence that these programs would be used in this manner was by the Superintendent of Yellowstone National Park, Michael Findley again, when he called in a United Nations inspection team several years ago to examine the New World Mine and its supposed threat to Yellowstone. The UN team recommended a huge buffer zone around Yellowstone and was the moral authority upon which the Clinton Administration based its successful efforts to shut down the project buy using LWCF funds to buy it out thereby depriving Montana of much needed jobs. It is our view that any threat to Yellowstone was largely successful propaganda.

The 26 million-acre Northern Forests of Maine, New Hampshire, Vermont and New York are the primary initial target of the green groups for much of the new Trust Fund. There are timber companies going through an economic transition and seem willing to again sell Manhattan Island to the Indians for beads, foregoing the economic future of the area. Vast numbers of communities and thousands of jobs lay in the balance.

The Billion Dollar Trust Fund was originally recommended by the President's Commission on Americans Outdoors (PCAO). The General Accounting Office released a report (RCED-88-86) in 1988 concluding that the PCAO violated the Federal Advisory Committee Act by writing its recommendations in closed, secret meetings excluding the public and press. Lamar Alexander was the Chairman of that Commission and Victor Ashe was the Executive Director.

According to the President's Commission on Americans Outdoors, visitation to Park Service areas close to where people live has increased modestly. However, visits to parks and Wilderness areas away from population centers are moving steadily downward as the nations population ages. Yet the PCAO, NPCA, and other plans include massive land acquisition in areas away from where the trends say people now generally go.

Some of the money from HR-701 will undoubtedly go to support national and local land trusts. There are very grave dangers in that. There are some large land trusts like the Nature Conservancy, Trust for Public Land, The Conservation Fund and others that portend to save the government money but there are indications now that they may in fact increase the cost of acquisition. They are acting very much like tax-exempt real estate companies, which cost the government (taxpayer) much more, when they stand between the landowner and the government than if the government could deal direct with the landowner. It is likely when the dust clears that these land trusts have cost the taxpayer the purchase price plus large deductions for perceived donations using "special appraisers." In the end, the taxpayer could pay twice as much ore more.

In an investigation several years ago by GAO, they reported that they were not able to get the information necessary on the land trust in question because the trust would not supply the required financial records.

The Interior Department Inspector General was able to convict two real estate agents that were involved in a scheme to sell land to the Park Service at Santa Monica Mountains NRA at an inflated price through a land trust. The land trust was not convicted of any wrongdoing.

HR-701 should carry with it a requirement that any land trust who receives Land and Water Conservation Fund money should be required to make full financial disclosure of its financial records in order to qualify for participation in the LWCF.

Local land trusts are a good idea. They promote conservation and enthusiasm on the local level. If they get Federal money they will become extended arms of the land acquisition agencies. This condition exists to some extent now but will be greatly expanded if HR-701 passes. Even the managers of local land trusts won't recognize their organizations in a few years if they accept Federal money. One of the main ideas of local land trusts is to raise public awareness and build public involvement in local projects. That comes from fund raising. If these trusts are financed with Federal dollars through the Land and Water Conservation Fund, that local spirit will die.

Most of the Federal part of the over $8 billion spent by the Land and Water Conservation Fund since 1966 is not available for general public recreation. It has been locked up with people uses generally limited and sometimes eliminated altogether. Recreation is an excuse or a code word to develop public support for preservation projects when the real goal is the elimination of people. Someday a major event will bring this process of exclusion to the attention of the public. The results will be dramatic and tragic. Those who now have the power to swing the pendulum need to be careful not to swing it too far. It always comes back with equal force.

The LWCF presently does not have money in it unless Congress appropriates the funds first. Trust Fund proponents carry on the myth that the fund has money in it or that money is owed to it. Congress passed legislation authorizing $900 million per year for the fund in 1978. It only approached appropriating that figure in 1979. That was also the year the former Congressman Sid Yates committee suspended the Park Service condemnation authority because of all the abuses. Congress must appropriate money each year from the present source of funds, offshore oil and gas leasing money, or the money will pass through the fund to support the general government treasury and reduce your taxes. The greens and some Members of Congress who know better encourage the fiction that somehow $900 million per year has built up in the fund and now $8 billion is owed to the fund and that it doesn't cost the taxpayer.

HR-701 dedicates up to $1 billion per year from offshore gas and oil money to the Land and Water Conservation Fund, thus making it a Trust. The Trust Fund does not have to compete against other important national social priorities in the yearly budget process. Somehow, Trust Fund proponents think that the environmentalists and hunters need a special subsidy or entitlement to support their activities. Or perhaps they think they cannot compete in the budget process like everyone else and must receive special treatment.

If HR-701 passes, every special interest should insist on a dedicated Trust Fund for their own pet projects. Congress should consider doing away with the appropriations committees since they will no longer be needed.

HR-701 or the Land and Water Conservation Fund should not be used as a bargaining tool or trading stock to open the Arctic National Wildlife Refuge. While we support opening ANWAR, the funds from ANWAR should not be used to condemn land and destroy private property and communities in the rest of the country. We oppose making HR-701 part of other legislation involving ANWAR. It must stand alone and have to compete on its own merits and not be a result of election year vote trading. It would be appropriate to separate the LWCF from the current HR-701 so that Congress will not sell out private property rights as part of some goal to gain access to the Federal treasury by Coastal states or the Safari Club. We're not making a judgment here over whether that access for Coastal states is right or wrong. Slipping a Billion Dollar Trust Fund in the bill is wrong.

Park Service land acquisition has led to condemnation and removal of special cultural populations in small communities across America. HR-701 will fund the continuation of this process.

Over 115,000 landowners have lost their land to the Park Service alone since 1966 as a result or the Land and Water Conservation Fund. The impact on rural America has been destructive and tragic.

It is very important that field hearings be held around the country on HR-701. This bill is too important to have just a few carefully scripted hearings in selected states.

The Chairman of the old Interior and Insular Affairs Committee promised oversight hearings and a review of mistreatment of inholders in 1980. He failed to deliver on his promise.

HR-701 contains protection against condemnation if that provision passes Congress, a possibility we consider very unlikely. Whether or not condemnation is included in any final version of HR-701, the bill will do terrible social and cultural damage to rural communities across America. Willing seller, willing buyer is largely a myth. The government has ways to make you sell. It just takes the agencies fifteen years to do what they can complete in five years with condemnation.

The conclusions of GAO report after GAO report confirm past abuses. Newspaper and magazine stories by the hundred have told the story. National television shows documenting the horror stories on public television and network news magazine shows add to the documentation. Purchase and relocation by the thousand. It is true... terrible things have been done to the American people and their communities in the name of preservation.

HOW did this happen?

There are lots of little reasons, and TWO BIG REASONS.
First, our Constitution is written the way it is because the founding fathers knew that big government would always try to expand its power over those beneath it. It's why we have all those laws about unreasonable search and seizure. Big government, even big corporate government, always tried to get bigger and more powerful.

Second, for many reasons, most of them good, we have a huge and powerful movement for the conservation and preservation of our natural resources in this country. The American Land Rights Association believes in sensible conservation... some of our volunteers helped found conservation organizations.

But this movement, this bureaucracy, is like all the rest. It believes in itself... and its goals... above anything else... including your rights and the rights of every American.

And they are very smart. They know that American politics and politicians depend upon organizations—like the environmentalists—for political support through their publications and for money... money at election time and money to expose them in a good light in their many and large publications and broadcasts of a "non-political" nature.

So they have power and influence. And they are dedicated. Regardless of what they sometimes say, the basic goal of the environmentalists is to "get people off the land." There are many quotes from the leaders of these groups to show that they really want to keep everyone out of as much of the Federal lands... our land... as they can.

One example is a 1991 statement by Brock Evans, then Vice President and Chief Lobbyist for the National Audubon Society. He was comparing the environmental groups (greens) campaign for Federal acquisition of 26 million acres of the Northern Forests of New England to his successful campaign to shut down the forests and rural communities of the Northwest, using the spotted owl as the tool. He told a group of environmentalist leaders at an activist workshop at Tufts University:

"This will be an even bigger campaign in the next few years than the Ancient Forest Campaign we're just going through in the Pacific Northwest ... I don't agree that we can't get it all back [sic]... I don't agree that it shouldn't all be in the public domain."

And they don't give a rat for your rights... or my rights. They get most of their money from people who don't depend on the land... who pay their dues and lend their names to "good causes," because its the "right thing to do."

These good people, as many Members of Congress, never think about the human rights being trampled every day in the name of their good cause.

'So what can I do about it?" you ask. That's what I thought when it happened to me. I have a cabin-inholding in Yosemite that the Park Service decided to take. My family had been there for a long time, and I didn't believe in simply being tossed out because some bureaucrat said I was in the way.

So a group of us started the National Park Inholders Association which became the American Land Rights Association. And it has become my life.

God has given me reasonably good health, good friends and employees, and dozens, even hundreds of intelligent hard-working volunteers, decent people to help me.

And we have made a difference.

Before we were here, the National Park Service had seized nearly 100,000 pieces of property from American Citizens since 1966. Thousands of others... miners, stockmen, ranchers, farmers, cabin owners, landowners, recreationists, and other users of the Federal lands have been told they had to go... that they "didn't belong."

Thousands of people were being deprived of rights and property that had been assured by their government that they could stay. Families of good men and women had to pack their bags and leave. Why? For preservation. Never mind the promises that were made to create the new parks. Forget about the assurances that the new funding would not take their home. They had to go.

And so it goes... in hundreds of "preservation" areas across the country. Rare and beautiful cultures and lifestyles are broken up and destroyed. In America a culture must be 100 years old to be valued. The Park Service has committed "cultural genocide" or "cultural cleansing" over and over and Congress often has seemed not to care. But we fight on.

We can't say we have stopped the carnage every time. But we have stopped it, slowed it, made it more fair and made the bureaucrats think twice about doing it again, just about every time.

Park service bureaucrats talk in jargon that makes people feel stupid…real stupid ... and intimidated. They do that without maliciousness… these are not bad people, but they are people. Even ranchers, miners, and truckers have jargon... we all do it... it's human.

But it does make it hard on ordinary citizens... and it does make the bureaucrats see the world in a special way. They come to see their actions as part of a huge complex operation of which they are only a part. To them, as to us, their job takes over their life.

Help us keep the system fair... help us protect the rights of rural Americans. Don't give the giant environmental industrial complex free access to the Federal treasury with an unappropriated trust fund. Why do they need a subsidy or entitlement?

Write strict protections for families and communities into HR-701… defeat this bill. Don't discriminate against certain groups of people because of where they live. Remember that the issue is not just a few people in one place, it is the freedom of us all.

We do what we do because we believe that this system, this country, is based on some remarkable ideas, principal among which is that individuals and individual rights are important. Our Constitution was designed to protect the individual against the overwhelming power of a huge government that would take away rights and property.

We are Americans who are willing to work for our belief that it is individuals... and individual rights... who make this country important. We must never allow the single-use people to make their world better at the expense of the rights of all Americans. That's what this country's about.

Please... we cannot afford to buy all the nice places in this country. Try making landowners into partners... not enemies. HR-701 will not help this country... it will destroy the fabric of its rural communities.

Suggestions to Improve HR-701

Often when legislation is introduced that has the potential to cause adverse and sometimes unintended consequences, we may make recommendations. In the case of HR-701, these suggestions to improve the bill should not be taken as ANY support for this bill. HR-701 is so dangerous that we are unalterably opposed to it. But in the off chance that it does pass, the suggestions below will at least mitigate to some degree some of the terrible damage this bill will cause.

1. The Land Protection Planning Policy of the Interior Department was created in 1982 and is still place and should be included in HR-701. While this is still the written policy of the Interior Department and Agriculture Departments, a good many of the regulations have been ignored. Also the Park Service, Fish and Wildlife Service and Forest Service implementing regulations should be included as amendments to HR-701.
2.
The Land Protection Planning Policy for the first time got the agencies to create a Land Protection Plan in each park or management area. That plan set priorities for which parcels were of high priority and which were of a lessor priority. Before that, the agencies didn't bother, feeling that they would ultimately buy it all so who cared.

The Land Protection Plan also had each agency identify the least amount of interest in the land that needed to be purchased to meet the intent of Congress. In some cases fee acquisition was recommended while in others it was easements, purchase and sell back, memorandums of understanding, cooperative agreements and other less invasive agreements. Before Land Protection Plans, the agencies had just purchased in fee title with little thought to alternatives. This dramatically raised the cost of many projects by hundreds of millions of dollars. Congress should instruct the agency to buy the least expensive alternative that meets Congress' intent unless the landowner wishes to sell a higher interest.

The Land Protection Planning Policy also requires the agencies to hold public hearings (not workshops) so that local elected officials and landowners can be involved and know what is going on.

3. Another amendment to HR-701 should require that each Federal area be required to hold a public hearing once year on their Land Protection Plan, what they purchased during that year and what interests were acquired. That way the public and local officials can see if the agency is following their Land Protection Plan. This provision in the current policy is usually ignored by the agencies which is why making it part of HR-701 would increase its strength.

4. Another amendment should require that the agencies not buy land inside unincorporated and incorporated communities and seek ways to protect the local community and culture. Otherwise the agency checkerboards the community undermining its social function and tax base and ultimately destroys it.

5. The agency using Land and Water Conservation Fund (LWCF) money funds should be required to notify the local county of any acquisitions of developed property, either a home or business, at least 60 days before closing and be required to seek approval from the local county or other elected body. Notice should also be required of any acquisition of undeveloped land of over 100 acres. That way the county could monitor their tax base and object to the agency action in time to make a difference if they felt that economic damage was taking place.

6. HR-701 should be amended to require all acquisition funds to go through the appropriations process. There should be no entitlement. The existing $1,000,000 threshold protects larger landowners to some degree but ignores the needs of smaller landowners that constitute 99% of the land purchases. The bill should specify that there will be no net loss of private property. If the

agency wants to buy private land, they should be required to identify land that will be sold to off-set the loss just like Congress does now in the budget process.

7. The LWCF should be amended to allow monies to be used for maintenance and rehabilitation. Right now the Appropriations Committee has said that the four key Federal land agencies are $12 billion behind in maintenance funding. We should take care of what we have before buying more.

8. Another amendment should say that the agencies may not buy any land where the government already owns over 70% of the land and that they must get permission from the local county in order to buy land where the government owns a minimum of 20% of the private land. This way the local county can be involved in protecting its tax base and making sure there is enough private land to support basic economic services to the people who live within the county.

9. An Environmental Impact Statement amendment should be included in the LWCF to require an EIS for any area where the Federal Government is carrying out large scale land acquisition and the Federal Government already owns 40% of the land base.

10. Every landowner should be given a copy of a booklet with his or her rights. They should be guaranteed a life tenancy if they choose that option. At the present time the agencies do not always follow the Uniform Relocation Act (91-646) and often deny the landowner the option of staying on his property for 25 years or life. The agency goal, of course, is to get the landowner off the property as quickly as possible.

11. No LWCF funds should be allowed to buy mining properties with documented reserves. If the agencies are allowed to buy the mining properties the country is deprived of new wealth and possibly important strategic minerals. Where would the country be today if the Free World's only supply of Rare Earth in the California Desert had been purchased by the Park Service before it was developed? It was years before we learned how important these minerals were to saving energy and lowering the weight of electric motors and much more.

12. LWCF funds should go to the state and local governments with the restriction that they can only be used with willing sellers. As of now, HR-701 allows the states and local jurisdictions to use condemnation.

13. Any lands purchased with LWCF funds must remain open to hunting, fishing and trapping. The irony of HR-701 is that the exact people who are pushing the bill are people who stand to lose a great deal in the long run. You can't hunt where you can't go. For example, the millions of acres of Forest Service lands now checkerboarded with private land will become targets for land acquisition for the first time. Many hunters and fishermen use these lands now. In the long run, HR-701 will Federalize those lands.

14. The Payments In Lieu of Taxes (PILT) program should be amended into the LWCF so that the full PILT payments are made to local counties before any land acquisitions take place.

15. The Tauzin amendment to the California Desert bill should be added to the LWCF. This amendment was adopted by a large majority in the 103rd Congress. It prohibited the Federal agencies from using environmental regulations such as the Endangered Species Act when appraising property for potential Federal acquisition.

16. The LWCF should be amended to lower the authorization to the historic level of appropriations, $200 to $300 million per year.

17. Another amendment should say that any lands purchased outside existing designated Wilderness with LWCF Funds may not be put into Wilderness in the future or put into any Wilderness Study category.

18. Land trusts that convey land to the Federal Government should be required in the LWCF Act to provide a complete accounting of how much the land cost and what kind of tax deductions were taken in the acquisition. That is the only way Congress can know what it is really spending on a

piece of property. The land trusts should be limited to making no more than 10% profit on sales to the Federal agencies and that any purchases must fit into that agencies Land Protection Plan.

ALRA

Assorted reading opportunities: (Available on the ALRA WEB site at WWW.landrights.org)

A SOCIO-CULTURAL ASSESSMENT OF INHOLDERS ALONG THE APPALACHIAN TRAIL IN THE STATE OF NEW HAMPSHIRE by Kent Anderson. A report funded by the American Land Alliance located in Mountain View, California in 1983. Copies may be obtained through the American Land Rights Association, P. O. Box 400, Battle Ground, WA 98604. (360) 687-3087. FAX: (360) 687-2973.

PEOPLE OF THE BLUE RIDGE: A SOCIO-CULTURAL ASSESSMENT OF INHOLDERS ALONG THE BLUE RIDGE PARKWAY by Kent Anderson. A report funded by the Institute For Human Rights Research located in San Antonio, Texas in 1980. Copies may be obtained from the American Land Rights Association.

THE PEOPLE OF THE BUFFALO: A SOCIO-CULTURAL ASSESSMENT OF INHOLDERS ALONG THE BUFFALO NATIONAL RIVER by Kent Anderson. A report funded by the Institute for Human Rights Research in 1981.

A SOCIO-CULTUREAL ASSESSMENT OF INHOLDERS IN THE MOUNT ROGERS NATIONAL RECREATION AREA (US Forest Service) by Kent Anderson. A report funded by the Institute for Human Rights Research in 1980.

AN ASSESSMENT OF THE ADMINISTRATION AND DEVELOPMENT OF VOYAGEURS NATIONAL PARK by Donald D. Parmeter. Mr. Parmeter was Executive Director of the Citizens Committee on Voyageurs National Park under the State of Minnesota. Copies may be obtained from the Committee in International Falls, Minnesota.

NATIONAL PARK SERVICE LAND ACQUISITION HEARINGS, SUMMER 1978
These were the only real hearings ever held on land acquisition by the Park Service. Former Congressman Sidney Yates Appropriations Interior Subcommittee took away the authority of the Park Service to use condemnation until they held hearings. The agency expected just a few people to show up but hundreds attended nationwide.

The hearings were held in Fresno, California; Seattle, Washington; Denver, Colorado; Atlanta, Georgia; and Washington, DC. Verbatim transcripts are available from the Park Service.

Books

The Power Broker, Robert Moses and the Fall of New York. By Robert Caro. 1974, Vintage Press, New York. Originally published in 1974 by Alfred A. Knopf. Still in print in its 49th printing. Winner of the Frances Parkman Prize and the Pulitzer Prize in 1975.

A Rage for Justice, The Passion and Politics of Phillip Burton. By John Jacobs. 1995, University of California Press, Berkeley and Los Angeles, California.

Wilderness Next Door by John Hart. Foreword by Cecil Andrus. 1979 Presido Press, San Rafael, California.

The Adirondack Rebellion by Anthony N. D'Elia. 1979 Onchiota Books, Glens Falls, New York.

The Taking by Joseph Gughemetti and Eugene Wheeler, 1981 Hidden House Publications, Palo Alto, California.

At The Eye Of The Storm, James Watt and the Environmentalists by Ron Arnold, 1982 Regnery Gateway, Chicago, Illinois.

Playing God In Yellowstone by Alston Chase, 1986 Harcourt Brace Javanovich, Orlando, Florida.

Wake Up America, They're Stealing Your National Parks by Don Hummel. 1987 Free Enterprise Press, Bellevue, Washington. Mr. Hummel was the former mayor of Tucson, Arizona, an Assistant Secretary in the Kennedy Administration and former concessionaire in Glacier National Park, Lassen National Park and Grand Canyon National Park.

Cades Cove, The Life and Death Of a Southern Appalachian Community by Durwood Dunn, 1988 University of Tennessee Press.

Films

"For The Good Of All", an episode of the Public Television "Frontline" series first aired on June 6, 1983. Copies are available.

"For All People, For All Time, a film by Mark and Dan Jury that documented land acquisition in the Cuyahoga Valley National Recreation Area in Ohio. Portions of this film were used by Public Television when they produced the "Frontline" episode above. Copies are available.

"Big Park" a part of the Outdoor Magazine Television Series. Produced by Grant Gerber and the Wilderness Impact Research Foundation, Elko, Nevada. Copies are available.

"Vanishing Freedom" a FOX NEWS Special by the FOX NEWS Network in July, 2000. Contact FOX NEWS at (888)-443-6988.

"Vanishing Freedom II" a FOX NEWS Special aired in May, 2001. For copies call FOX NEWS at (888) 443-6988.

National Park Service Entangled in "Greengate"

By Alston Chase
March 5, 1990

Call it "greengate." Last month, the House Interior Committee reluctantly heard testimony that has federal bureaucrats running for cover, environmental groups red-faced with embarrassment, some congressmen looking at their shoes and all of the above hoping the press will not notice.

Presented by Erich Veyhl, a soft-spoken man representing a citizens' group in northeastern Maine called the Washington County Alliance (WCA), the testimony tells of collusion between the National Park Service and some state agencies and national environmental groups to target, secretly, the lands of thousands of ordinary Americans for possible federal control and takeover.

And as this scam comes to light, the NPS is actively engaged in a campaign of coverup and disinformation.

At issue is a little-known NPS activity called the "National Natural Landmark Program," started in 1961 to identify lands that are of "national significance." Today its registry contains 587 sites, including such places as Okefenokee Swamp, Ga.; Franconia Notch, N.H.; and Point Lobos, Calif.

To find landmarks, the NPS hires scholars to conduct secret "theme studies" of entire regions, cataloging critical natural features. From these catalogs, the NPS picks its candidates for landmarks and pays a state agency or environmental organization to conduct a "site evaluation" of each parcel. Those passing muster are then designated by the Interior Department secretary for landmark status, and notice of this is posted in the Federal Register.

The process is supposed to be entirely voluntary. The NPS is required to notify the landowner three times before designation. But as the citizens of northeastern Maine found to their chagrin, that is not the way the program really works.

Quite by accident, in 1988 Veyhl and his neighbors read in a Boston newspaper that the National Parks Conservation Association (NPCA), an NPS booster group, had advocated turning much of Washington County - including the Maine coast from Cutler to Lubec - into a new national park. Investigating, they learned the agency had already done a theme study on their region and was currently reviewing the area for landmark status. Then they found that the government was also planning to make Great Wass Island, lying within the town of Beals - a national landmark .

No private landowners in the region had been told of these activities until they were nearly completed. Nor, they soon discovered, was their experience unique. Obtaining documents through the Freedom of Information Act, Veyhl and a colleague, Kraig Saunders, unearthed a nationwide pattern of skulduggery.

Many homeowners had experiences like that of Jim Shelly, a New Mexico rancher, who first learned his place was up for landmark designation when a friend noticed the nomination

notification in the Federal Register. The Nature Conservancy had evaluated his land for the NPS without his knowledge.

Lucy Wheeler, a native of northern Vermont, first suspected something was amiss when she discovered survey markers on her land. Officials had not told Wheeler because, they reported, the subject was "already sensitive."

Within the NPS, this duplicity is well-known and extremely bothersome to many officials. Yet publicly, the agency is stonewalling. NPS Director James Ridenour and his subordinates not only deny they have been deceiving the public. In an attempt to minimize the issue, they also insist that landmark status does not curtail landowner rights.

Such preposterous claims leave NPS insiders slackjawed. In truth, once a property is a landmark , it is subject to a web of federal and state restrictions - and the number of these regulations grows with each session of Congress. The National Heritage Conservation Act, for example, drafted last year and likely to be submitted to Congress soon, would provide criminal penalties up to $25,000 a day for homeowners who dare do anything that "affect (landmarks) adversely." (Keep Private Lands In Private Hands Editor's note: The National Heritage Conservation Act failed to pass Congress in 1990 or later.)

Chase is a syndicated writer on environmental affairs.
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Statement of

J. Peyton Knight

Executive Director of the American Policy Center

and

Washington D.C. Representative for the American Land Rights Association

Concerning

S. 175: The Bleeding Kansas National Heritage Area Act
S. 322: The Champlain Valley National Heritage Partnership Act
S. 429: The Upper Housatonic Valley National Heritage Area Act
S. 323: French Colonial Heritage National Historic Site Study Act

Read before the

Subcommittee on National Parks

of the

United States Senate Committee on Energy and Natural Resources

March 15, 2005

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today. My name is Peyton Knight. I am executive director of the American Policy Center in Warrenton, Virginia. The Center is a nonprofit grassroots organization dedicated to advancing the principles of private property rights, free markets, and limited government. In addition, I am the Washington, D.C. representative for the American Land Rights Association (ALRA). ALRA promotes the protection of property rights and the wise use of our nation's resources. I have the distinct pleasure of being the only witness appearing today who is not asking you for any money.

And that is important, because at last check, the federal debt is approaching eight trillion dollars. Extreme fiscal irresponsibility aside, National Heritage Areas (NHAs) embody a more sinister characteristic. Though billed by those who hope to cash-in at the federal trough as nothing more than innocuous designations bestowed upon local communities for the purposes of national recognition and tourism-seed money, Heritage Areas are actually federal land use mandates foisted upon local communities. Quite simply: Heritage Areas have boundaries, and those boundaries have consequences for property owners unfortunate enough to reside within them.

Funding and technical assistance for NHAs is administered through the National Park Service (NPS), a federal agency with a long history of hostility toward private landowners. The recipient of these funds and NPS direction is a management entity, which typically consists of strictly ideological special interest groups and local government officials. This public/private "partnership" then imposes its narrow vision of land use planning on unsuspecting landowners within a Heritage Area's boundaries. The result is a top-down, federal approach to zoning that is not responsive to the local citizenry.

Incredibly, proponents argue that National Heritage Areas do not influence local zoning or land use planning. Yet by definition this is precisely what they do. In each of the three Heritage Area bills before us today (S. 175, S. 322, and S.429), the management entity is specifically directed to restore, preserve, and manage anything and everything that is naturally, culturally, historically, and recreationally significant to the Heritage Area. This sweeping mandate ensures that virtually every square inch of land within the boundaries is subject to the scrutiny of Park Service bureaucrats and their managing partners.

The late Representative Gerald Solomon (R-NY) strongly warned his colleagues against the Heritage Area scheme. In a letter dated September 19, 1994, Soloman wrote:

> I urge you to defend property rights and strongly oppose the American Heritage Area Participation Program ... The environmentalists advocating this bill have FEDERAL LAND USE CONTROL as their primary objective.

> The bill wastes tax dollars that could be more appropriately spent on maintaining our national parks ... Property rights defenders have legitimate concerns about the provision in the bill requiring localities to obtain approval by the Secretary of Interior for land use plans...
>
> WHY SPEND $35 MILLION ON NON-FEDERAL HERITAGE AREAS WHEN OUR NATIONAL PARKS DESPERATELY NEED FUNDS FOR MAINTENANCE AND REPAIR?
>
> Again, I ask you to defend property rights and oppose this bill.
>
> *(The emphasis is Rep. Soloman's—not mine.)*

Little has changed in the ten years since Congressman Solomon warned his colleagues about the imprudence and danger of National Heritage Areas. The advocates of this program still have federal land use control as their primary objective. Heritage Areas still waste tax dollars that would be better spent on a Park Service maintenance backlog that now numbers in the billions of dollars. And the Secretary of Interior still has the ultimate say over the management and land use plans of each Heritage Area, these present bills included. Clearly, National Heritage Areas are nothing less than federal land use policy.

Also on September 19, 1994, Rep. Bob Smith (R-OR) penned a letter to fellow Congressman Richard Pombo, warning him about the inherent dangers of National Heritage Areas:

> Dear Richard,
>
> On Tuesday, the House will consider legislation that I consider to be the most significant threat to private property rights I have seen during my twelve years in Congress.
>
> This legislation ... will threaten private property by authorizing a broad new program of federal land use controls, extending from coast to coast. There are nearly 100 Heritage Areas currently under consideration and it's likely that your constituents will be impacted by these incredible restrictions on private property.
>
> This program is based on the existing Columbia Gorge Scenic Area in Oregon and Washington. The management plan for the Gorge regulates nearly every detail of private property use, including the color landowners can paint their homes and the species of trees they can plant in their own yard. Your constituents, like mine, will be outraged at this gross abuse of government over-regulation if this bill is enacted. Believe me, you do not want to be part of a town hall meeting after

> masses of your constituents learn the federal government has the final say over what they can do on their own property.

In reality, National Heritage Areas are nothing more than land targeted by NPS for future national parks, historic sites, landmarks, and land acquisition. This is evidenced today by S. 323, which intends to make the French Colonial Heritage Area in Missouri a permanent unit of the Park Service and a National Historic Site. The Rivers of Steel Heritage Area in Pennsylvania has existed almost exclusively as a NPS lobby—outwardly campaigning for federal land acquisition authority and national park status.

The federal government owns almost one-third of America's total land mass. The National Park Service is assigned to caring for much of this property. At present, the Park Service is running a multibillion-dollar deferred maintenance backlog. It can't handle its current responsibility. How on Earth does it make sense to give it more? A wise man once observed:

> The federal government continues to acquire greater amounts of land throughout the nation. In almost every state, officials are saying it is time to address existing public lands' needs before we swell the size of the federal government...
>
> It's time for Congress to protect the rights of private property owners and instill some common sense into federal land acquisitions.

These words were spoken only last Friday by our good Chairman Thomas upon the introduction of his "No-Net-Loss of Private Lands Act" (S. 591). If I may say so, it is a brilliant bill rooted in sound principle.

Proponents of NHAs also claim that they are "locally driven" projects. Nothing could be further from the truth. Landowners within the boundaries of proposed Heritage Areas are left in the dark throughout the entire process. Why? Because each and every Heritage Area bill refuses to include simple written notification to property owners. Seemingly the Park Service and their management "partners" are not too eager to share all the good news with the local citizenry.

If these National Heritage Areas were truly driven by local enthusiasm we wouldn't even be here today. Instead, local enthusiasm would have attracted and generated local funding to create local Heritage Areas. Such locally supported Heritage Areas are plentiful across the nation. Instead, National Heritage Areas depend on federal tax dollars because they lack local interest—something they lack throughout their entire infinite lives. Proponents claim NHAs are merely seed grants, and that sooner or later, they will attain self-sufficiency and no longer need federal funding. Yet National Heritage Areas almost never meet their funding sunset triggers. Once created, they are permanent units of the National Park Service and always dependent on increased federal funds. Indeed, National Heritage Areas are the 40-year-old "child" still living in

mommy and daddy's basement. Someday, they swear, they'll grow up and move out on their own. Yet that day never comes.

In fact, there is a bill before this very Congress (H.R. 888) that would extend the federal life of nine existing National Heritage Areas until the year 2027, and double their funding! It certainly appears that Junior has no plans to leave the basement. Life on the dole suits him fine.

In conclusion, National Heritage Areas are a worse idea now than they were ten years ago. Experience shows that they not only become federal funding albatrosses, but also public/private conglomerates that quash property rights and local economies through restrictive federal zoning practices. The real beneficiaries of National Heritage Areas are conservation groups, preservation societies, land trusts, and the National Park Service—essentially, organizations that are in constant pursuit of federal dollars, land acquisition, and restrictions on property rights.

True private property ownership lies in one's ability to do with his property as he wishes. Zoning and land use policies are local decisions to be made by locally elected officials who are directly accountable to the citizens they represent. National Heritage Areas corrupt this inherently local procedure by adding federal dollars, federal oversight, and federal mandates to the mix.

Thank you again for inviting me to testify on this very important issue. I would be happy to answer any questions that the subcommittee may have.

No to the Yosemite Plan: Don't Restrict Public's Access to National Parks

By Bonner Cohen

With the onset of summer, people's thoughts are turning to where to spend this year's family vacation. Our national parks, with their breathtaking scenery and generally affordable accommodations, have long been the destination of choice for millions of families.

They may not be much longer.

If a U.S. Park Service plan to limit public access to California's spectacular Yosemite National Park is allowed to stand, similar schemes could soon be in the works for other national parks, forcing many vacationers to go elsewhere for their relaxation.

Yosemite is one of the crown jewels of America's national parks. Nestled in the Sierra Nevada Mountains, its 761,000 acres feature giant sequoia groves with trees thousands of years old and many unique geological formations, including the glacial Yosemite Valley of the Merced River. Campers, rock climbers, rafters, hikers, swimmers and fishermen are among the millions of tourists who flock to Yosemite annually.

A devastating flood in 1997 destroyed or damaged much of Yosemite's infrastructure, including roads, campgrounds, and sewer systems. Under the direction of then-Secretary of Interior Bruce Babbitt, the Park Service set about developing a plan to undue the damage caused by the flood and to reconstruct the park along what officials viewed were more environmentally sensitive lines.

Officially dubbed the "Yosemite Valley Plan," the Park Service scheme, estimated to cost $442 million, would reduce the number of parking spaces in Yosemite Valley by two-thirds, from 1,662 to 550. Instead of driving around the park and taking in the sights at their leisure, day visitors would be shuttled to and from Yosemite Valley on a fleet of 50 buses from remote parking lots on the park's perimeter.

What's more, none of the 361 campsites lost in the 1997 flood would be replaced, and 164 rustic housekeeping units as well as 141 cabins and tent cabins would be eliminated. Nearly 60 percent of the park's campsites accessible by car would be removed. The only automobiles allowed in the Yosemite Valley would be those belonging to visitors able to afford the more

expensive accommodations at the Ahwahnee Hotel and the Yosemite Lodge, or those fortunate enough to grab one of the few remaining campsites accessible by car.

It takes little imagination to see how the prospect of being herded in and out of buses all day long will discourage parents with small children from visiting the park. Who wants to load and unload strollers, diaper bags, picnic coolers and other items on and off buses for hours on end? Likewise, reducing the number of affordable campsites and cabins in favor of more upscale accommodations will further keep people of more modest means away from the park.

"The valley and the park belong to 285 million Americans, not a select few," says Congressman George Radanovich (R-CA), chairman of the House subcommittee with jurisdiction over national parks. "I will not allow Yosemite to become an exclusive retreat." While recognizing the need to repair the damage done by the flood, Radanovich has vowed not to let the Park Service use this as a pretext to restrict public access to Yosemite. "There is a concern about locking people out of the park," he notes.

Fewer people visiting Yosemite will also mean less business for the tourism-dependent communities surrounding the park. This should be of grave concern to communities near other national parks, because the Park Service's social engineering isn't likely to stop at Yosemite. Once the precedent is set at Yosemite, what's to keep meddling bureaucrats from devising similar plans for Yellowstone, Grand Teton, Crater Lake, Great Smokey Mountains and countless other parks?

The Bush Administration should heed Radanovich's message and tell the Park Service to return Yosemite to the taxpaying public.

# # #

Bonner Cohen is a senior fellow with The National Center for Public Policy Research. Comments may be sent to bcohen@nationalcenter.org.

Mr. SOUDER. Let me thank each of you for your testimony today. And if there are any materials you want to submit for the record—and I didn't say this at the beginning, most of you probably know this, our intention is to have a series of field hearings in between. Each hearing that every committee does comes out with a hearing book that then becomes a reference for people to go and look at. So what you put in as supplementary materials goes into that, and we may be doing a plan—a final summary report. So it is helpful in the particular data here of this hearing being an overview of things we might want to look at or how to look at—and clearly, anybody who isn't exposed to this and every time I go to any hearing, I learn that, oh, the Park Service does this, too, that the scope and the breadth is overwhelming. There is no way this committee is going to get into these type of things. It becomes a matter of targeting.

Right now, however, we are trying to see the breadth so we can figure out what type of scope we are going to have and how to get into it, because fundamentally what we are looking at in these hearings is much broader than what we deal with usually in the Resources Committee, which tends to be focused either on a specific problem that has been raised or in a—I am not saying they never deal with the broader problem or a particular bill. But this is a comprehensive look at what systems and structural changes and strategy changes do we need, and try to see where, and accommodate different points of view.

Now, let me ask Mr. Galvin—and I know we will have a continuing discussion with this. And then I want to ask a couple—I want to ask Ms. Long this, too. Is there specific information that is not currently publicly available that you believe this committee might want to seek that would be helpful in determining scope and data as to some of this information?

And if you can't think of it off the top of your head, if you can suggest that to us, because as I have clearly explained to the Park Service multiple times, that all data has to be made available that is in a public source to an oversight committee. There is not the option of declining to give it to us, whether it is e-mails, whether it is letters, whether it is tentative reports.

For example, those who watched our steroids hearing in this committee know we can also, even in nongovernment agencies, if they have antitrust exemption and so on, ask them for briefing memos. The only claim that is justified is executive privilege. And even executive privilege or predecisional information is fairly limited.

Now, this isn't an effort to try to get every document that is out there. We get overwhelmed. When we were doing the look at the FBI files, often we would get like a wheelbarrow of information. There is no way to sort it through. What we are looking for is relevant information for public policy. This is taxpayers' dollars. And we are trying first to determine scope.

Mr. Martin seems very willing to share, but our problem is, is we don't even know what to request in some cases. And I wondered if you have any suggestions to make here on process?

Mr. GALVIN. Well, in the broad scopes of the committee's purview, I think most of the information related to this problem is

publicly available through the National Park Service Budget. In the more narrow scope, I think with respect to Homeland Security, I understand that there are some proposals to significantly modify the way the National Park Service does law enforcement, hiring nothing but permanent employees. I think that would be very relevant to the committee's inquiry with respect to the impact of Homeland Security on the National Park Service.

Also, I understand that there is a revision of the management policies proposed by the Department of Interior. That may be predecisional. But, generally speaking, I think most of the big problems are publicly available.

Mr. SOUDER. To what extent do you think it will be difficult to get—I mean, you have used the example of not filling a vacancy and moving to seasonal employees. Does such data exist at regional offices, at the national, or is this almost like you would have to get every park's information and assemble it? Does the National Park Service keep this data?

Mr. GALVIN. No. Decisions like that are pretty much made at the park level, and the record of them is at the park level. They are essentially decisions made by individual superintendents, once they get their budget allowance.

Mr. SOUDER. And are those park records public?

Mr. GALVIN. Well, there is a legal requirement that each park superintendent publish a financial statement every year. Generally speaking, I would say those statements are not consistent with respect to tracking positions. But I think legally they would be required, and at least two separate pieces of statute.

Mr. SOUDER. And so if we picked a region and ask for the parks in that region, how many vacancies do you have——

Mr. GALVIN. That could be provided.

Mr. SOUDER. And how many and how long those vacancies have been vacant?

Mr. GALVIN. That would be trackable.

Mr. SOUDER. And we would then be able to—and I also don't want to be overly burdensome for things that aren't relevant, but obviously these things become very relevant when we are looking at are you meeting your scope and needs, and we talk about do you have rangers here, what is up, what is down, that—are we, in assembling such data, how hard would that be to assemble?

In other words, if I made such a request like that, I mean, I know how—we run into this with multiple agencies, how many Congressmen, multiple Congressmen. I mean, I have been systemically talking to each member of this committee, and they are very supportive of the whole direction, as well as the full committee. So that we have a lot of leeway to work here. At the same time, none of us are trying to do unnecessary—in other words, pulling rangers out of talking to visitors so they are trying to do question responses to Congress. On the other hand, we have oversight responsibility here. How hard is this data to pull together?

Mr. GALVIN. Well, I don't think the committee needs to pull it together out of 388 parks. I think a well-designed sample would provide a valid story. I mean, I think that the condition of personnel management in parks is pretty much the same in any region, it is pretty much the same at each park. Small parks may be even

tighter than large ones. But I think you would find that story, given the past history of the park appropriation, at every park. That is, they would be surrendering permanent vacancies to cover seasonal needs.

Mr. SOUDER. Let me ask you one other kind of technical question that is my assumption. Looking at other agencies where we have these kinds of problems, that every agency in the Federal Government right now—almost every agency is having difficulties with staffing. The dollars aren't keeping up with the cost of living. At this point I am not arguing that government employees are underpaid. We certainly could never make that argument in our congressional districts. But at the same time, there has been a lot of crosspressure because of the health and pension systems. In the Park Service, since it is highest rated, there is not—it is very hard for people to get in, not that many people leave until their time is up. And I assume, although there has been some transition in park superintendents lately, that there is more or less an aging process occurring inside the park system, which means many of the people are in under the old health care and pension systems. You don't have the turnover that you have in a lot of other agencies where they come in for 5 or 10 years, never really get fully vested in the pension programs, never really are under the old retirement systems.

What pressure is disproportionately being put on the Park Service, and is that easy to quantify? Is it there?

Mr. GALVIN. Well, on a nationwide basis, I am sure the budget office could hang numbers on both the old pension system and the new pension system. My perspective is that the old pension system is fading as gaffers like me leave under the old system. But going to the new system, the so-called FERS system, which has to be financed by the agency, has made a considerable impact on the ability of parks to provide services per unit dollar. The percentage budgeted for that particular system is much higher than it was in the old system, because it has to be fully funded by the agency. But, yes, the budget office could certainly provide a nationwide analysis of the impact of that on parks.

Mr. SOUDER. Do you believe that drives permanent versus seasonal?

Mr. GALVIN. Oh, absolutely. Because the park superintendent is just looking at a bottom line; $5 million, $1 million, how can I deploy seasonals? And, by the way, this is not either new or partisan. When I ran the roads and trail system in Mount Rainier back in the 1960's, you know, our classic tactic was to keep—the fiscal year used to end on June 30th, and we wouldn't bring on the trail crews until July 1st if we had a big snow year and were short of money. So delaying seasonals, grabbing permanent vacancies to cover seasonals is a sort of classic strategy at the park level.

Mr. SOUDER. Thank you.

Ms. Long, I want to thank you as—when you say past chair, that is really recent past chair.

Ms. LONG. That is very recent. That is just a week ago.

Mr. SOUDER. I want to thank you for your strong support of your association and your wonderful testimony today, and will continue looking forward to working with all the regional areas as we move

through the hearings and also continuing to provide data for us as we work through and how to highlight. We are even to some degree trying to decide how much of this we do thematically, how much of this we do geographically, identify some of the different problems.

The constraint here is, obviously, the number of hearings and how we want to do this. But I want to thank you. And each of the groups will continue to work with—you heard me ask, and there are just a flood of questions that come out. As I told you at the beginning, my biggest problem is I only have one plane I can get to Indiana; and, in fact, Mr. Cummings ran into the same problem. He has a speech in Indianapolis tonight and he could only get one flight out that was earlier than mine, so he was taking off to Indiana as well.

But let me suggest a couple of things. I would appreciate if you can each give me maybe a brief comment here, but to look at some additional written comments. One is that where park by park and many Americans—and this is one of the things we are wrestling with this, is we have the kind of crown-jewel system, we have then the kind of the—which tends to be favored by the natural parks. Then you have this huge question of the cultural parks, of which you kind of have another word of crown jewels for that. Then you have a whole range of parks. Then you have parks that kind of the Park Service got involuntarily, which my friend Jim Ridenhauer says now are called "park barreling," which of course started with getting the first four parks that—where Congress mandates things that the Park Service wouldn't have necessarily wanted. And then—but that would be kind of the traditional park system.

Then we developed the heritage areas, which Mr. Ridenhauer developed because he felt that the Park Service was getting too many parks that were under—so it was kind of ironic that the heritage areas were developed because they didn't want the Federal Government to own the land. The heritage areas were developed because they didn't want them fully under the Park Service.

Now, what has happened is we have had this proliferation of cooperative type of agreements. In other words, because the idea was not to add the direct land to the Federal Government, we have seen this proliferation of—and the most common thing right now currently, particularly with this administration saying no net new land most of the time, that is that the Park Service is given responsibility to coordinate but only be a partner with it. And partly in the budget, then, you don't have as much direct control. It is not favored by the Park Service and the budget advocates, and this ranges from the whole thing of historic preservation. It gets into much of what Ms. Wadhams testified about, whether it is Indian, Native American questions; it gets into building preservation-type things, trails, a whole range of categories that most people don't even realize are there that the Park Service works with and goes to meetings with and provides resources for.

Now, my question is, do you think that this is a healthy trend, a manageable trend, should be increased, decreased? How much should this be looked at as its impact on the park budget? Because it is clearly a bigger and bigger portion and a potential management nightmare. I don't even know how you begin to get ahold of

it. Any comments here? And would you submit comments for the record?

Mr. Knight.

Mr. KNIGHT. Yes. Thank you, Mr. Chairman.

That is the crux of one of the issues, your example about heritage areas, when you are talking about public and private partnerships. Well, one example of how this has gone already is the Rivers of Steel Heritage Area in Pennsylvania. Since its inception, it has openly been nothing but a lobby on behalf of the Park Service for a future national or a future urban park within the boundaries of the heritage area.

There is a bill before this Congress right now, I think the sponsor is Senator Arlen Specter, which would grant that heritage area and the Park Service land acquisition authority to create a 30 or 40-acre urban national park within there.

So when you are talking about these partnerships and what role the Park Service plays, oftentimes it is a much more heavy-handed role than they purport. So. And it is part of the backlog problem as well.

Mr. SOUDER. Any other comments on the heritage area questions, or other? One of the challenges—and I think this is a huge question on the Santa Monica, Golden Gate, and Gateway—those are the three highest attended areas, I believe, in the whole National Park Service, and that we are talking in terms of 14 million versus 3 million.

And then the question is, how do you count Jones Beach? Is that something that is a traditional national park function? These are huge questions. And the real challenge to me came from the Yosemite Park superintendent a number of years ago when he said: If you take visitation beyond 50 miles, the percentage of people visiting—maybe it is 100 miles, and this may have come from—I am blanking on the name of the wonderful superintendent at Golden Gate. If you take beyond 100 miles, the percentage of visitation at Golden Gate from beyond 100 miles is greater than the percentage at Yosemite, which is counterintuitive. You think of Yosemite as people coming for a big family vacation and you think of Golden Gate as a city park. But in fact, because conventions come in, because people go to the city of San Francisco and visit, that means that the bulk of the people or a higher percent of the people using Golden Gate are not local than Yosemite.

And it shows how we are, in thinking about our park system, we kind of think of it in terms of the crown jewels. And in terms of budgeting, that is not true. In terms of expenditures, that is not true. In terms of visitation, that is not true. And how do we adapt and figure out what we actually have as a national park system here?

Mr. GALVIN. Mr. Chairman, if I might. I worked in New York City when Gateway was established, and it was established during the Nixon administration; and it was concurrently established with Golden Gate, where I did not work in San Francisco, but I have had a lot of experience with Golden Gate.

If you read the hearings leading up to the creation of those two parks, there was a very strong equity principle expressed by the administration and the Congress. It sort of went like this: The peo-

ple who live adjacent to Gateway will probably never get to Yellowstone, and therefore they deserve the services that a National Park Service can provide.

Now, whether or not that principle is correct, it was an important selling point during the Nixon administration for those parks. But I think in both cases, and in the case of Gateway you had a suite of interests from Reese Park to abandoned—or to military bases that were closing. And the only convener, in a sense, of that suite of real estate that the Congress could find was the National Park Service.

Certainly New York Harbor is a nationally significant resource, as is San Francisco Bay. Both of those parks I think have served the public extremely well, both in terms of their original intent, that is, to provide recreational services to urban populations, but also in the protection of important historic resources for the Nation at large and natural resources as well.

Mr. SOUDER. Well, I thank you each for your testimony. We are going to submit a series of written questions to each one of you, if you can respond. I have some particularized that—I didn't see Ms. Norton come in.

Let me yield to Ms. Norton. Let me at least say one other thing on the historic; that in the historic, how we would prioritize—because we are not going to be able with the dollars to maintain every single historic or structure that will move toward historic in the Park Service.

And then, second, on what basis we determine what is culturally significant versus what is naturally significant, which became a huge issue at Gettysburg when those tradeoffs with their vistas versus cultural.

And we will want to get that from other groups as well, because that is another huge question, and see whether we are going to do that.

Ms. Norton, thank you for coming.

Ms. NORTON. Well, thank you very much, Mr. Chairman. And although you have heard me say that your tastes this year have become a bit more eclectic in hearings, I did want to stop by this hearing, as I stopped by for a few minutes in your last hearing. I have to go speak to some senior citizens, but I am very intrigued by this hearing, because the network, of course, of national parks in our country is unusually broad and comprehensive.

These parks are such great treasures. And we in the District of Columbia feel very fortunate at the number of extraordinary national parks, some within our city in small plots of land, and the two great national parks in our city, the National Mall, and Rock Creek Park.

I have been working with some of my own constituents and people outside of the District who are concerned about the fate of the National Mall, which of course receives literally millions of visitors every year. It may not be Yellowstone Park, it is a smaller plot of land, which means that of course it has taken its share of beatings. And the Mall doesn't look a lot—the biggest change in the Mall since I was a child growing up in Washington are those horrific Navy barracks that were there during World War II were finally taken away. But in a real sense, it is not the inviting place to walk

that similar parks across the country are. And some have proposed that the Mall be put into a conservancy. The difference is that some of the parks in conservancies, like Central Park, for example, had wonderful businesses that surrounded them who took on some of the costs of maintaining the park and bringing the park alive. But I think the entire Congress has a huge investment in what happens to the Mall and the way it looks now, and in making it truly inviting; not simply to look at as you go into one of our great museums, but as a place to be, to rest, to enjoy.

The other, of course, great park is one that most Americans would die for, and that is Rock Creek Park. And that is a great neglected park. It is a kind of wilderness. I have to tell you, when I was a child, the Rock Creek Park in the District of Columbia, that wasn't nearly the cultural mecca it has become today, was a great meeting place for residents on both sides of the park. The park does not have a lot of crime in it. It has some, but it isn't known for crime. And yet Rock Creek Park has been poorly maintained. There is insufficient appreciation of what it means to have this great wilderness in your own city, so that you don't have to travel long distances if you really wanted to see what that kind of nature was like.

I think that both the Congress and locally we have devalued what it means to have such a great park. Of course, the District of Columbia has to keep up its own parks. Here is a national park, it is for the national government to keep it up.

I am all too aware of the great pressures, financial pressures on the Park Service, but I hope that this hearing will be counted among the many efforts that I think are going to begin, Mr. Chairman, this year to try to focus Congress more on what wonderful treasures these parks are, what is happening to them before our very eyes. And when you see something somehow becoming less beautiful before your eyes, you don't see it nearly the way you would if you went away for 5 years and came back and you say, my goodness, what happened to the Mall? Or when I go in to Rock Creek Park, to say, is this the same Rock Creek Park that we came into for outings all through the summer and spring? And why don't tourists—why aren't tourists who come to our city invited on tours through Rock Creek Park to see that their National Capital has this wonderful wilderness within it, and, to the great glory of the Congress, preserved.

They know about the zoo; they go to the zoo. But there is no invitation to go into Rock Creek Park. Of course, you may drive through it if you are going to one part of the city or to Maryland. But all of this, it seems to me, is a waste of one of the most glorious resources we have here. And so I appreciate the attention you are drawing to our national parks throughout the country, Mr. Chairman.

Mr. SOUDER. I thank the gentlelady. One problem is theoretically this subcommittee has oversight jurisdiction over 70 percent of the Federal budget, which means we cover less of a percentage of what we could cover than any other subcommittee in Congress. So we kind of pick and choose, and we are trying to develop a little wider scope to try to do our different agencies. And that what you hear and what I have been finding, because unlike the Resources Com-

mittee which is mostly people who have long been interested in this issue, this committee is different. The people didn't get on the Government Reform Committee or the subcommittee because of an issue like this. Yet there is a passion. And part of this that is really changing in America, particularly the western Republicans tend to feel that there is absolutely too much land in the public domain, particularly of BLM and Forest Service use changed.

And some areas, people have been sitting next to me, have 97 percent in public land. In Indiana it is 3 percent public land counting city, county, State, and township. And that what you see is a drive east of the Mississippi that has precipitated this diversity of the Park Service, as Mr. Galvin mentioned about New York, and looking as people want more trails, as people want their historic sites preserved, and they want them regionally.

You heard Mr. Cummings talk about people in his city not being able to go to Disney World. They are asking much closer, how do we accommodate this, how are we going to do this, how do we accommodate new and expansive subsections of our thing? And it is a lot tougher in the urban areas in the east, because you get into all kinds of land rights questions much more, questions about values of property, the difficulties that we run into, and some of the Civil War battlefields around Manassas.

So we will try to get this scope, but what we are ultimately doing here is saying, do we have adequate resources to develop the parks and maintain them and protect them for future generations like they were passed to us?

And then the second question with this is, is there a vision, like Mr. Galvin referred to Mission 66, is there a vision of where the Park Service is headed?

In other words, there are two aspects of this. One is, can we sustain it? And the second is, what are we looking to leave our kids? What are we trying to protect in our heritage? We never evaluate, as was alluded to by Ms. Long, we really don't evaluate. It is like we, other than at the very beginning, hardly anything ever goes off once it gets in. And maybe we have to make some of those kind of decisions. But we certainly need to look at prioritizing and making sure that this system reflects where we want to go. And, one way or another, we are going to force some of those kind of discussions.

I thank you each for coming today. And, with that, the subcommittee stands adjourned.

[Whereupon, at 12:26 p.m., the subcommittee was adjourned.]

[Additional information submitted for the hearing record follows:]

United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

AUG 0 8 2005

L58 (0120)

Honorable Mark Souder
Chairman
Subcommittee on Criminal Justice, Drug Policy
and Human Resources
Committee on Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

At the oversight hearing on issues related to funding of the National Park Service that the Subcommittee held on April 22, 2005, the Department's witness, National Park Service Deputy Director Steve Martin, was asked to provide some additional information for the record.

The topics for which the Subcommittee requested National Park Service information included: the park scorecard and core operations analysis; the inventory of facilities and condition assessments; pending studies; spending on law enforcement; national heritage areas; and transportation funding. The enclosed information has been prepared by the National Park Service.

Thank you for giving us the opportunity to provide this information to you.

Sincerely,

Jane Lyder

Jane M. Lyder
Legislative Counsel
Office of Legislative and Congressional
Affairs

Enclosure
cc: Honorable Elijah Cummings, Ranking Member,
Subcommittee on Criminal Justice, Drug Policy, and Human Resources

NPS Scorecard

Scorecard Description

The scorecard is an overarching snapshot of each park's situation in a given fiscal year. The current scorecard contains data for FY 2004; the version of the scorecard under development will contain data for FY 1996 through FY 2004 for as many measures as have been approved.

The scorecard was developed in response to encouragement from the Department and the Office of Management and Budget (OMB) to use more analytic methods for the priority-setting process for park operating increases and eventually for the analysis of park base budgets. It is a comparative tool that can be used to understand how parks are faring relative to one another based on broad, objective criteria.

The version of the scorecard that is under development aims to sort parks into categories based on:

- The park's ONPS budget and FTE;
- The park's region;
- The park's "business model" – Multi-Service Provider, Entrepreneurial, Resource Preservation, Partnership, Focused-Service Provider, Visitor Services.

The current scorecard reflects the park's operational situation, rather than its performance against goals. It reflects neither outputs nor outcomes, which are evaluated through park performance against goals. The version of the scorecard that is under development aims to incorporate more performance measures in addition to efficiency measures and descriptive/background measures.

Development of Scorecard

The current version of the scorecard has over 30 separate measures identified. These measures are grouped into four broad categories: financial management, organizational management, recreation, and resource management. The version that is under development consists of a four-part set of metrics: 9 items of background information for each park, 10 items of descriptive information, 9 efficiency measures, and 28 performance measures. The scorecard was designed with the intention of capturing existing data, rather than creating new demands on parks to enter or report data.

For the existing scorecard, data was collected from over a dozen different sources to support the calculation of these measures. Where data was available, each measure in the current scorecard was calculated for every park unit for FY 2004. A qualitative "assessment" of poor, fair, good, or excellent for each measure was derived from statistical distribution and benchmarks, where possible. Data collection for the version of the scorecard currently under development is nearing completion. Data was gathered for FY 1996 through FY 2004 from the following systems:

- AFS III (Automated Finance System III)
- FFS (Federal Financial System)
- FPPS (personnel system)

- PMDS (Performance Management Data System)
- ASMIS (Archeological Sites Management Information System)
- LCS (List of Classified Structures)
- CLI (Cultural Landscape Inventory)
- FMSS (Facility Management Software System)
- EMDRS (Environmental Management Data Reporting System)
- Public Use Statistics (Visitation)
- OFS/PMIS (Operations Formulation System/Project Management Information System)
- Visitor Survey Cards
- SIR (Servicewide Interpretation Report)
- Volunteers-In-Parks Report
- Excel spreadsheets from Property Management, the Federal Land Acquisition Program, and the Partnership Office.

Once the data has been compiled in an Access database, baselines will be established for each measure and benchmarks will be developed for parks.

Use of Scorecard

The scorecard was originally developed to aid in the evaluation and support of base budget increases for park units for the FY 2006 budget request. The scorecard also played a role in the selection of parks for the additional FY 2005 operations funding provided above the Administration's request.

The NPS continues to utilize a comprehensive priority-setting process by which managers at multiple levels identify and prioritize operational needs. For the FY 2007 regional prioritization, the NPS Budget Office asked all regions to use the park scorecard to augment the approach currently in place for setting priorities.

Various measures (financial and activity-based) can be used in the scorecard analysis of park base increase requests. For example:

- "Base Funding" (the percentage of park's budget that comes from base funding), "Labor Costs" (the amount of the park's base comprised of labor costs), and "Fund Sources" (the number of different sources of funding) can indicate whether a park has financial flexibility;
- Specific performance measures about artifacts, museum standards, landscapes and FCI can indicate whether a park is effective at resource preservation;
- "Visitor Understanding" can indicate whether a park is effectively using visitor services funding.

Sample Scorecard

Park Report	INDU		Percentile	Rank	Minimum	1st Quartile	Median	Average	3rd Quartile
% of expenditures as labor costs (base funding only)	Poor	85.4%	25%	216	6.6%	74.9%	81.1%	78.7%	85.4%
% expenditures from base funding	Fair	74.3%	29%	206	1.9%	48.5%	62.9%	61.2%	76.1%
# of different funding sources	Good	9.0	54%	95	1.0	6.0	8.0	8.2	10.0
Value of volunteer time	Excellent	$255,068	76%	62	$0	$45,494	$111,625	$218,872	$253,472
% FTE paid for by base funding	Good	75%	68%	92	1%	72%	84%	81%	93%
Average grade	Excellent	7.93	74%	75	5.92	7.89	8.43	8.47	8.90
% of FTE as Non-seasonal staff	Poor	99.7%	15%	243	34.6%	78.4%	89.2%	86.3%	97.1%
% change in FTE in base funding (1999-2003)	Poor	-7.5%	21%	222	-37.5%	-6.9%	0.5%	12.2%	14.1%
Annual growth of base funding (20 years adjusted w/CPI)	Poor	-0.5%	5%	226	-1.7%	0.3%	1.2%	1.7%	2.8%
5 year increase in base funding (% of 1999)	Poor	13.1%	12%	237	0.9%	21.1%	30.2%	42.0%	49.6%
Annual growth of visitation (20 years)	Good	1.3%	80%	91	-16.9%	-1.0%	0.7%	0.8%	2.3%
Overall Organizational Performance	Fair								
Gross revenue collected per visitor	Fair	$0.11	42%	145	$0.00	$0.01	$0.26	$0.73	$0.97
Cost of fee collection (as % of gross revenues)	Fair	20.4%	47%	137	0.0%	0.0%	18.1%	18.5%	34.0%
Donations	Good	10,848	56%	128	(14,216)	2,907	11,344	91,959	43,628
General Management Plan (years since completion)	Poor	24	33%	179	1	8	19	18	26
Deviation from projected performance for NPS goals	Good	0.12	58%	114	(0.00)	0.06	0.15	4.11	0.48
Percent of NPS goals met	Fair	75.0%	57%	154	0.0%	62.5%	71.4%	70.8%	80.0%
Change in % of goals met (2001-2003)	Poor	-1.0%	51%	140	-41.7%	-12.2%	-2.9%	-2.8%	6.7%
Administrative expenditures per FTE	Good	$12,347	63%	107	$5,248	$10,832	$14,546	$25,688	$20,649
Administrative expenditures as % of total expenditures	Good	21.6%	62%	111	9.5%	19.2%	24.3%	28.1%	30.1%
Ratio of administrative FTE to parkwide FTE	Good	0.16	75%	73	-	0.16	0.20	0.24	0.26
Overall Management Capacity	Fair								
FCI (Facility Condition Index)	Fair	0.190	18%	213	-	0.038	0.080	0.115	0.154
Ratio of maintenance expenditures to CRV (thousands)	Good	1.21	59%	107	0.07	0.81	1.52	2.59	3.10
Percent of total expenditures in visitor services	Good	35.0%	75%	72	0.0%	21.4%	29.2%	28.1%	35.0%
Total visitor expenditures per visitor	Good	$1.41	69%	77	$0.00	$1.23	$2.63	$5.54	$5.27
Visitor Satisfaction	Poor	86%	9%	238	1%	93%	98%	90%	98%
Visitor Understanding	Poor	74%	21%	203	1%	76%	86%	79%	92%
Visitor Safety	Good	0.99	0.48	107	-	0.18	0.83	3.69	2.64
LE expenditures per incident	Fair	$66,101	38%	80	$0	$16,512	$45,374	$95,273	$107,657
Overall Recreation	Fair								
CR expenditures per LCS item (list of classified structure)	Good	$2,700	69%	64	$0	$1,822	$5,577	$16,756	$15,273
Percent of all LCS items in good condition	Fair	48.1%	41%	119	1.6%	36.0%	52.6%	53.4%	71.4%
CR expenditures per museum object	Good	$0.87	49%	98	$0.00	$0.29	$0.85	$12.21	$3.43
Percent of museum standards met	Poor	54.2%	17%	206	0.0%	58.3%	74.8%	71.5%	85.2%
Biodiversity Index	Unknown	-			-	#NUM!	#NUM!	#DIV/0!	#NUM!
Disturbed lands	Excellent	427.00	93%	8	-	3.25	16.00	158.40	61.50
Overall Resource Management	Good								

NPS Core Operations Analysis

Over the past two years the Intermountain Region has worked with park superintendents, business educators, and NPS Washington and Regional staff to develop a "Core Operations Analysis." The process is designed to assist park management in making fully informed decisions on staffing and funding alternatives that tie to core mission goals. The process can also be considered as a precursor to other management planning efforts such

as competitive sourcing and business plan development. The intent of the process is to ensure that funds are spent in support of a park's purpose and in an efficient manner, that a park's request for funding is credible and, most importantly, that there are adequate funds (allocated properly) and people to preserve and protect the resources for which parks are responsible. Each core operations analysis is expected to result in the park's ability to:

- Reallocate the equivalent of 10 percent of base funds to essential, important activities and high-priority goals;
- Work toward the following within one year of the core operations analysis:
  - Ensure pay and benefits will be equal to or below 80 percent of base operations funding;
  - Complete a cost-benefit analysis of efficiencies and implementation of those determined to be feasible;
  - Evaluate current operational requests in relationship to park goals to ensure that the requests relate to activities that are essential and important.
  - Determine opportunities for competitive sourcing.

The Intermountain Region has successfully implemented the core operations analysis, and NPS plans to begin the process of making this management tool available Servicewide.

The results of this process can be seen through the actions underway at Rocky Mountain National Park where a three-day core operations analysis workshop was completed on December 9, 2004. As a result of the workshop, the park identified several areas where efficiencies could be implemented with the expectation that available staff positions and funds could be reallocated to higher priorities, or levels of service for essential services could be increased. In addition, the results of the core operations analysis can be used to reprioritize the park's spending requests to ensure that the funds relate to essential and important activities.

The park has developed a draft five-year glidepath that illustrates the plan to reach the Intermountain Region goal of 80 percent pay, benefits, and other fixed costs. By reaching this goal, the park will have increased its operational flexibility to meet emergency needs and provide for an increase in service levels for essential activities.

Rocky Mountain National Park has taken action to improve the park's financial health by merging positions, evaluating the feasibility of awarding a concessions contract for park campgrounds, and converting permanent positions to subject-to-furlough positions. These examples are representative of the actions that the park's management has evaluated and implemented.

As the Rocky Mountain leadership evaluated visitor services, it was determined that mothballing the Lily Lake Visitor Center could be considered. After a review of visitation numbers and with agreement of the park association and the surrounding community, the decision was made to mothball Lily Lake Visitor Center and reallocate the resources to the headquarters visitor center where increased hours of operation would provide services to more visitors.

NPS Facility Inventory

As part of the NPS's approach to asset management, one of the first considerations is to have a full and complete understanding of the inventory of all assets in each park. Beginning in FY 2002, each park had to identify all of their standard assets: buildings, houses, paved roads, non-paved roads, water systems, wastewater systems, campgrounds, and trails. Each park was provided with direction about how to count the assets and how to enter them into the Facility Management Software System (for example, trails are counted individually, as well as in linear feet; buildings are counted individually, as well as in square feet). The inventory of standard assets has been completed and will be periodically updated. Additional information about other types of assets, such as marinas, monuments, memorials, archeological ruins, is still being gathered. The inventory of these non-standard assets is expected to be completed by the conclusion of FY 2007.

The National Park Service is also collecting information related to major asset equipment, such as roofs, exterior enclosures, heating, ventilation and air conditioning systems, and mechanical systems. This data will provide the basis for the development of the life-cycle maintenance business practices in order to maximize the life of NPS assets. NPS asset management is a structured program of preventive/recurring maintenance and component renewal initiated within the NPS for newly constructed as well as existing facilities. The program will maximize the life cycle of the NPS capital asset portfolio and with the aim of preventing the reoccurrence of another large deferred maintenance backlog. The implementation of the life cycle strategy will lead to:

- lower maintenance costs;
- lower repair costs;
- decreases in unplanned downtime;
- reduced capital expenses;
- increased equipment reliability;
- maintaining operating efficiencies;
- controlled asset management; and
- increased asset life.

The inventory will be used to help managers at all levels of the Service gain a greater appreciation and understanding of the volume of NPS assets, the costs associated with retaining items in the inventory, and the costs associated with improving the condition of the assets. With better information about its assets, NPS can make more strategic decisions about how those assets are cared for and proposals that would add to its inventory.

Attachment #1 provides summaries of the asset inventories for two parks: Grand Canyon National Park, which illustrates the quantity and distribution across types of assets present in a large, traditional "crown jewel" national park, and Steamtown National Historic Site, which shows the quantity and types of assets that exist in a newer, smaller unit of the National Park System that features cultural resources.

NPS Condition Assessments

NPS conducted initial condition assessments at all parks by the end of FY 2004. These initial condition assessments examined "obvious and apparent" deficiencies. More comprehensive condition assessments will be conducted at every park by the end of FY 2006. These assessments are being conducted by a combination of NPS staff and outside contractors. Once the first round of comprehensive condition assessments is complete, NPS will establish a recurring schedule for future comprehensive condition assessments at each park. It will be an ongoing process with all parks subject to inspection within a five-year window. In between comprehensive condition assessments, however, a park will be expected to conduct annual inspections of any "obvious and apparent" deficiencies that have arisen since a previous inspection.

The data from the condition assessments resulting from the inspections resides in the NPS Facility Management Software System. Attachment #2 gives an example of the summary data derived from the data from a park, Redwood National Park, that has completed its comprehensive condition assessment.

NPS Studies

The National Park Service currently has 27 authorized studies in progress, and six that have been completed and are being prepared for transmission to Congress. Almost all of these studies cover subjects that could potentially lead to new designations: units of the National Park System, national heritage areas, additions to the National Trails System, or additions to the Wild and Scenic River System. It should be noted that historically only about one in four studies results in a recommendation to Congress for designation as a "national" entity and a management or assistance role for the National Park Service. Even if such a recommendation is made, Congress does not always pass legislation to implement the recommendation. Occasionally, Congress will establish a new unit despite the National Park Service's adverse recommendation.

Attachment #3 is a chart that shows the status of each of the 33 studies that have been authorized but not completed and sent to Congress, along with a list of the studies that were transmitted to Congress during the 108th and the 109th Congresses.

NPS Spending on Law Enforcement and Homeland Security

Since the attacks on September 11, 2001, NPS has received over $130 million in extra appropriations for law enforcement and homeland security activities. Funding of $32 million has been directed toward law enforcement and construction at border parks and improved law enforcement training and recruitment. Homeland security funding of $98 million has been provided for security at icon parks, including non-recurring construction projects and emergency funds to respond to the actual attacks. NPS has used concessions

fees to cover nearly $12 million in security costs at the Statue of Liberty. NPS also has absorbed over $9 million in costs associated with Code Orange threat levels, mostly in 2003.

Attachment #4 is a chart that shows the funding increases for NPS security and law enforcement since September 11, 2001. Attachment #5 shows increases for US Park Police since FY 2001.

National Heritage Areas

Since 1984, Congress has designated 27 areas throughout the United States as national heritage areas. A list of these national heritage areas is shown on attachment #6.

In the 109th Congress, thirteen areas have been proposed for designation as national heritage areas through legislation introduced in the House, the Senate, or both. In addition, another seven areas have been proposed for study for potential designation as national heritage areas.

Both the 108th and 109th Congresses have considered legislation to create a national heritage area program to provide policy guidance for future national heritage area designations. The National Park Service has asked Congress to defer action on any new national heritage area designations until Congress passes the national heritage area program bill.

NPS Transportation Spending

The National Park Service operates and maintains 5,456 paved miles of park roads, 6,544 miles of unpaved roads, and 1,803 associated structures (bridges, culverts, and tunnels). Improving park roads and related infrastructure is a principal feature of President Bush's effort to address deferred maintenance in parks. Major park road construction and maintenance, and alternative transportation systems (which are currently in operation in 96 park units), are funded through the Federal Lands Highway Program under the Department of Transportation.

On July 29, 2005, Congress enacted H.R. 3, The Transportation Equity Act: A Legacy for Users. H.R. 3 would authorize $1.050 billion in funding for park roads over Fiscal Years 2005 through 2009. The funding level for park roads contained in H.R. 3 would be approximately a 27 percent increase in funding over the previous transportation reauthorization. The funding level is not commensurate with the President's request and commitment to reduce the maintenance backlog in parks. However, several park projects would receive specific funding under H.R. 3, such as Going-to-the-Sun Road in Glacier National Park, Montana, which would be authorized to receive $50 million over Fiscal Years 2005 through 2009. The Department is continuing to review H.R. 3 for specific projects receiving funding in the bill.

Attachment #1

Facility Management Software System

Date printed: 05/26/2005 2:34 pm

FMSSINVR FMSS Inventory Report by Park
(Summary)

Region(s): IMR, NER
Park(s): GRCA, STEA
Occupant(s): ALL
Asset Code(s): 1100, 2100, 3600, 4100, 4300, 5100, 5200

Asset Code	Description	UM	Qty	Asset Count
GRCA	Grand Canyon National Park			
1100	Road	MI	181	46
2100	Trail	LF	3,327,976	86
3600	Campground / Overnight Campsite	SITE	530	7
4100	Building	SF	1,228,252	659
4300	Housing	SF	833,465	604
5100	Water System	GPD	2,080,900	6
5200	Waste Water System	GPD	950,600	8
STEA	Steamtown National Historic Site			
1100	Road	MI	2	2
4100	Building	SF	439,031	18
5200	Waste Water System	GPD	0	1

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Attachment #2

Facility Management Software System

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The Eight Industry Standard Assets Report by Park

REDW (Redwood National Park)

	Number of Assets	FCI	Deferred Cost	CRV
Buildings:	112	0.294	$6,465,604	$22,009,764
Campgrounds:	6	0.433	$42,866	$99,071
Housing:	12	0.180	$666,455	$3,703,372
Trails:	31	0.148	$1,392,525	$9,410,985
Unpaved Roads:	160	0.216	$19,918,196	$92,316,453
Waste Water Systems:	14	0.254	$511,464	$2,017,558
Water Systems:	8	0.019	$36,546	$1,950,757
Total:	**343**	**0.221**	**$29,033,658**	**$131,507,958**

- Preliminary Based on Initial Condition Assessments
- Subject to change

Facility Condition Index (FCI) - A measure of a facility's relative condition at a particular point in time. The FCI rating is a ratio of the cost of repair of the assets deficiencies divided by the current replacement value for the asset.

FCI = Deferred Cost divided by Current Replacement Value

Deferred Cost - The cost of Maintenance that was not performed when it should have been or was scheduled to be and which, therefore, is put off or delayed.

Paved Roads From FHWA:	9	0.444	$5,463,309	$12,291,200

Paved Roads from FHWA - Data for paved roads from Federal Highway Administration, Eastern Federal Lands cycle 3 data collection.
Data only available for 194 parks, representing approximately 3,500 miles of paved roads.
All cost data is 1.5 years old and has not been adjusted for inflation.

Unit maintenance/repair cost figures are based on the following Pavement Condition Ratings (PCRs):
PCR 0-60 (Poor Condition - 4R) =$1,536,390/mile,
PCR 61-84 (Fair Condition - Heavy 3R) = $561,048/mile,
PCR 85-94 (Good Condition - 3R Resurfacing) = $107,351/mile,
PCR 95-100 (Excellent Condition - Maintenance) = $30,000/mile.

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Attachment #3

NATIONAL PARK SERVICE SPECIAL RESOURCE STUDIES

5-Jun-05

	Potential National Park System Units	Authorized	Begun	Original Target	Current Target	Target to Congress
PW	Angel Island, CA	1998*	1999	Sep-03	Sep-05	Jan-06
PW	Bainbridge Island/Japanese-American Memorial, WA	2002	2003	Sept-04	Sep-05	Jan-06
NE	Coltsville, CT	2003	2004	Sep-07	Sep-07	Jan-08
PW	Fort Hunter Liggett, CA	1999	2000	Apr-04	Sep-05	Jan-06
SE	Fort King, FL	1999	2000	Apr-04	Jul-05	Oct-05
NE	Great Falls Historic District, NJ	2001	2003	Nov-05	Sep-06	Jan-07
NE	Harriet Tubman Sites, NY, MD	2000	2001	Dec-04	Sep-05	Jan-06
DSC	Manhattan Project, WA, NM, TN, OH	2004	2005			
SE	Miami Circle, FL	2003	2004	Sep-04	Sep-06	Jan-07
WASO	Revolutionary War & War of 1812	1996	1997	Feb-04	Jun-06	Sep-06
NE	Robert Moton High School, VA	1996*	1997	Aug-03	Aug-05	Nov-05
PW	San Gabriel River Watershed	2003	2004	Sep-08		
SE	Virginia Key Beach, FL	2002	2005	Feb-07		May-07
IM	Waco Mammoth Site, TX	2002	2005			
	Sub-Total: 14					

	Potential National Heritage Areas	Authorized	Begun	Original Target	Current Target	Target to Congress
IM	Buffalo Bayou, TX	2002	2005	Dec-07		Mar-08
IM	Golden Spike Heritage, UT	2000				
SE	Low Country Gullah Culture, SC, FL, GA	1999	2001	Dec-03	Jul-05	Oct-05
SE	Muscle Shoals, AL	2002	2004			
NE	Niagara Falls, NY	2002	2003	Feb-05	Sep-05	Jan-06
	Sub-Total: 5					

	Potential Additions to the National Trails System	Authorized	Begun	Original Target	Current Target	Target to Congress
IM	Long Walk	2002	2003	May-05	Apr-06	Jul-06
NE	Metacomet-Monadnock-Mattabesett	2002	2003	Jul-05		Oct-05
NE	Star-Spangled Banner Trail, NJ and MD	1999	2001	Dec-04	Sep-05	Jan-05
SE	Vicksburg Campaign Trail, Multi State	2000	2001	Dec-03	Jul-05	Oct-05
NE	Washington & Rochambeau Revolutionary Route	2000	2001	Jan-05	Sep-05	Jan-06
	Sub-Total: 5					

	Potential Additions to the National Wild and Scenic River System	Authorized	Begun	Original Target	Current Target	Target to Congress
NE	Eightmile River, MA	2001	2002	Oct-05	Oct-05	Feb-06
NE	New River, VA and WV	1992	1993	Mar-05	Dec-05	Mar-06
NE	Taunton River, MA	2000	2001	Oct-04	Oct-05	Jan-06
	Sub-Total: 3					

Total Studies Pending: 27

	In the Transmittal Process	Authorized	Begun	Final Received	Target to Congress	New Unit Finding
WASO	Civil Rights Sites	1999	2001	12/20/02	Mar-03	no
NE	Chesapeake Bay Sites, MD & VA	1997	1999	12/15/04	Mar-04	yes
WASO	Civil Rights Sites-Public Accommodations	1999	2003	03/23/05	Jun-05	no
MW	Lincoln Highway	2000	2001	05/05/05	Aug-05	no
WASO	WW II Home Front	2000	2001	05/06/05	Aug-05	no
NE	Kate Mullany House, New York	1999	2001	05/09/05	Aug-05	no
	Total in Process: 6					

	Transmitted to 108th Congress (2003-2004)	Date Sent	New Unit Finding
NC	Carter G. Woodson Home, DC	02/10/03	yes
NE	Walden Pond and Woods, MA	02/10/03	no
NE	Ferry Farm, VA	05/16/03	no
NC	Anderson Cottage, DC	08/22/03	no
NE	Northern Frontier, NY	08/27/03	no
MW	Hot Springs High School, AR	10/10/03	no
NE	Upper Housatonic River Valley, CT	10/30/03	yes, NHA
NE	Crossroads of the American Revolution	11/03/03	yes, NHA
PW	WWII Sites in Palau	12/23/03	no
NE	Women's Right's Trail, NY	01/27/04	no
PW	Gaviota Coast Seashore, CA	03/05/04	no
NE	Battle of Homestead & Carrie Furnace, PA	06/30/04	yes, Affil.
NE	Musconetcong River, NJ	12/23/04	no
	Total Sent: 13		

	Transmitted to 107th Congress (2001-2002)	Date Sent	New Unit Finding
NE	Androscoggin Valley, NH	01/10/02	no
SE	Bioluminescent Bay, PR	06/20/02	no
MW	Eaker Air Force Base, AR	08/24/01	yes
PW	Ice Age Floods, MT, WA, OR	08/24/01	no
MW	Loess Hills, IA	06/20/02	no
NE	New Jersey Shore of Delaware Bay, NJ	03/11/02	no
IM	Old Spanish Trail, NM to CA	02/11/02	yes Trail
NE	Susan B. Anthony Home, NY	03/11/02	no
NE	Shenandoah Valley Battlefields, VA	04/12/01	yes (1 site)
PW	WW II Sites in Northern Marianas	04/01/02	no
	Total Sent: 10		

* directed through appropriations

Attachment #4

Homeland Security Related Funding Increases
(since September 11, 2001)

Non-Recurring Appropriations

	FY 2001	FY 2002	FY 2003	FY2004	FY 2005	Total
FY 2001 Emergency Supplemental	**3,113**					**3,113**
Incident Command Teams and Overtime	[1,713]					
U.S. Park Police Overtime	[1,400]					
FY 2002 Emergency Supplemental		**31,393**				**31,393**
United States Park Police[3/]		[25,295]				
Icon Parks						
Boston NHP		[1,200]				
Independence NHP		[3,024]				
Jefferson Natl Expansion Mem		[433]				
Statue of Liberty NM/Ellis Island		[1,357]				
U.S.S. Arizona Memorial[2/]		[84]				
Construction		**5,124**	**6,143**	**23,998**	**0**	**35,265**
Boston NHP		[670]				
Federal Hall NMem		[320]				
Fort Point NHS		[158]				
Independence NHP		[500]				
Jefferson Memorial				[4,799]		
Jefferson Natl Expansion Memorial		[800]		[4,286]		
Lincoln Memorial			[6,143]			
Mount Rushmore Nmem		[400]				
Statue of Liberty NM/Ellis Island		[2,200]				
U.S.S. Arizona Memorial[2/]		[76]				
Washington Monument				[14,913]		
Non-Recurring Appropriations						**69,771**

Recurring Appropriations

	FY 2001	FY 2002	FY 2003	FY2004	FY 2005	Total
Icon Parks			**6,510**	**6,075**	**1,722**	**14,307**
Boston NHP			[1,192]			
Independence NHP			[2,637]	[2,682]		
Jefferson Natl Expansion Mem			[534]	[624]	[659]	
Lake Mead NRA[1/]				[371]		
Mount Rushmore NMem			[368]	[423]	[327]	
Statue of Liberty NM/Ellis Island			[1,348]	[1,975]	[493]	
U.S.S. Arizona Memorial[2/]			[431]		[243]	
United States Park Police			**12,419**	**0**	**1,972**	**14,391**
Increased Security Operations[3/]			[12,419]		[1,972]	
Recurring Appropriations (Homeland Security)						**28,698**

Non-Appropriated Spending

	FY 2001	FY 2002	FY 2003	FY2004	FY 2005	Total
Concessions Fees (non-recurring)	149	2,398	940	6,223	2,253	**11,963**
Code Orange Costs (absorbed)	0	0	8,000	1,050	0	**9,050**
Non-Appropriated Spending						**21,013**

1/ Lake Mead NRA is no longer considered an icon post FY 2004 budget formulation

2/ U.S.S. Arizona Memorial is no longer considered an icon post FY 2005 budget formulation.

3/ U.S. Park Police provides security and law enforcement support for the National Mall in Washington, DC (including the Jefferson Memorial, the Lincoln Memorial and the Washington Monument); Statue of Liberty NM and Ellis Island in New York City and the Golden Gate NRA in San Francisco.

Other Law Enforcement Funding Increases
(since September 11, 2001)

Non-Recurring Appropriations

	FY 2001	FY 2002	FY 2003	FY2004	FY 2005	Total
Construction-Border Park		0	6,955	4,351	6,508	17,814
Organ Pipe Cactus NM			[6,955]	[4,351]	[6,508]	

Recurring Appropriations

	FY 2001	FY 2002	FY 2003	FY2004	FY 2005	Total
Border Parks			1,919	1,409	1,769	5,097
Amistad NRA			[398]		[345]	
Big Bend NP			[298]		[197]	
Chamizal NMem				[99]		
Chiricauhua NM & Fort Bowie NHS					[99]	
Coronado NM				[206]		
Everglades NP				[252]	[426]	
Glacier NP					[148]	
Isle Royale NP					[220]	
North Cascades NP				[346]		
Organ Pipe Cactus NM			[894]			
Padre Island NS				[506]		
Palo Alto Battlefield NHS			[99]		[137]	
Saguaro NP					[197]	
Southern Arizona Group			[230]			
Training and Recruitment			1,220	1,383	0	2,603
Fed. Law Enforcement Training Center			[882]			
Administration for Field Training Program			[338]	[1,383]		
General Law Enforcement			+4,366	+697	+1,502	6,565
Park Base				[697]	[1,206]	
Regional Base/Programs						
WASO Base/Programs					[296]	
Recurring Appropriations (Law Enforcement)						14,265

Attachment # 3

U.S. Park Police Appropriations for FY 2001 to FY 2006
(in thousands of dollars)

	FY 2001 Enacted	FY 2002 Enacted	FY 2003 Enacted	FY 2004 Enacted	FY 2005 Enacted to Date	FY 2006 Request
U.S. Park Police Operations*	62,313	90,480	77,921	77,887	80,076	80,411

*The FY 2001 total includes emergency supplementals of $1.7 million and $1.4 million. The FY 2002 total includes an emergency supplemental of $25.295 million.

These amounts do not include funds for U.S. Park Police pensions, which are now funded through a mandatory account.

Attachment # 6

National Heritage Areas
(As of May 2005)

Year	*Name of Area*	*State*
1984	**Illinois & Michigan Canal National Heritage Corridor**	IL
1986	**John H. Chafee Blackstone River Valley National Heritage Corridor**	MA/RI
1988	**Delaware and Lehigh National Heritage Corridor**	PA
1988	**Southwestern Pennsylvania Heritage Preservation Commission** ("Path of Progress")	PA
1994	**Cane River National Heritage Area**	LA
1994	**Quinebaug and Shetucket Rivers Valley National Heritage Corridor**	CT/MA
1996	**Cache La Poudre River Corridor**	CO
1996	**America's Agricultural Heritage Partnership** ("Silos and Smokestacks")	IA
1996	**Augusta Canal National Heritage Area**	GA
1996	**Essex National Heritage Area**	MA
1996	**Hudson River Valley National Heritage Area**	NY
1996	**National Coal Heritage Area**	WV
1996	**Ohio & Erie Canal National Heritage Corridor**	OH
1996	**Rivers of Steel National Heritage Area**	PA
1996	**Shenandoah Valley Battlefields National Historic District**	VA
1996	**South Carolina National Heritage Corridor**	SC
1996	**Tennessee Civil War Heritage Area**	TN
1998	**Automobile National Heritage Area** ("MotorCities")	MI
2000	**Erie Canalway National Heritage Corridor**	NY
2000	**Lackawanna Valley National Heritage Area**	PA
2000	**Schuylkill River Valley National Heritage Area**	PA

2000	**Wheeling National Heritage Area**	WV
2000	**Yuma Crossing National Heritage Area**	AZ
2003	**Blue Ridge National Heritage Area**	NC
2004	**National Aviation Heritage Area**	OH
2004	**Oil Region National Heritage Area**	PA
2004	**Mississippi Gulf Coast National Heritage Area**	MS

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