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United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, NW

Washington, DC 20240

January 20, 2010

L 58(0120)
FOIA No. 10-145

Subject: Freedom of Information Act Request

This letter is to acknowledge receipt of your Freedom of Information Act (FOIA) request dated November 5, 2009 in which you requested unpublished reports to Congress during the past five (5) years.

It is the policy of the National Park Service (NPS) to: (1) make records of the NPS available to the public to the greatest extent possible in keeping with the spirit of FOIA; (2) make available documents requested under the FOIA at the earliest possible date while, at the same time, protecting the rights of the individuals involved and the administrative processes surrounding such rights; (3) withhold documents falling within one of the FOIA exemptions only if disclosure is prohibited by statute or Executive Order, or in those cases where the agency reasonably foresees that disclosure would be harmful to an interest protected by exemption or other sound grounds exist for invoking an exemption.

Your request is being processed under the provisions of the Freedom of Information Act (5 United States Code 552 as amended by Public Law 104-231, 11 Stat. 3048); United States Department of the Interior implementing regulations found at 43 Code of Federal Regulations, PUBLIC LANDS: INTERIOR beginning part 2, Subparts A through E (see Federal Register of October 21, 2002, Volume 607, NO. 203, page 64527), and the Privacy Act of 1974 (Public Law 93-579). Additional FOIA and Privacy Act guidance may also be found through the Department of Interior's website, <http://www.doi.gov> or the U.S. Department of Justice site, <http://www.usdoj.gov>.

Enclosed are reports and documents as requested by Congressional members.

Given that fees incurred in processing this request are less than \$30, there will be no charge to you for this information. Should you have any further questions regarding this request, please contact our FOIA Officer, Charis Wilson. She can be reached at 12795 W. Alameda Parkway, Denver, CO 80225 or by phone at 303-969-2959. Her e-mail address is charis_wilson@nps.gov.

Sincerely,

A handwritten signature in black ink that reads "Donald Hellmann". The signature is written in a cursive, flowing style.

Donald Hellmann
Assistant Director
Legislative and Congressional Affairs

Enclosures



United States Department of the Interior

OFFICE OF THE ASSISTANT SECRETARY
POLICY, MANAGEMENT AND BUDGET
Washington, DC 20240



FEB 22 2005

Honorable Charles H. Taylor
Chairman, Subcommittee on Interior
and Related Agencies
Committee on Appropriations
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Conference Report for H.R. 4818, the Consolidated Appropriations Act of 2005, directed the National Park Service to "provide a status report regarding partnership construction projects no later than February 15, 2005." The subject report, "Building Better Partnerships, Report to Congress, February 15, 2005," is enclosed.

Over the past year the National Park Service (NPS) has taken extensive action to address Congress' concerns regarding the number of partnership construction projects being pursued by the NPS. As we move forward, partnership projects of all kinds, not just those involving philanthropy, will be critical to assist the NPS in its efforts to reduce the maintenance backlog, address public health and safety problems and improve both programs and facilities to serve the public and protect park resources. However, we realize that we must work closely with the Congress on both a programmatic and project-by-project basis to ensure that the NPS only enters partnerships that meet the Agency's mission while recognizing the integrity of the budget process.

A similar letter is being sent to the Honorable Norman D. Dicks, Ranking Minority Member, Subcommittee on Interior and Related Agencies, Committee on Appropriations, House of Representatives; the Honorable Conrad Burns, Chairman, Subcommittee on Interior and Related Agencies, Committee on Appropriations, United States Senate; and the Honorable Byron L. Dorgan, Ranking Minority Member, Subcommittee on Interior and Related Agencies, Committee on Appropriations, United States Senate.

Please contact NPS Director Fran Mainella or NPS Associate Directors Sue Masica or Christopher Jarvi with any questions you may have about this report. Thank you for your continued support of the National Park Service.

Sincerely

P. Lynn Scarlett
Assistant Secretary
Policy, Management and Budget

Enclosure

BUILDING BETTER PARTNERSHIPS

REPORT TO CONGRESS, February 15, 2005

Background

The Conference Report for H.R. 4818, the Consolidated Appropriations Act of 2005, directed the National Park Service to "provide a status report regarding partnership construction projects no later than February 15, 2005." This report constitutes the Agency's response to this request.

Partnership Construction Process

Over the past year, the National Park Service (NPS) has developed a process for managing, monitoring, and approving partnership construction projects where philanthropy is a component of funding. In June 2004, the NPS Director issued interim guidance on the process. Since then, training was conducted in the regions and will continue as the process is further implemented. All new projects of \$500,000 or greater must adhere to the process, which includes compliance with park planning documents, review by the NPS Development Advisory Board (DAB), and completion of appropriate fundraising plans, studies and agreements. The Director's approval is required for all projects \$1 million or greater and Congressional consultation and concurrence are required for projects \$5 million or greater.

The process is designed to involve Congress at two points: at the Project Definition Phase and at the Agreement Phase. At the end of the Project Definition Phase, when the project is defined, scoped and costs are determined, all projects valued at \$5 million and greater will be sent to the Appropriations Committees for review and consultation. The intent of the Congressional consultation at the end of this phase is to inform Congress of potential partnership projects. Comments and/or recommendations made by the Committees are taken into consideration during the Agreement Phase.

In the Agreement Phase, NPS and its partners must comply with all aspects of Directors Order (DO)-21 on Donations and Fundraising. DO-21 is the NPS policy that establishes the parameters for the agency to directly accept donations and/or to work with organizations that seek to raise money to benefit national parks or the programs of the NPS. The policies in DO-21 are intended to ensure that such donations are accepted, recognized, and in compliance with applicable laws, regulations and policy. If all requirements of DO-21 are met during the Agreement Phase and a project is found viable by NPS, the project will be forwarded to Congress for review.

If during either review Congress deems more work to be necessary, a project could be sent back to NPS for additional work, analysis and scoping to address the concerns. Or, if Congress believes the project is inappropriate to pursue, it could disapprove NPS' proposed action.

As part of managing these projects, a reporting system is under development to track partnership construction projects nationwide. The reporting system will require project managers to input information into both the partnership project reporting system and the NPS Project Management Information System (PMIS), so they can be reviewed, prioritized and tracked like all other projects. Additionally, the reporting system will track when various decisions, agreements, assessments, or other required reviews are completed and/or achieved. The process is designed to

challenge managers at all levels to ask the difficult questions and make decisions that will ensure that partnership construction projects address the core mission of the NPS and the parks. The NPS intends for the process to provide a framework to assure frequent communication between parks, partners, regions, and headquarters regarding the purpose, scope and costs of proposed projects. In establishing this process, the NPS believes greater understanding of the breadth of activity underway will result, as well as clearer agreement among all interested parties before a project achieves "approved" status. The NPS expects that the give-and-take presumed in the steps of the process will wean out marginal efforts and result in much better partnership projects that are reflective of the budgetary and management realities confronting the NPS. If a project is presented for headquarters review that should not be pursued in light of competing NPS priorities, a formal request for concurrence will not be sent forward to Congress. In such an instance, the park and partner would need to reconsider the project and perhaps re-scope or abandon it.

Director's Order-21 on Donations and Fundraising

The NPS has been working on a revision of DO-21 to include guidance on the partnership construction process and a reference guide with examples and templates of agreements, feasibility studies and fundraising plans. The National Park System Advisory Board will undertake a review of friend-raising/fundraising to help inform the corporate philanthropy, cause-related marketing and donor recognition chapters of DO-21. The NPS will issue interim guidance and reference guide materials while the Advisory Board completes its work. The NPS will consider the Advisory Board's recommendations in the upcoming revision of DO-21. While this work is ongoing, the partnership construction process described above remains in effect and must be followed by all parks and regions.

Partnership Construction Project Inventory

In spring 2004, the NPS undertook an inventory of all fundraising efforts for potential partnership construction projects valued over one million dollars. A total of 79 possible projects were identified in the inventory. It is important to recognize that the inventory identified many conceptual projects that may never come to fruition. But because of the high visibility of the partnership issue, NPS believed it was important for parks to fully disclose any potential capital improvement partnership construction projects.

The inventory identified two categories of partnership projects: those for which the non-NPS partner was a non-profit engaged in a fundraising effort (private-public); and those in which the non-NPS partner was a Federal, state or local government agency (public-public partnerships). The following is a general overview of the inventory of the 79 possible projects.

Private-Public Partnership Projects >\$5 Million – Forty-five private-public projects individually valued at \$5 million or greater were identified. The combined value of the 45 projects is in excess of \$1.1 billion*. The projects were found in all seven NPS regions.

Private-Public Partnership Projects \$1 Million to \$5 Million – The inventory identified 18 private-public projects valued from \$1 million to \$5 million. Their total value was in excess of \$50 million*. These projects were submitted from six NPS regions.

Public-Public Partnership Projects – The final category of projects, public-public partnership projects, identified 16 projects with a total value of approximately \$95 million*.

* Total values include both NPS and non-NPS funds.

After evaluating the projects, NPS has concluded that:

- When DO-21 is followed, projects are better prepared for success and move through the process more easily;
- Projects focused on core mission and appropriately scoped move through the process more easily and are more likely to be successful;
- In the past, the lack of a clearly articulated framework for review and approval of partnership construction projects contributed to some of the confusion and concern about certain projects;
- All partnership construction projects valued at \$500,000 or greater (both private-public and public-public) must adhere to the Partnership Construction Process; and
- By using the Partnership Construction Process to evaluate all projects, parks and partners will be required to meet certain thresholds before the project can be considered for approval.

During the inventory it became very clear that all projects are not in the same stage of development. Some of the projects may never be viable. The inventory was used to evaluate the projects to determine their appropriateness and readiness to move forward. Subsequently, the projects were placed into four categories: A, B, C, and D. Category A consists of projects ready for Congressional review. Category B represents projects that are viable and/or substantially underway but still require work before they are ready for Congressional review. Category C projects are in the conceptual stage. Category D projects were considered inappropriate and were eliminated.

Category A: The NPS, working with the House and Senate Committees on Appropriations, selected 23 projects for in-depth analysis. An NPS team, made up of four senior employees with experience in partnerships, was assembled to complete this analysis. The team made recommendations to NPS senior management regarding actions needed to address these projects. Of the 23 that underwent the more extensive analysis, 11 were determined to have complied with the requirements of the first three phases of the partnership construction process and were placed in Category A. These 11 projects, with a total value of approximately \$225 million, have been forwarded to the House and Senate Appropriations Committees for review. They are:

- Acadia National Park, Restoration and Maintenance of Hiking Trails (significantly underway; Federal funding complete);
- Colonial National Historical Park, Jamestown Project (underway; Federal funding complete);
- Edison National Historic Site, Access and Infrastructure Improvements to the Historic Lab Complex (significantly underway; Federal funding complete);

- Gettysburg National Military Park, Visitor Center/National Museum (Funding nearly complete to break ground);
- Golden Gate National Recreation Area, Bay Area Discovery Museum (No Federal funding);
- Golden Gate National Recreation Area, Marine Mammal Center Modernization (No Federal funding);
- Homestead National Monument of America, Heritage Center Project (Re-scoped; funding is in the five-year construction plan)
- Statue of Liberty/Ellis Island National Monument, Statue of Liberty Reopening (complete);
- Vancouver National Historic Reserve, Fort Vancouver Land Bridge (underway; funding complete);
- Yellowstone National Park, Replace Old Faithful Visitor Center (Re-scoped; funding requested in FY 2006); and
- Yosemite National Park, Lower Yosemite Falls Project (Significantly underway; Federal funding complete).

Category B: Twenty-eight projects with a total value of approximately \$464 million were identified in Category B. Several of these were reviewed in-depth by NPS and are familiar to the Appropriations Committees. The review determined that additional information was required. Some of these are likely to be submitted for Congressional review in the coming months. Several more were determined to require additional scoping, analysis and scrutiny. These projects may or may not be forwarded to the Appropriations Committees for consideration in their current configuration, depending upon how they ultimately conform to the partnership construction review process. Some may never be forwarded after they have been reviewed and evaluated.

Category C: Thirty-three projects valued at \$615 million were identified in Category C. At this time these projects are *not* considered active or viable. Extensive work is still needed before these projects will be ready for internal DAB and Directorate review and, consultation and review by the Congress. These projects are still in the concept development phase, their costs may not be realistic or even known, and they may not be viable.

Category D: Seven projects in the inventory, valued at \$17 million, were placed in Category D. They are not considered viable by NPS and have been eliminated from the process.

All projects but the 11 identified in Category A were returned to their regions for additional work and analysis and will be required to comply with the partnership construction process. If and when this work is completed and the projects satisfy the requirements of the partnership construction process, they will be forwarded to the Washington Office for review and possible approval. The NPS will forward only those projects that are fully ready for Congressional consultation. At present, one project from Category B, the "Peopling of America" exhibit at the Statue of Liberty National Monument, is advancing for first level Congressional review and consultation.

The NPS' immediate focus has been on the public-private partnerships in which fundraising and/or donations are an integral part of the project. Specifically, the scope and cost (both development and operations) of such projects are of particular interest to NPS. Also of interest to NPS is assurance that projects comply with established NPS procedures regarding fundraising and donations. For partnerships in which the NPS is anticipating the investment to be with other governmental or public agencies, NPS will not consider the project to be active if the NPS share

of the project has not been identified in one of the NPS' five-year capital improvement programs or approved for fee revenue expenditures.

The NPS continues to explore ways to aggregate better the complex information associated with partnership projects. In response to the Committee's concerns about prioritization, NPS has undertaken a region-by-region assessment of the prioritization of the contemplated partnerships, without regard to the category within which the project presently falls.

Impact of the Partnership Construction Process

The Department of the Interior and NPS are committed to improving the process by which partnership projects are developed, reviewed, managed, monitored and implemented throughout the National Park System. Already, the inventory of partnership construction projects and the development of the Partnership Construction Process have had an impact on the projects being considered by NPS. For example:

- A project at Mesa Verde National Park was re-evaluated by the region and, consequently, is being re-scoped to address the results of the fundraising feasibility study, which indicated only \$10 million in private fundraising is feasible for this project instead of \$85 million. The region and park also are evaluating further the potential of phasing this project over time.
- The Yellowstone National Park "Old Faithful Visitor Center" as well as the Grand Teton National Park "Moose Visitor Center" were re-evaluated using the visitor facility model and, consequently, were reduced in size.
- The NPS continues to work with the park partner at Valley Forge to determine a project of appropriate scope and cost to protect the park's collection and provide for a quality visitor experience. The NPS conducted an independent peer review of the proposed building size and is undertaking a fundraising feasibility study to determine the likelihood of the project being funded entirely from the private sector at its current scope and configuration. Furthermore, the NPS is seeking a clear delineation of the total project costs, including long-term maintenance and other capital needs. The NPS also requires a clearer articulation of programmatic and funding roles and responsibilities between the partner and the NPS. Once these negotiations are concluded, NPS can determine if and when they will seek Committee concurrence. Until then, this project is not proceeding.
- With the exception of the "Peopling of America" project, which is at the consultation stage and 100 percent partner-funded, partnership construction projects planned in the New York City area are all on hold pending a full review of all the projects in the context of the National Parks of New York Harbor.
- The fundraising feasibility study for the Flight 93 National Memorial provided critical input that was used to determine the parameters for the memorial design competition currently underway. Earlier estimates of fundraising potential to develop the memorial and park were reduced as a result.
- A project at Morristown National Historical Park was significantly re-scoped after the partner was unable to raise funds in accord with a previously identified goal. The NPS

worked with the partner to achieve a revised project design that is possible with available funds, and to reduce the partner's fund-raising goal to a more limited component (exhibits) in support of the construction effort.

- Specific language has been included in NPS planning documents, such as the Fort McHenry development concept plan, referencing the need for possible partnership projects to follow the NPS process. In addition, the NPS is clarifying in its planning documents the limitations of funding constraints, and the need for projects to be prioritized in the NPS budget process before they can be considered for funding.
- NPS now recognizes the need to achieve agreement about, and clear identification of, the complete funding assumptions of individual projects. Projects predicated on approaching Congress for earmarked funds not included in an agency's budget or on fund sources yet to be determined are untenable. Specific language is being included in partner agreements that lobbying Congress outside of the budget process is inappropriate and not permissible.
- The seven projects that were reviewed and identified as Category D in the Inventory have been eliminated entirely.

Management of the Partnership Construction Process

The primary responsibility for implementing and enforcing the Partnership Construction Process will fall on NPS regional offices. Measures will be included in performance plans for Regional Directors. In addition, the Washington Office must be able to review projects being forwarded for approval in a timely and efficient manner.

The President's 2006 Budget includes \$310,000 for administration of this new Partnership Construction Process. The funds will be used for staff to administer the program in the NPS National Partnership Office and to provide training for park and program managers on the management of partnership projects. The "Building Better Partnerships" program is being incorporated into all levels of NPS – from the National Partnership Office and the Development Advisory Board, to the Denver and Harpers Ferry Service Centers, to all seven regions and to individual parks.

The process is designed to challenge managers at all levels to ask difficult questions and make decisions that will ensure that partnership construction projects address the core mission of the NPS and do not jeopardize the integrity of the budget process. Additionally, the process is designed to ensure that projects are sustainable within current and projected funds for the life of the project and that the NPS takes into consideration how the projects are maintained and supported now and into the future. The Department of the Interior and the NPS are committed to fiscal accountability. The "Building Better Partnership Program" and Partnership Construction Process is a means to achieve such accountability for now and years to come.

Summary

Developing and implementing the Partnership Construction Process are important steps within the NPS. Within a year, all potential and existing partnership projects have been identified and analyzed, a process for reviewing these projects has been devised based on best practices, interim guidelines have been sent to the regions, training has been conducted with regional office and park employees, including superintendents, and positive results have been demonstrated through application of the process. The Partnership Construction Process has been shared with and agreed to by NPS partners, regions and superintendents; they now clearly know what is necessary to succeed in promoting a potential partnership project.

With the establishment of the Partnership Construction Process only suitable, mission oriented, and appropriately scoped partnership projects will be forwarded for NPS, Departmental and Congressional review. This will result in fewer, though much improved, partnership capital project submissions in the future.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

MAY 17 2006

The Honorable Duncan Hunter, Chairman
Armed Services Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Department of the Interior would like the opportunity to provide its views on section 1036(c) of H.R. 5122, the National Defense Authorization Act for Fiscal Year 2007, as approved by the House of Representatives.

We recommend deletion of section 1036(c) in order to ensure that the National Park Service is able to continue its progress toward the recovery of native species and providing year-round access for other recreational activities on Santa Rosa Island.

Section 1036(c) states that "[t]he Secretary of the Interior shall immediately cease the plan, approved in the settlement agreement for case number 96-7412 WJR and case number 97-4098 WJR, to exterminate the deer and elk on Santa Rosa Island, Channel Islands, California, by helicopter and shall not exterminate or nearly exterminate the deer and elk."

We believe section 1036(c) is intended to overturn this settlement agreement that prescribes a phase-out of the privately-owned deer and elk from Santa Rosa Island, culminating in their complete removal by the owners by December 31, 2011. The National Park Service is party to that settlement agreement and stands by its terms. Fulfillment of the agreement is necessary to accomplish the purposes for which the National Park Service acquired Santa Rosa Island.

The National Park Service purchased Santa Rosa Island for \$30 million in taxpayer funds in 1986 after Congress included the 54,000-acre island as part of Channel Islands National Park in 1980. The purpose of this acquisition was to restore the native ecology of the island and open it to the public for hiking, camping, sightseeing, and other recreational activities. Although hunting is usually not allowed in National Parks, a private hunting operation for deer and elk was permitted to continue under a special use permit at the request of the owner, who had retained a 25-year reservation of use and occupancy (through 2011) in 7.6 acres on the island. Subsequently, the settlement agreement provided for the phased elimination of the deer and elk population.

Elimination of the non-native deer and elk is needed to allow native plant and animal species, including some that are endangered and threatened, to flourish on the island.

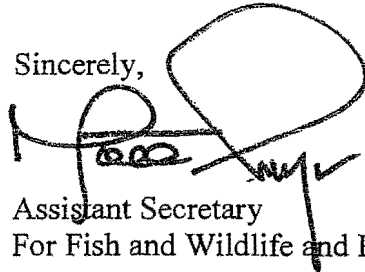
Also, more visitors will be able to enjoy the island after the closure of the deer and elk hunting operations that currently close about 90 percent of the island to National Park Service visitors engaged in other recreational activities for 4 to 5 months every year.

Section 1036(c) also raises several other issues. It gives direction to the Secretary of the Interior with respect to the settlement agreement, yet the Secretary is not responsible for removing the deer and elk from the island – the former owner of the island, who retains ownership of the deer and elk, is responsible for their removal. Furthermore, 1036(c) suggests that the National Park Service has an approved plan to exterminate the deer and elk by helicopter, yet no such plan exists. In fact, as already noted, the deer and elk are the property of the former owner of the island and, under the terms of the settlement agreement, must be removed by them. Only if the deer and elk become extraordinarily difficult to remove would the National Park Service share the cost of removing the animals, which could include the use of helicopters.

Again, thank you for the opportunity to provide these comments. The Office of Management and Budget has advised that it has no objection to this letter from the standpoint of the Administration's program.

Identical letters are being sent to the Honorable Ike Skelton, the Honorable John W. Warner, and the Honorable Carl Levin.

Sincerely,

A handwritten signature in black ink, appearing to be "H. P. ...", written over a horizontal line.

Acting

Assistant Secretary
For Fish and Wildlife and Parks

JANUARY 2006 STATUS REPORT: NAPA RECOMMENDATIONS

ACTIONS TAKEN ON THE AUGUST 2001 NAPA REPORT RECOMMENDATIONS

1. The Secretary of the Interior, in conjunction with the Director of the National Park Service, should clarify the mission, responsibilities, and priorities of the U.S. Park Police.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

We have completed our effort to clarify the mission, responsibilities, and priorities of the USPP and have prepared a final report.

Between August 2003 and June 2004, we conducted 22 separate briefings focusing on the USPP mission, responsibilities, priorities, and budget. These sessions were chaired by Deputy Assistant Secretary Larry Parkinson and NPS Deputy Director Don Murphy (with early participation by Assistant Secretary Craig Manson and Deputy Assistant Secretary Paul Hoffman) and included active participation by Bob Baldauf and others from the Department's Budget Office, as well as the NPS Comptroller's Office. Nearly all of these briefings lasted at least two hours, and each included a formal presentation by the USPP Chief and his/her senior staff on a particular aspect of USPP operations, followed by a rigorous question-and-answer period. Between meetings, there was often a significant amount of follow-up and data gathering.

Throughout this effort, we closely coordinated with NAPA, sharing information, comparing notes, and assisting each other. In particular, we worked jointly to try to extract reliable budget data from USPP/NPS financial records.

In light of the NAPA review (mandated by Congress), it was critical that we incorporated the NAPA guidance in our final efforts, and we did so. Among other things, the NAPA report provides a methodology to assess current USPP operations and establish priorities for USPP law enforcement functions and activities. We received the final NAPA report on September 15, 2004, and we set a deadline of October 15, 2004, to complete the task of applying the NAPA methodology to all USPP functions and preparing a draft report. We produced the first draft by the deadline and have spent the last several weeks fine-tuning and supplementing the report.

Acting Chief Pettiford has embraced the need to clarify the USPP mission, responsibilities and priorities. He retained the services of an outside consultant to assist him in preparing a new mission statement and a comprehensive five-year Strategic Plan. USPP management conducted a two-day off-site planning session on Sept. 23-24, 2004, with the assistance of the consultant (Margaret Yao of America Speaks), and produced a draft mission, vision, and goals statement. USPP has refined that document and produced a broader Strategic Plan that is under review by the Deputy Director of the NPS, the NPS strategic planning staff, and the Deputy Assistant Secretary for Law Enforcement and Security.

Jan. 2006 Status Report: Implemented. The draft USPP Strategic Plan was forwarded to NPS and DOI during the 2nd quarter of fiscal year 2005. In December of 2005 the USPP Command Staff met and made additional changes to the Strategic Plan. The final draft will be completed when the Command Staff reconvenes in January of this year. In the interim the USPP began implementing strategies consistent with the mission review and Draft strategic plan. For example, increased emphasis was placed on Icon security (our number one priority). In the NYFO, we have increased the police presence assigned to the Statue by 206%; from a pre-9/11 staffing level of 30 to a current level of 92. We have increased the number of K-9 bomb dogs from two to seven. These two changes have been the result of an evaluation of all of our responsibilities; prioritizing our most important functions and redeploying personnel to meet our new priorities. The USPP has used the criteria provided by NAPA to identify and rank all functions and services provided by the Force. This allowed the Force to eliminate those functions that were not critical to their primary mission and has been used as a basis for the fiscal year 2007 budget request. The Force has recently developed, and began to track progress through, a meaningful set of performance measures by function that will allow management to identify weak areas and take corrective action. These measures will also show how the Force is spending its appropriation, reimbursables and ELO and the relationship between primary mission and expenditures.

2. The U.S. Park Police mission should increasingly focus on Washington, D.C. as the nation's capital, and on its surrounding areas. Priority should be given to the safety and assistance of park visitors, the protection of resources, particularly monuments, memorials, and other national treasures from damage and terrorism, and the management of special events and demonstrations.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

USPP has prepared a draft mission and goals statement and Strategic Plan for FY2005-2008. Simultaneously, the Department, NPS, and USPP have used the methodology proposed by NAPA to prioritize the USPP mission. These efforts will serve as the basis for creating a more sharply-focused USPP workforce. (It should be noted that this recommendation, along with recommendation #3, reflects an August 2001 view by NAPA that "the conditions and circumstances that led to a Park Police presence in New York City and San Francisco no longer prevail." As a result of the 9-11-01 attacks and the increased counter-terrorism responsibilities of the USPP, NAPA has backed away from its previous recommendation that USPP should withdraw from New York and San Francisco.)

During the last two years, there has been a substantial reallocation of USPP resources to the central core of Washington. At the Department's direction, the protection of the monuments and their visitors is unquestionably the USPP's highest priority, and USPP has adapted its staffing plans accordingly.

NAPA also emphasized the importance of managing special events and demonstrations, acknowledging that USPP has unique expertise in this area. We agree with NAPA and have ranked this function as one of USPP's highest priorities. Special events and demonstrations in Washington clearly receive the high level of attention and priority they deserve from the USPP. There are numerous recent examples, including

the 4th of July celebrations, the Reagan funeral, the World War II Memorial dedication, the NFL Kick-off event on the Mall, and the World Bank/IMF demonstrations.

The NAPA recommendation also encompasses a need to scale back certain USPP activities that fall outside core missions such as icon protection and special events. We agree B the primary focus of the internal review has been to identify those activities that deserve highest priority and funding. Using the methodology developed by NAPA, we have prioritized all of the USPP functions and will be scaling back or discontinuing a number of activities that we have identified as low priority.

Jan. 2006 Status Report: Implemented. USPP has applied the NAPA methodology to prioritize our functions, eliminating or scaling back those functions found to be less critical; allowing USPP to concentrate on those functions found to be critical to successful completion of our primary mission.

3. NPS should work with its park superintendents in New York and San Francisco to transfer the U.S. Park Police's current responsibilities in these locations to park rangers. These should include Park Police activities at the Statue of Liberty and Ellis Island, Gateway National Recreation Area, and Golden Gate National Recreation Area (GGNRA), except for the Presidio Trust.

Feb. 2004 NAPA Report: Rejected

Dec. 2004 Status Report:

NPS, with the support of the Department, rejected NAPA's August 2001 recommendation that USPP should be pulled out of New York and San Francisco, emphasizing that the events of 9/11/01 highlighted the benefits of having USPP in those two locations. The enhanced focus on icon protection and related homeland security duties in New York and San Francisco (as in Washington, D.C.) weigh heavily in favor of a continued USPP presence in those locations.

NAPA appears to agree with this conclusion. Although it did not address its prior recommendation head-on in its latest report, NAPA does describe a variety of post-9/11 USPP activities in New York and San Francisco (see pp. 26-27) without any suggestion that these activities should be transferred away from USPP officers to NPS rangers. Discussions with NAPA staff also support this interpretation of NAPA's report. Moreover, the NAPA report notes that "the lack of mission clarity is less prominent in New York and San Francisco, where USPP's presence is relatively recent and its role more clearly defined and circumscribed" (p. 31).

We do believe that additional attention needs to be given to the role of USPP in outlying park areas, particularly in the San Francisco area. At our request, NPS conducted a comprehensive assessment of law enforcement needs within the Golden Gate National Recreation Area in October 2004, to include both USPP and the Park Ranger force. That effort resulted in a proposed "Park Protection and Response Plan," which is currently under review. NPS will conduct a similar needs assessment for the Presidio in 2005. (In a separate report on the Presidio Trust dated January 2004, NAPA recommended that the Presidio Trust Act B which currently mandates that the Trust use USPP for law enforcement services B be amended to allow the Trust Board to "contract

for specific services with entities other than the USPP when those services can be attained more cost effectively.”

Jan. 2006 Status Report: When the Gateway National Recreation Area (New York) and the Golden Gate National Recreation Area (San Francisco) were created the Management of the National Park Service (NPS) believed that the USPP was best suited to provide the necessary law enforcement in these two highly urbanized park locations. In the early 1990’s, several security and law enforcement needs analyses of the Statue of Liberty were conducted by the NPS, Secret Service and the City of New York. Upon review of these studies the NPS elected to replace a law enforcement ranger presence at the Statue of Liberty with the United States Park Police. As in the past the United States Park Police and the National Park Service continue to review the law enforcement needs of the parks. The terrorist acts of September 11, 2001 bolstered the NPS’s resolve to continue using the United States Park Police in these two areas. In 2003 (NYFO) and 2004 (SFFO) worked with their Park Superintendent’s in addressing the park law enforcement and security needs. Both areas drafted a “Park Protection and Response Plan” (PPRP). These plans acknowledge the USPP to be a pivotal component addressing the law enforcement needs for each recreation area. In the PPRP for the GGNRA, the Regional Director stated: “It is the integration of USPP and USPR beat coverage which provides an improved Law Enforcement program.” We will continue the ongoing evaluation of the law enforcement program at all NPS sites in the San Francisco area.

4. Park Police and NPS should work toward joint operations and involving state and local police forces in patrolling major commuter parkways, investigating accidents, controlling traffic and parking enforcement, and providing neighborhood policing services. The long-term goal should be to transfer or contract out these activities, whenever possible, to state and local jurisdictions.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

While it is accurate to say that limited progress has been made on this front, this recommendation is far easier stated than accomplished, particularly on the GW and BW Parkways, which have been patrolled by USPP for 75 years. The state and local police departments in Virginia, Maryland, and the District of Columbia have increased post-9/11 responsibilities themselves, and it is unrealistic to expect them to assume NPS parkway enforcement without some kind of legislative directive. NAPA recognizes that while neighboring state and local police departments “could” perform this enforcement function, they “most likely would require reimbursement to do so.”

We have carefully analyzed this issue and have concluded that parkway enforcement on the GW and BW Parkways must remain a priority for USPP. However, we do believe that we need to further analyze the feasibility and cost effectiveness of contracting with other police organizations for certain portions of these parkway enforcement responsibilities. In the longer term, we believe it is appropriate to explore the option of legislatively transferring responsibility over some or all of the parkways to state or local jurisdictions.

Jan. 2006 Status Report: Partially Implemented. (Remainder not feasible at this time.)

The NPS has attempted to meet with officials from Maryland and Virginia to discuss those entities providing patrol services on NPS roads. These officials were not receptive and in most cases chose not to have discussions beyond the preliminary stages. The USPP has met with Maryland State Police officials requesting their assistance in providing non-reimbursed supplementary patrols on the Baltimore Washington Parkway.

The Maryland State Police advised us at that they would be unable to support us in that manner due to staffing and coverage issues of their own. The USPP, National Capital Region, NPS and DOI have analyzed the feasibility of other LE agencies performing parkway enforcement on the GWMP and the BWP and have concluded that they must remain a priority of the USPP. USPP has reduced the number of sworn members performing parking enforcement duties and is in the process of hiring civilians to perform these duties, as they were ranked as a low priority. USPP has Memorandum's of Understanding with many local jurisdictions and is working closely with surrounding LE agencies to assist in patrolling neighborhood parks and streets surrounding NPS lands.

5. The Park Police Chief should be subordinated to the Director of NPS, rather than the Director of the National Capital Region.

Feb. 2004 NAPA Report: Fully Implemented

Jan. 2006 Status Report: Implemented

6. Executive search firms, such as Police Executive Research Forum and the International Association of Chiefs of Police, should be used to identify candidates for Park Police Chief who not only have law enforcement credentials and experience, but also a strong managerial background and demonstrated leadership capabilities.

Feb. 2004 NAPA Report: Fully Implemented

Dec. 2004 Status Report:

NAPA has urged the Department to permanently fill the USPP Chief position "as expeditiously as possible," and we fully concur. NPS posted a nationwide advertisement for the Chief's position on November 26, 2004, with a closing date of December 27, 2004.

Jan. 2006 Status Report: Implemented. Chief Dwight Pettiford was sworn in as the permanent Chief on April 3, 2005.

7. Park Police, in conjunction with NPS and within its current appropriation account structure, should develop a unified, integrated, and comprehensive Park Police budget. It should include estimates for all costs, both operating and construction or rehabilitation, and funding from all sources, whether appropriations, user fees, other reimbursements, or emergency law and order funds. This budget should be provided and monitored by the Park Police Chief, the Park Service, Interior, and Congress.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

USPP developed a financial plan for FY2004 and also prepared a comprehensive, more easily understood, draft budget for FY 2006. In addition, in conjunction with the USPP "mission review" process, USPP has developed a multi-year financial history and projected spending for each USPP function, including all appropriations, reimbursements, and emergency law and order funds. USPP hired a Chief Financial Officer in October 2004, and that official is expected to further improve USPP's budget process.

The Department conducted formal budget hearings with the USPP for fiscal years 2005 and 2006, in sessions chaired by DAS Parkinson with active participation by the Budget Office. The hearings are supplemented by formal Departmental guidance on law enforcement priorities and literally months of data gathering to ensure that any budget enhancement requests are appropriate.

Jan. 2006 Status Report: Implemented. USPP has prepared a comprehensive six year financial history and projected spending for each USPP function, to include all appropriations, projected reimbursables, and projected emergency law and order funds. The USPP has worked closely with the NPS and DOI budget offices. The fiscal year 2007 budget process was a collaborative effort between the USPP, NPS, OLES and DOI budget staff resulting in a comprehensive and integrated budget.

8. Park Police components, in conjunction with the superintendents of the parks they service, should develop and submit their budgets to the Park Police Chief. In turn, the Chief should submit a unified budget proposal to the Director of NPS.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

The New York Field Office has substantially implemented this recommendation, as NAPA recognized. In October 2004, the San Francisco Field Office conducted a joint law enforcement needs assessment with the Park Rangers and other senior NPS officials and prepared a "Golden Gate Park Protection and Response Plan" that is currently under review by NPS.

NAPA noted that communications between the former Chief of Police and senior NPS management in the National Capital Region had deteriorated for a number of reasons (contrasting that Washington-area relationship with the USPP/NPS Superintendent relationship in New York, which was working very well). There has been significant progress in this area. Acting Chief Pettiford has placed an emphasis on rebuilding working relationships with NPS superintendents in the Washington area, and has met with the National Capital Region superintendents to discuss park needs and USPP capabilities available to meet those needs. USPP used those meetings to assist in preparing the FY 2006 budget request.

Building on the improved consultation process in the National Capital Region, a USPP commander now meets with the Regional Director and his senior staff on a weekly basis to discuss law enforcement and security issues throughout the region. Individual

commanders also meet with their respective superintendents on a regular basis and more frequently when needed to respond to issues and concerns in their park areas. Within the USPP Operations Division, all commanders similarly have been directed to discuss budget and staffing issues with their respective superintendents. This consultation process will become formalized in FY 2005 upon adoption of the Strategic Plan.

Jan. 2006 Status Report: Implemented. USPP Commanders continue to work closely with Park Superintendents to solicit input into the Commanders budget request to the Chief Financial Officer. The Chief of Police has ensured a multi-year budget proposal has been developed and submitted to the NPS and DOI.

9. The Park Police Chief, early in the fiscal year, should provide separate budget allotments to major commanders in its field offices and major components that include appropriated funds allotted by the park service, as well as anticipated reimbursements. Major Park Police commanders, like park superintendents, should be expected to operate their commands during the year within the budget allocations. The Chief should work with the commanders and park service staff to develop appropriately detailed financial plans to accompany these allocations including restrictions on the use of selected resources where appropriate and desired.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

Acting Chief Pettiford has been working to develop a system to provide separate budget allotments to field commanders and it is nearing the implementation phase. In addition, Acting Chief Pettiford has delegated to branch and watch commanders in Washington, D.C. the authority to approve routine purchase requests up to \$1,000 (to be increased to \$2,500 in January 2005) and the responsibility to operate within the NPS Advanced Procurement Plan for their areas. This effort has been successful and the Park Police leadership plans to extend this authority to other expenditure areas.

In January 2005, the USPP Finance Office will provide budget allotments to all divisions within USPP. Each Commander will be provided a monthly allotment, as well as a summary of the expenditures made during the first quarter of FY05. The USPP Finance Office will provide assistance and training to the commanders on managing their budget throughout the year. The commanders will be responsible for their individual budgets and will need to provide a monthly status report to the Finance Office.

Jan. 2006 Status Report: Implemented. The USPP CFO provided each Commander a separate budget and worked closely with them to ensure they understood the budget process. The USPP budget office also provided training to USPP Staff members throughout this fiscal year. This training has become part of the regular training each supervisor/commander receives annually. We had intended to have fiscal year 2006 budget allocations provided to each Commander at the beginning of the fiscal year. However, due to the uncertain fiscal environment we postponed providing final budget allocations to the Commanders. These final allocations for FY 06 will be provided by the end of January.

10. Park Police, NPS, and Interior should continue to use the current Emergency Law and Order transfer process to help fund the special deployment and other costs associated with major unplanned special events. For smaller, unplanned, park- sponsored special events, the Park Police should seek reimbursement from the sponsoring parks for the additional costs of special deployments supporting the events.

Feb. 2004 NAPA Report: Moderate Progress

Dec. 2004 Status Report:

USPP has used the Emergency Law and Order process to fund deployment costs for major events. A recent example is the deployment of a significant USPP contingent to Boston during the Democratic National Convention. Law enforcement and intelligence reporting indicated the potential for significant demonstration activity at NPS sites, so USPP deployed personnel at NPS's request and was reimbursed through the Emergency Law and Order process. The Acting Chief is developing a formal process by which the USPP will seek reimbursement from sponsoring parks for all deployments. The NAPA report recognizes (p. 65) that USPP has rejected several preliminary requests to provide security for park events where full reimbursement would not be available.

The USPP commanders have been instructed to incorporate into the regular meetings with their respective superintendent's discussion about upcoming local and small-scale deployments. In some cases, discussion on reimbursement will involve interaction between outside entities (for example, the Presidio Trust). The Acting Chief is developing a formal process to seek reimbursement from sponsoring parks for all deployments, which would be proposed to the superintendents and incorporated into the USPP Strategic Plan

Nov. 2006 Status Report: Implemented. With the implementation of better business practices within the USPP, reimbursable events are processed in a more timely manner. The SFB Commander now has the responsibility within WMA to work within that units specified budget and has better managed the use of overtime and other funds. We continue to work with the Superintendent's to ensure reimbursement for park sponsored events where appropriate. These ongoing discussions between Superintendents and the USPP have improved control over otherwise unanticipated costs and we feel that there is no longer a significant problem in this area.

With the increase in size and frequency of anti-war protests due to the Iraq war, it is quite possible that the Emergency Law and Order funding process will continue to be a vital tool to fiscally manage large demonstrations

11. Park Police should budget for services that extend beyond the park service mission, such as personnel protection, escort duties, and services provided to other federal, state, and local agencies, based on prior experience. The Park Police should provide additional services that go beyond budgeted levels on a reimbursable basis. The law enforcement advisory services provided to the park service regions by the Park Police, if continued, should be funded by reimbursements.

Feb. 2004 NAPA Report: Rejected (in part)

Dec. 2004 Status Report:

As part of the "mission review" process, USPP, NPS, and the Department are focused on eliminating those functions or services that extend beyond the NPS mission. Because of added post-9/11 responsibilities and a static or declining workforce, USPP is unable to fully satisfy all of its core NPS responsibilities. Therefore, any extension of services beyond the NPS mission necessarily diminishes USPP's ability to carry out its principal duties, regardless of whether those extended services are reimbursed.

Because a number of extended services are governed by existing MOUs-, USPP will require a transition period before simply eliminating them. The Acting Chief is examining all existing MOUs to identify those that extend beyond the NPS mission. For example, he reviewed the MOU for the Oak Hill Juvenile Detention Center in Laurel MD, which houses DC juveniles, and chose not to renew the MOU, despite pressure from the Metropolitan Police Department, the U.S. Attorney's Office, and Oak Hill officials.

In addition to eliminating services that clearly fall outside the NPS mission, USPP is also moving to reduce or eliminate "lower-priority" services, particularly when higher-priority needs are unmet. Here again, USPP will require a transition period before reducing or eliminating many of these lower-priority services. In the meantime, the Acting Chief is closely examining all requests for USPP support and is better managing the process to reduce costs. He is also committed to reviewing each circumstance in which reimbursement might be appropriate.

With respect to law enforcement advisory services, the USPP services provided to the NPS regions -- currently being provided in several regions by "Regional Law Enforcement Specialists" have decreased substantially in the last two years, and will continue to diminish in the months and years ahead. NPS has reevaluated these regional positions. Although USPP officers may compete for the positions in those regions where USPP currently has a presence (Northeast, Pacific West, and National Capital Regions), the positions will be budgeted through the NPS regional offices.

Jan. 2006 Status Report: Partially Implemented. Because of the increased responsibilities of the Force since 9/11, the USPP is less able to extend services outside of the NPS lands. As a result of the prioritization of USPP functions, we were able to eliminate several non-mission critical MOUs. In the past, some MOUs were routed through the Parks, creating a delay in the timely reimbursement of services provide by USPP. Now, USPP Commanders are working with superintendents to separate MOUs requesting LE services from general MOUs that Parks formerly entered into with organizations/groups. As a result, USPP Commanders are the driving force behind negotiations for reimbursement; allowing some funds to come directly to the USPP. The proposal to require reimbursement for the law enforcement advisory services provided by the USPP to some of the NPS Regions is contrary to current appropriations restrictions. This language restricts the ability of the USPP to be reimbursed by the NPS for any service except as permitted within the legislation. (Also see recommendation number 28.)

12. Park Police should develop a multi-year replacement plan for cruisers and other major equipment for the Washington area. This plan should be the basis for

developing annual equipment funding requests and allocating approved budgetary resources consistent with overall Park Police budget limits and spending priorities.

Feb. 2004 NAPA Report: No Progress

Dec. 2004 Status Report:

USPP has made substantial progress on this recommendation in the last several months. It has developed a Draft Vehicle Replacement/Rotation Plan which has been forwarded to the Technical Services Branch for final review and editing before submission to the Chief for approval. In the meantime, USPP vehicle and equipment inventory has been placed on a 5 to 10-year replacement schedule in accordance with the schedules established in the draft Plan. USPP is also in the process of identifying fleet management software, which offers a comprehensive system that effectively integrates all functional areas of fleet management: administrative expense, preventive maintenance, repairs and parts, replacement, and real-time reporting.

Jan. 2006 Status Report: Significant Progress.

USPP has developed a Draft Vehicle Replacement /Rotation Plan which was reviewed by the Chief and returned to Technical Services Branch for review and modification. In the interim, the USPP received direction from the National Park Service (NPS) Comptroller regarding the development of the NPS Fleet Management Plan. Included in this directive was the NPS Fleet Management Strategic Plan, which required further changes to the USPP draft Vehicle Replacement/Rotation Plan, particularly the role of the USPP Fleet Manager and establishment of a baseline for the current fleet inventory. Recommendations have been made and are currently under review by the Command Staff of the USPP. We are also drafting a USPP Fleet Management Strategic Plan, in accordance with the Comptroller's directive, for review by the NPS Fleet Management Investment Review Board.

In compliance with OMB/DOI guidelines which address software purchases, we are conducting further assessment of commercial-off-the-shelf software for use to automate the fleet management program and vehicle replacement schedule; we are also attempting to determine, along with NPS, if the Facility Management Software System (FMSS) and the Fixed Assets Subsystem, (when combined), can provide an environment to efficiently manage the vehicle replacement schedule. Implementation of the DOI Financial and Business Management System (FBMS) is expected to begin October 1, 2006. This system may also be an option, if an existing interim solution (FMSS) is identified.

13. Park Police and NPS should work with Congress to reform the funding by shifting it to a permanent indefinite appropriation similar to the current Secret Service's and Treasury's current annual payments.

Feb. 2004 NAPA Report: Fully Implemented

Jan. 2006 Status Report: Implemented

14. Congress and the legislatures of Maryland, Virginia, and the District of Columbia should establish a legal framework for police units in the Washington area that provide for mutual aid in case of emergencies and alleviate the burden caused by indemnification.

Feb. 2004 NAPA Report: Fully Implemented

Jan. 2006 Status Report: Implemented

15. A thorough staffing needs assessment based on Park Police's mission, as clarified, should be performed. It should examine the balance among patrol activities, specialized units, and administrative assignments. The assessment should use primarily external expertise to ensure its objectivity and credibility, and the results should be addressed through the budget process recommended in Chapter 3.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

See response to Item 1. The mission and budget review encompasses a broad analysis of staffing needs. USPP is also initiating a more detailed staffing analysis and needs assessment.

For protection of the Icons and their visitors, a comprehensive review was conducted in fiscal year 2003 (with assistance of external expertise from the Secret Service) and a new protective plan was implemented in fiscal year 2004 with a newly-developed combination of USPP officers and security guards.

Jan. 2006 Status Report: Implemented. USPP, together with NPS and DOI, has analyzed all functions within the Force and applied the methodology provided by NAPA to each function. The functions were then ranked as High, Medium and Low. The Chief of Police eliminated several functions that were less critical to the USPP mission. The Chief moved sworn officers from administrative positions, freeing them up to perform important police functions. As a result of this evaluation of all of our responsibilities, the Force has redeployed personnel to meet our highest priorities, while at the same time reducing overtime costs. The USPP fiscal year 2007 budget request reflects these efficiencies.

16. Park Police administratively should earmark and separately control an entry training budget. To facilitate more frequent graduations, Park Police recruit training should be accelerated to the first available Federal Law Enforcement Training Center (FLETC) class and/or trained in conjunction with law enforcement rangers, when possible.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

Beginning in January 2005, FLETC will begin an expedited but comprehensive review of the USPP training program, in conjunction with a review of the NPS Ranger and other land management law enforcement programs. This review will include the active participation of NPS, USPP, and the Department. One of the primary goals of this initiative is to ensure that all participating agencies, including USPP, will be able to promptly provide FLETC training whenever they have the funds to hire new recruits.

The USPP Financial Office is reviewing and establishing separate budgets for all divisions, with particular attention to the recruit and hiring budget.

Jan. 2006 Status Report: Implemented. The USPP has earmarked an entry training budget. In August 2005, USPP recruits began participating in the Land Management Police Training Program (LMPT)-- the Department of Interior's core law enforcement basic police training program. Each class generally consists of 24 recruits, and USPP are initially allotted up to 12 slots. This start-up program allows the USPP to hire (and train) in smaller numbers. Fifteen recruits recently graduated from the August 2005 LMPT, and another 12 recruits began the LMPT November 7, 2005.

17. Park Police should reduce its ratio of supervisor to nonsupervisory positions to a level approximating that of other area police entities.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

USPP is now evaluating each vacant supervisory position prior to filling it. In September 2004, following such an evaluation, USPP abolished a sergeant's position upon the retirement of the incumbent. This process will continue, in conjunction with the USPP strategic plan and staffing analysis, which will provide a better system by which to evaluate the relative importance of each supervisory position.

Jan. 2006 Status Report: Significant Progress. In the August 2004 report NAPA clarified this recommendation (see Recommendation # 30). USPP has evaluated each vacant supervisory position prior to filling it. In FY 05, USPP civilianized or abolished five positions formerly held by sworn personnel. As vacated, the Force is reviewing each supervisory position to determine if it is a needed function, if it requires a supervisory position, and if it requires a LE officer. As the USPP Strategic Plan is implemented, this process will continue to be an integral part of the way the Force evaluates the importance and need for a police position in each supervisory position.

18. Park Police should civilianize positions currently occupied by officers when law enforcement training and experience are not required. This should be done as the positions turn over, and the staffing needs assessment can be a vehicle to define specific civilianization goals.

Feb. 2004 NAPA Report: Moderate Progress

Dec. 2004 Status Report:

USPP has committed to assess all positions and has civilianized a number of them. As vacancies occur, positions are now routinely evaluated to determine the level of law enforcement expertise, if any, needed to carry out the necessary duties. As noted in the NAPA report (p. 81), eleven positions had been converted as of 1/9/04, and several other positions are under consideration. In addition, working closely with OLES, USPP has changed its staffing mix to include a substantial number of security guards for icon protection on the National Mall and at the Statue of Liberty. NAPA recognized that this change has "accommodated increased demands for icon security" (p.77).

Jan. 2006 Status Report: Implemented. The Chief of Police directed a review of the duties performed by sworn police officers. As part of the functional analysis, each position was reviewed and recommendations were made to the Chief by USPP Commanders/Managers. As a result, several sworn police officers were moved out of administrative positions. This review will continue in the future. The Chief has directed that when an administrative vacancy formerly held by a sworn officer occurs, the position will be reviewed prior to filling it to determine if the position is still essential and, if it is possible to civilianize the position. To ensure these actions are taken a Position Management Review Board was instituted within the USPP in September of this year. All supervisory positions that do not directly supervise an operational element will need justification as to why the function requires a police supervisor. The review of positions for civilianizing is an ongoing business practice. As vacancies occur, positions are evaluated for conversion. Presently, the position up for review is the Major, Technical Services Branch, which was vacated on November 12, 2005.

Additionally, the Force has begun utilizing a mix of civilian and contract guards to perform those protective duties where a sworn LE officer is not required.

19. Park Police should change its law enforcement staffing mix to include an armed security patrol with duties that are more limited than those of sworn officers to the current mix. This professional security patrol force, composed of government employees, possibly under contract with GSA, should provide full-time security service at critical park facilities, including historic national memorials, monuments, and other treasures.

Feb. 2004 NAPA Report: Moderate Progress

Dec. 2004 Status Report:

This recommendation is now largely implemented in Washington, D.C. and New York. USPP has changed its staffing mix to include a substantial number of security guards for icon protection on the National Mall and at the Statue of Liberty. While USPP has a strong reluctance to use armed guards, as opposed to unarmed guards, the issue remains under discussion.

USPP has also recently completed an evaluation of the permanent guard positions, revising the existing position description and expanding the duties of the permanent guards.

Jan. 2006 Status Report: Implemented. We feel that we have met the intent of this recommendation. The USPP has changed its staffing mix to include civilian and a

significant number of permanent contract security guards in Washington and New York. We currently have over 100 FTE (or contract equivalent) performing these security functions. USPP is in the process of hiring guards under the newly established standards and duties. USPP has previously completed evaluation of and rejected the use of armed security guards at the Icons. We are currently evaluating a different proposal for limited use of armed guards at the Icons.

20. Park Police should establish a workforce planning and management system that addresses all aspects of human resources management, including attrition, recruitment, and training of officers and civilians.

Feb. 2004 NAPA Report: Limited Progress

Dec. 2004 Status Report:

The draft USPP Strategic Plan outlines the workforce plan and management system. Upon approval, the Human Resources Office will move forward to further develop this workforce plan.

In August 2004, USPP completed a comprehensive recruitment and retention plan, which is a critical component in attracting top-notch officers and reducing attrition. As noted above, FLETC will be undertaking a comprehensive assessment of USPP's training program beginning in January 2005. In addition, USPP will continue to address broader workforce planning and management initiatives pursuant to Departmental direction, including participation in a Department-wide law enforcement workforce planning initiative.

Jan. 2006 Status Report: Moderate progress

USPP has adopted the OPM/DOI's 5 Step Workforce Planning Model: steps include, 1. Set Strategic Direction; 2. Analyze Workforce, Identify Skill Gaps, and Conduct Workforce Analysis; 3. Develop Action Plan; 4. Implement Action Plan; and 5. Monitor, Evaluate and Revise

We have accomplished step 1: This step requires the development of the organization Strategic Plan, ensuring that the HRO was and still is positioned to be an active partner in this ongoing process. Doing the Strategic Planning process, the USPP ensured that critical organizational players were personally involved in all aspects. These players included representatives from budget, human resources, middle and senior managers, as well as supervisors and labor. Vision, Mission, Values, and Objectives have been rewritten. The organizational structure is presently under review by the Executive Command Staff and the Human Resources Office.

We are in the first phase of step 2: The HR Office has begun analyzing the USPP current workforce to compare workforce needs against available skills. We are presently collecting existing employee data, termination reports, exit interview data, and recruitment data to evaluate our current resources (supply analysis). The data will assist us in determining the workforce demographics (gender, ethnic, disabled, full/part time, etc.), expected attrition through retirements, job markets attractive to employees, skill gaps, education levels, and so on. The next phase is to

evaluate the future needs of the organization (demand analysis).

We have also initiated a workforce planning team. The HR Officer has been identified as team leader and has assembled a team that will be in operation in late January 2006.

ACTIONS TAKEN ON THE AUGUST 2004 NAPA REPORT RECOMMENDATIONS

21. The Secretary, in conjunction with the Director of the National Park Service and the Chief of the U.S. Park Police, should clarify the mission and responsibilities of the Park Police. (*italicized language modified Recommendation 1*)

Dec. 2004 Status Report:

See response to Item 1. The italicized language reflects a NAPA finding that there was apparent confusion regarding who should have primary responsibility to clarify the USPP mission. This revised recommendation embodies NAPA's view that "significant change can only succeed with committed and effective leadership from all three key agencies involved -- DOI, NPS and USPP" and that "all three agencies [must] continue be fully engaged in setting priorities." (pp. 24-25) We fully concur, and the "mission review" process clearly reflected that commitment.

Jan. 2006 Status Report: Implemented.

22. Park superintendents and Park Police district commanders in the National Capital Region and the GGNRA should jointly develop law enforcement needs assessments for their parks that identify their law enforcement, protection, and security needs.

Dec. 2004 Status Report:

NAPA highlighted the law enforcement assessment produced jointly by the park superintendents and USPP officials in New York, noting that it should serve as a model for the National Capital Region and Golden Gate National Recreation Area (GGNRA). The New York assessment was provided to officials in those two areas to facilitate similar joint assessments. USPP and NPS officials in San Francisco conducted such an assessment in October 2004 and produced a "Golden Gate Park Protection and Response Plan" that is currently under review. Communications between USPP and senior NPS officials in the National Capital Region have improved considerably over the last several months. See response to Item 8.

Jan. 2006 Status Report. Implemented. The USPP and Park Superintendents in the National Capital Region have had discussions and are conducting ongoing assessments in the WMA. For example, the Force and the National Mall and Monument Parks have had extensive discussion regarding staffing, the proper mix of staffing, technological advances appropriate for the downtown Icons, and other issues. These discussions led to a formal written proposal on improvement to the security on the National Mall. Although this is an ongoing process, all preliminary reviews have been conducted. Both the NYFO and the SFFO have collaborated on a Park Protection and Response Plan for

their respective sites with their park counterparts. These plans are living documents. As a result of this and increased participation in park and partnership meetings United States Park Police managers are well tuned to the law enforcement and security needs of their areas of responsibility and are able to readily adjust to meet the demands of the park.

23. Interior and NPS should adopt the following six criteria for setting priorities for current Park Police law enforcement functions and activities: (i) benefits expected; (ii) uniqueness of function to NPS; (iii) principal beneficiaries and relationship to NPS mission; (iv) cost effectiveness; (v) comparative advantage of alternative providers; and (vi) collateral benefits. Interior, NPS, and Park Police officials should rank the priority-setting criteria using a standard and transparent technique.

Dec. 2004 Status Report:

We agree that the NAPA methodology provides an excellent framework for setting priorities, and we have used it to complete our mission review. USPP has also included the NAPA criteria in its strategic planning process.

Jan. 2006 Status Report. Implemented. The USPP, NPS and DOI, utilized the methodology provided by NAPA to rank and prioritize all functions within the Force. This allowed the Force to eliminate those functions less critical to complete our primary mission. The information was used in preparing the FY 07 budget request.

24. The Secretary and the NPS Director, in conjunction with the Park Police Chief, should develop a rank order of current Park Police functions using the priority setting criteria identified above.

Dec. 2004 Status Report:

We applied the methodology to the full range of USPP functions B including all functions identified by NAPA and numerous others -- and ranked them as "highest," "medium" or "lower" priority. USPP will also rank its functions as part of its strategic planning process, with approval by NPS. It should also be emphasized that certain priorities are already established through the Departmental budget development process.

For fiscal years 2005 and 2006, the Department established cross-cutting law enforcement and security priorities B with icon protection as the highest priority B and directed NPS and USPP to reflect those priorities in their budget requests.

Jan. 2006 Status Report. Implemented. The USPP, in consultation with NPS and DOI, utilized the methodology provided by NAPA to rank and prioritize all functions within the Force. This allowed the Force to eliminate those functions not necessary to complete our primary mission. The DOI established cross-cutting LE and security priorities with Icon protection as the highest priority and directed USPP and NPS to reflect those priorities in their fiscal year 2007 budget requests.

25. Park Police components, in conjunction with the superintendents of the parks they serve, should develop and submit their budgets to the Park Police Chief. In

turn, the Chief should submit a unified budget proposal to the NPS Director.
(same as Recommendation 8)

Dec. 2004 Status Report:

See response to Item 8.

Jan. 2006 Status Report. Implemented. All USPP Commanders have worked closely with superintendents to discuss budget issues. This information has been incorporated into the Commanders budget proposals.

26. Park Police should expeditiously complete its search for and hire a career Chief Financial Officer with the requisite background and skills in the federal budgetary process.

Dec. 2004 Status Report:

After a thorough search that produced several excellent candidates, USPP hired a Chief Financial Officer in October 2004.

Jan. 2006 Status Report. Implemented. USPP hired a CFO in October 2004.

27. Park Police, in conjunction with the NPS and within its current appropriation account structure, should develop a unified, integrated, and comprehensive Park Police budget. It should include estimates for all costs, both operating and construction or rehabilitation, and funding from all sources. (same as Recommendation 7).

Dec. 2004 Status Report:

See response to Item 7.

Jan. 2006 Status Report: Implemented. USPP has prepared a comprehensive six year financial history and projected spending for each USPP function, to include all appropriations, projected reimbursables, and projected emergency law and order funds. The USPP has worked closely with the NPS and DOI budget offices. The fiscal year 2007 budget process was a collaborative effort between the USPP, NPS, OLES and DOI budget staff.

28. The Department of the Interior, NPS, Park Police, and Office of Management and Budget appropriators should review the current ceilings or other restrictions on NPS transfers to Park Police for specific, unplanned security needs, and periodically revise them to reflect changing costs for personnel, overtime, and other special equipment.

Dec. 2004 Status Report:

USPP and NPS are gathering information to address this issue. The Departmental Budget Office has requested tables showing (1) transfers from the NPS ONPS account (limited to \$10,000 per special event) from 2002 to 2004, showing the amount of transfer and the actual or estimated costs associated with each event; and (2) emergency law and order transfers from the NPS ONPS account (limited to \$250,000 per

event) for the same period; and (3) examples of requests for USPP assistance that could not be honored due to reimbursement limits.

Jan. 2006 Status Report. Significant progress.

The USPP and the WASO budget office have evaluated the issue and will be proposing the following change to the legislation:

Provided, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$10,000 per event, or upon the review and concurrence of the NPS Comptroller, Washington headquarters office that use of the USPP is appropriate, cost effective, in the interest of the government, and for a park (area) not normally patrolled by the USPP unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$50,000 per event.

29. Park Police should send some recruits to the Federal Law Enforcement Training Center with other organizations FLETC recruit classes, so that it can bring on smaller numbers of officers at one time rather than waiting for a full class.

Dec. 2004 Status Report:

See response to Item 16.

Jan. 2006 Status Report. Implemented. In August 2005, USPP recruits began participating in the Land Management Police Training Program (LMPT)-- the Department of Interior's core law enforcement basic police training program. Each class generally consists of 24 recruits, and USPP are initially allotted up to 12 slots. This start-up program allows the USPP to hire (and train) in smaller numbers. Fifteen recruits recently graduated from the August 2005 LMPT, and another 12 recruits began the LMPT November 7, 2005.

30. Park Police should reevaluate the number of higher-ranked officers. In cases, intense sergeant-to-private supervision levels may be needed. In others, there can be a broader span of control.

Dec. 2004 Status Report:

See response to Item 17.

Jan. 2006 Status Report. Implemented. In the August 2004 report NAPA pointed out several issues with its previous recommendation, (1) if the guard positions were included in the ratio the supervisor subordinate ratio would be much lower [Note: civilian employees were also not included in the initial analysis and would lower the supervisor/subordinate ratio even further], (2) a number of employees above the private

level hold administrative, but not supervisory positions, and most critically (3) "To date, most law enforcement organizations Academy staff contacted have not shared sufficiently detailed staffing information to permit comparisons of ratios. The exception is MPD, which has an overall ratio of privates (whom it calls officers) to sworn staff above that level of 2.4:1—similar to USPP." The USPP has fully followed the intent of the NAPA recommendation, and continues to do so in that it requires an analysis and proper justification prior to filling any supervisory position.

31. Park Police should: (i) use a mix of staff rather than all sworn officers, for particular services, such as parking enforcement and other functions that do not require sworn officer expertise; (ii) reinstate the use of auxiliary staff for non-law enforcement duties, such as parking direction at the Wolf Trap entertainment venue, and use volunteers as appropriate; (iii) use guards whenever possible for fixed posts, especially for monuments other than Icons, freeing officers for more mobile patrols; (iv) redeploy the remaining Park Police captains currently in regional law enforcement specialist positions as soon as practical, and use them for the highest unmet priority needs.

Dec. 2004 Status Report:

USPP is analyzing all positions to identify those that do not require sworn officer expertise, and has converted several from officer to civilian. It is exploring the feasibility of turning over parking enforcement duties to non-sworn personnel and also evaluating the use of guard force members to perform some of the non-patrol and administrative functions currently assigned to patrol officers. USPP has re-written the position descriptions for guards, providing for a two-step (5-6) series to allow for expansion of security duties that should free up sworn officers to perform other duties.

USPP has begun using an auxiliary staff, using STEP employees for certain duties at Wolf Trap and is currently in the process of hiring 10-15 auxiliary staff for the summer. USPP is also evaluating the feasibility of utilizing other employees, such as interns and Youth Conservation Corps students, to perform certain functions.

USPP sworn officers will continue to respond to criminal incidents occurring at Wolf Trap. In addition, officers may patrol certain shows depending on whether they have been associated with prior criminal activity.

See responses to Items 18 and 19 regarding the increased use of security guards for icon protection.

Most of the USPP captain positions previously assigned to the NPS regions have been discontinued. NPS has also reevaluated and restructured the Regional Law Enforcement Specialist program. Although USPP officers may compete for the positions in those regions where USPP currently has a presence (Northeast, Pacific West, and National Capital Regions), the positions will be budgeted through the NPS regional offices.

Jan. 2006 Status Report. Partially Implemented. USPP has reinstituted the use of an auxiliary staff for certain duties and have assigned them at Wolf Trap, WW II Memorial, FDR and other sites. The Force has also increased our use of STEP employees. We have, however, faced unexpected difficulties retaining employees in auxiliary staff

positions, and are attempting to make adjustments to recruit and retain employees in the program. Additionally, the Force has begun utilizing a mix of civilian and contract guards to perform those protective duties where a sworn LE officer is not required.

The United States Park Police is one law enforcement component of the NPS. In the early 1970's the Director of the NPS testified to Congress that United States Park Police advisors would be sent to NPS regional offices to help professionalize the overall law enforcement services of the Bureau. Throughout the years the services provided by these advisors have (a) proven to be beneficial in terms of developing future United States Park Police executives and officials and (b) assisted in establishing a progressive approach in dealing with the Bureau's entire law enforcement program thereby helping the NPS meet ever changing challenges. For many years Regional Directors, who are ultimately accountable for their region's law enforcement program, have had the authority to request the United States Park Police provide RLES representation. Upon review we feel the current interaction in the RLES program, when requested by the Regional Director, is a good business practice for the United States Park Police and the NPS. This program supports a team philosophy and promotes the seamless interaction of law enforcement services within the NPS. As a result the NPS law enforcement program is able to respond to the needs of the NPS in the most effective and efficient manner.

32. Interior's budget should reimburse Park Police for providing protection to the Secretary if Park Police retains this responsibility.

Dec. 2004 Status Report:

We have concluded that USPP should retain this function but that funding should be provided from a Departmental account. We are actively exploring options to accomplish this.

Jan. 2006 Status Report. The USPP, NPS and DOI have discussed the best approach to ensure USPP receives full reimbursement.

33. Interior, NPS, and Park Police should align the training resources of the organization with the priorities determined through their joint decision-making. Park Police should develop or contract for management development training for senior officers so that they are fully prepared to manage within the federal system.

Dec. 2004 Status Report:

We are committed to fully implementing this recommendation. The upcoming FLETC review of the USPP and NPS Ranger training programs presents an excellent opportunity to align training resources with newly-refined priorities. The FLETC program addresses only a portion of the USPP training program. There are many other training opportunities made available to USPP personnel through both NPS and DOI, and USPP will ensure all appropriate personnel are made aware of these opportunities through media such as the weekly bulletin and monthly newsletter.

Training and development priorities also have been set forth in the draft Strategic Plan. USPP is presently reviewing existing bureau, Department and OPM management development training programs for possible incorporation, as this may be more cost-

effective. A final proposal will be developed by the USPP Human Resources Office, and submitted to the Chief for consideration (February 2005).

Jan. 2006 Status Report. Implemented. USPP has implemented the new training curriculum at FLETC. USPP personnel receive updates on training opportunities made available through the NPS and DOI via e-mails and posting in the Force's Weekly Bulletin. Training and development priorities also have been set forth in the USPP Strategic Plan. USPP has reviewed existing training programs throughout the Department for possible incorporation. USPP has made in-house supervisory training mandatory for each supervisor (200 hours, 40 hours classroom and 160 hours on street training) which is in addition to the mandatory 40 hour OPM training. The first in a series of Management Training occurred in the second week of December, 2005, with follow-up training scheduled for January, 2006.

34. Park Police should undertake a thorough staffing needs assessment based on a clarified Park Police mission and jointly established priorities for Park Police functions. It should examine the balance among patrol activities, specialized units, and administrative assignments.

Dec. 2004 Status Report:

See response to Item 15.

Jan. 2006 Status Report. Implemented.



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

FEB 23 2007

L58 (0120)

The Honorable Benjamin L. Cardin
United States Senate
Washington, D.C. 20510

Dear Senator Cardin:

This letter is in response to your request of January 8, 2007, seeking technical assistance on S. 959, the Star-Spangled Banner and War of 1812 Bicentennial Commission Act, as passed by the Senate during the 109th Congress.

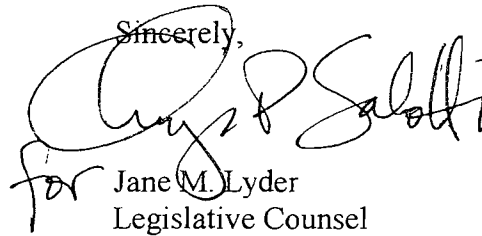
You requested that we provide specific amendments to address the Administration's concerns about S. 959 that were expressed in a June 15, 2006, letter from the Department of the Interior to the Honorable Thomas M. Davis III, Chairman, House Committee on Government Reform. The Administration outlined a number of concerns about S. 959 and offered to work with the Congress to improve the bill to resolve these issues so the Administration could support the bill in the future.

The Administration's primary concern is the size of the proposed 40-member Commission and the inefficiencies and burdens that would result from such a large Commission. In addition, we have concerns about potential constitutional problems with the Appointments Clause in how Commission members would be appointed. Further, the status of Commission members, advisory committee members, Commission staff, experts and consultants employed by the Commission, volunteers, and employees detailed to the Commission from State governments with regard to Federal employment and for the purposes of ethics laws also needs clarification.

Attached to this letter is a set of proposed amendments to S. 959, which will resolve all the Administration's concerns with the bill, except for our concerns about the status of volunteers under Federal law. The Administration is still working on recommended language for the volunteer provision in section 7 [in brackets and italicized] and will transmit this language in the future. We look forward to working with you and other members of Congress on drafting a bill that the Administration can support during the 110th Congress.

The Office of Management and Budget advises that there is no objection to the presentation of this letter from the standpoint of the Administration's program.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane M. Lyder". The signature is written in a cursive, flowing style. To the left of the signature, the word "for" is written in a similar cursive script.

Jane M. Lyder
Legislative Counsel
Office of Congressional
and Legislative Affairs

Enclosure

S. 959, as passed by the Senate during the 109th Congress, showing in bold our recommended amendments.

S 959 ES

109th CONGRESS
1st Session
S. 959

AN ACT

To establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Star-Spangled Banner and War of 1812 Bicentennial Commission Act'.

SEC. 2. FINDINGS AND PURPOSE.

(a) Findings- Congress finds that--

- (1) the War of 1812 served as a crucial test for the United States Constitution and the newly established democratic Government;
- (2) vast regions of the new multi-party democracy, including the Chesapeake Bay, the Gulf of Mexico and the Niagara Frontier, were affected by the War of 1812 including the States of Alabama, Connecticut, Delaware, Florida, Georgia, Iowa, Illinois, Indiana, Kentucky, Louisiana, Massachusetts, Maryland, Maine, Michigan, Missouri, Mississippi, New Jersey, North Carolina, New Hampshire, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, Wisconsin, and West Virginia;
- (3) the British occupation of American territory along the Great Lakes had a far-reaching effect on American society;
- (4) at the Battle of Baltimore, Francis Scott Key wrote the poem that celebrated the flag and later was titled 'the Star-Spangled Banner';

(5) the poem led to the establishment of the flag as an American icon and became the words of the national anthem of the United States in 1932; and
(6) it is in the national interest to provide for appropriate commemorative activities to maximize public understanding of the meaning of the War of 1812 in the history of the United States.

(b) Purposes- The purposes of this Act are to--

- (1) establish the Star-Spangled Banner and War of 1812 Commemoration Commission;
- (2) ensure a suitable national observance of the War of 1812 by complementing, cooperating with, and providing assistance to the programs and activities of the various States involved in the commemoration;
- (3) encourage War of 1812 observances that provide an excellent visitor experience and beneficial interaction between visitors and the natural and cultural resources of the various War of 1812 sites;
- (4) facilitate international involvement in the War of 1812 observances;
- (5) support and facilitate marketing efforts for a commemorative coin, stamp, and related activities for the War of 1812 observances; and
- (6) promote the protection of War of 1812 resources and assist in the appropriate development of heritage tourism and economic benefits to the United States.

SEC. 3. DEFINITIONS.

In this Act:

- (1) COMMEMORATION- The term `commemoration' means the commemoration of the War of 1812.
- (2) COMMISSION- The term `Commission' means the Star-Spangled Banner and War of 1812 Bicentennial Commission established in section 4(a).
- (3) QUALIFIED CITIZEN- The term `qualified citizen' means a citizen of the United States with an interest in, support for, and expertise appropriate to the commemoration.
- (4) SECRETARY- The term `Secretary' means the Secretary of the Interior.
- (5) STATES- The term `States'--

~~(A) means the States of Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana,~~

~~Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and Wisconsin; and~~

(A) means the States of Alabama, Delaware, Indiana, Louisiana, Maryland, Virginia, New York, Maine, Michigan, and Ohio; and

(B) includes agencies and entities of each State.

SEC. 4. STAR-SPANGLED BANNER AND WAR OF 1812 COMMEMORATION COMMISSION.

(a) In General- There is established a commission to be known as the 'Star-Spangled Banner and War of 1812 Bicentennial Commission'.

(b) Membership-

(1) IN GENERAL- The Commission shall be composed of **42** 21 members, of whom--

(A) ~~28~~ 3 members shall be qualified citizens appointed by the Secretary after consideration of nominations submitted by the Governors of ~~the States~~ Maryland, Louisiana and Virginia;

(B) 3 members shall be qualified citizens appointed by the Secretary after consideration of nominations submitted by the Governors of Alabama, Delaware, Indiana, New York, Maine, Michigan and Ohio;"

(~~BC~~) 3 members shall be qualified citizens appointed by the Secretary after consideration of nominations submitted by the Mayors of the District of Columbia, the City of Baltimore, and the City of New Orleans;

(~~C-D~~) 2 members shall be employees of the National Park Service, of whom--

(i) 1 shall be the Director of the National Park Service (or a designee); and

(ii) 1 shall be an employee of the National Park Service having experience relevant to the commemoration;

~~(D) 8 members shall be qualified citizens appointed by the Secretary, of whom--~~

~~(i) 2 shall be recommended by the majority leader of the Senate;~~

~~(ii) 2 shall be recommended by the minority leader of the Senate;~~
~~(iii) 2 shall be recommended by the majority leader of the House of Representatives; and~~
~~(iv) 2 shall be recommended by the minority leader of the House of Representatives; and~~

(E) 8 members shall be qualified citizens appointed by the Secretary with consideration of recommendations—

(i) 2 of which are submitted by the majority leader of the Senate;

(ii) 2 of which are submitted by the minority leader of the Senate;

(iii) 2 of which are submitted by the majority leader of the House of Representatives;

(iv) 2 of which are submitted by the minority leader of the House of Representatives; and

~~(E F) 12~~ members shall be appointed by the Secretary from among individuals with expertise in the history of the War of 1812.

(2) DATE OF APPOINTMENTS- The appointment of a member of the Commission shall be made not later than 120 days after the date of enactment of this Act.

(c) Term; Vacancies-

(1) TERM- A member shall be appointed for the life of the Commission.

(2) VACANCIES- A vacancy on the Commission--

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment was made.

(d) Voting-

(1) IN GENERAL- The Commission shall act only on an affirmative vote of a majority of the members of the Commission.

(2) QUORUM- A majority of the members of the Commission shall constitute a quorum.

(e) Chairperson and Vice Chairperson-

(1) SELECTION- The Commission shall select a chairperson and a vice chairperson from among the members of the Commission.

(2) ABSENCE OF CHAIRPERSON- The vice chairperson shall act as chairperson in the absence of the chairperson.

(f) Initial Meeting- Not later than 60 days after the date on which all members of the Commission have been appointed and funds have been provided, the Commission shall hold the initial meeting of the Commission.

(g) Meetings- Not less than twice a year, the Commission shall meet at the call of the chairperson or a majority of the members of the Commission.

(h) REMOVAL.—Any member who fails to attend three successive meetings of the Commission or who otherwise fails to participate substantively in the work of the Commission may be removed by the Secretary and the vacancy shall be filled in the same manner as the original appointment was made. Members serve at the discretion of the Secretary.

SEC. 5. DUTIES.

(a) In General- The Commission shall--

(1) plan, encourage, develop, execute, and coordinate programs, observances, and activities commemorating the historic events that preceded and are associated with the War of 1812;

(2) facilitate the commemoration throughout the United States and internationally;

(3) coordinate the activities of the Commission with State commemoration commissions, the National Park Service, the Department of Defense, and other appropriate Federal agencies;

(4) encourage civic, patriotic, historical, educational, religious, economic, tourism, and other organizations throughout the United States to organize and participate in the commemoration to expand the understanding and appreciation of the significance of the War of 1812;

(5) provide technical assistance to States, localities, units of the National Park System and nonprofit organizations to further the commemoration and commemorative events;

(6) coordinate and facilitate scholarly research on, publication about, and interpretation of the people and events associated with the War of 1812;

(7) design, develop, and provide for the maintenance of an exhibit that will travel throughout the United States during the commemoration period to interpret events of the War of 1812 for the educational benefit of the citizens of the United States;

(8) ensure that War of 1812 commemorations provide a lasting legacy and long-term public benefit leading to

protection of the natural and cultural resources associated with the War of 1812; and

(9) examine and review essential facilities and infrastructure at War of 1812 sites and ~~enable necessary~~ **identify possible improvements that could be made** to enhance and maximize visitor experience at the sites.

(b) Strategic Plan; Annual Performance Plans- The Commission shall prepare a strategic plan and annual performance plans for any activity carried out by the Commission under this Act.

(c) Reports-

(1) ANNUAL REPORT- The Commission shall submit to Congress an annual report that contains a list of each gift, bequest, or devise to the Commission with a value of more than \$250, together with the identity of the donor of each gift, bequest, or devise.

(2) FINAL REPORT- Not later than September 30, 2015, the Commission shall submit to the Secretary and Congress a final report that includes--

(A) a summary of the activities of the Commission;

(B) a final accounting of any funds received or expended by the Commission; and

(C) the final disposition of any historically significant items acquired by the Commission and other properties not previously reported.

SEC. 6. POWERS.

(a) In General- The Commission may--

(1) solicit, accept, use, and dispose of gifts or donations of money, services, and real and personal property related to the commemoration **in accordance with Department of the Interior and National Park Service written standards for accepting gifts from outside sources;**

(2) appoint such advisory committees as the Commission determines to be necessary to carry out this Act;

(3) authorize any member or employee of the Commission to take any action the Commission is authorized to take under this Act;

(4) use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government; and

(5) make grants to communities, nonprofit, commemorative commissions or organizations, and research and scholarly organizations to develop programs

and products to assist in researching, publishing, marketing, and distributing information relating to the commemoration.

(b) Legal Agreements-

(1) IN GENERAL- In carrying out this Act, the Commission may--

- (A) procure supplies, services, and property; and
- (B) make or enter into contracts, leases, or other legal agreements.

(2) LENGTH- Any contract, lease, or other legal agreement made or entered into by the Commission shall not extend beyond the date of termination of the Commission.

(c) Information From Federal Agencies-

(1) IN GENERAL- The Commission may secure directly from a Federal agency such information as the Commission considers necessary to carry out this Act.

(2) PROVISION OF INFORMATION- On request of the Chairperson of the Commission, the head of the agency shall provide the information to the Commission in accordance with applicable laws.

(d) The Federal Advisory Committee Act (5 U.S.C. App.)-

(1) The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(2) The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to advisory committees established under subsection (a)(2).

(e) No Effect on Authority- Nothing in this Act supersedes the authority of the States or the National Park Service concerning the commemoration.

SEC. 7. PERSONNEL MATTERS.

(a) Members of the Commission-

(1) IN GENERAL- Except as provided in **subsection (c)(1)(A)**, a member of the Commission shall serve without compensation.

(2) TRAVEL EXPENSES- A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of

business of the member in the performance of the duties of the Commission.

(3) STATUS-A member of the Commission, who is not otherwise a Federal employee, shall be considered a Federal employee only for purposes of the provisions of law related to ethics, conflicts of interest, corruption, and any other criminal or civil statute or regulation governing the conduct of Federal employees..

(b) Executive Director and other Staff-

(1) IN GENERAL- The Chairperson of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and termination of employees (including regulations), appoint and terminate an executive director, **subject to confirmation by the Commission**, and appoint and terminate such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) STATUS- The Executive Director and other staff appointed under this subsection shall be considered Federal employees under section 2105 of title 5, United States Code, notwithstanding the requirements of such section.

(3) CONFIRMATION OF EXECUTIVE DIRECTOR- The employment of an executive director shall be subject to confirmation by the Commission.

(4) COMPENSATION-

(A) IN GENERAL- Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) MAXIMUM RATE OF PAY- The rate of basic pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) Government Employees-

(1) FEDERAL EMPLOYEES-

(A) **SERVICE ON COMMISSION**-A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(B) **DETAIL.**- At the request of the Commission, the head of any Federal agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(C) **CIVIL SERVICE STATUS**-Notwithstanding any other provisions in this section, Federal employees who serve on the Commission, are detailed to the Commission, or otherwise provide services under the Act, shall continue to be Federal employees for the purpose of any law specific to Federal employees, without interruption or loss of civil service status or privilege.

(2) STATE EMPLOYEES- The Commission may--

(A) accept the services of personnel detailed from States (including subdivisions of States) **under subchapter VI of chapter 33 of title 5, United States, Code**; and

(B) reimburse States for services of detailed personnel.

(d) **MEMBERS OF ADVISORY COMMITTEES.-**

(1) **Members of advisory committees appointed under section 6(a)(2) shall not be considered employees of the Federal Government by reason of service on the committees for the purpose of any law specific to Federal employees, except for the purposes of chapter 11 of title 18, United States Code, relating to conflicts of interest.**

(2) **Members of advisory committees appointed under section 6(a)(2) may be paid travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of**

business of the member in the performance of the duties of the committee.

(e) *[VOLUNTEER AND UNCOMPENSATED SERVICES- Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use such voluntary and uncompensated services as the Commission determines necessary.]*

(4f f) **SUPPORT SERVICES-** The Director of the National Park Service shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(d g) **Procurement of Temporary and Intermittent Services-** The Chairperson of the Commission may **employ experts and consultants on a temporary or intermittent basis** in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title. **Such personnel shall be considered Federal employees under section 2105 of title 5, United States Code, notwithstanding the requirements of such section.**

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(1) IN GENERAL- There are authorized to be appropriated to carry out this Act such sums as are necessary for each of fiscal years **2006 2008** through 2015.

(2) AVAILABILITY OF FUNDS- Amounts appropriated under this section for any fiscal year shall remain available until December 31, 2015.

SEC. 9. TERMINATION OF COMMISSION.

(a) In General- The Commission shall terminate on December 31, 2015.

(b) Transfer of Materials- Not later than the date of termination, the Commission shall transfer any documents, materials, books, manuscripts, miscellaneous printed matter, memorabilia, relics, and exhibits, and any materials donated to the Commission, that relate to the War of 1812, to Fort McHenry National Monument and Historic Shrine.

(c) Disposition of Funds- Any funds held by the Commission on the date of termination shall be deposited in the general fund of the Treasury.



Office of the Director

United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

MAR 26 2007

Honorable Jeff Bingaman
Chairman, Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Pursuant to 16 U.S.C. § 1a-3 (Act of October 7, 1976, § 2, 90 Stat. 1939), this is to notify you that it is the intention of the Secretary of the Interior to relinquish to the State of California a part of the legislative jurisdiction of the United States over certain lands within Golden Gate National Recreation Area.

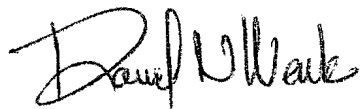
The National Park Service proposes to retrocede to the State of California part of the legislative jurisdiction and provide for concurrent legislative jurisdiction over certain lands and waters within the Recreation Area where the United States now exercises exclusive legislative jurisdiction pursuant to 40 U.S.C. § 255. These lands and waters were formerly military bases held by the Department of the Army and were directly transferred to Golden Gate NRA when it was established by the Act of October 27, 1972. Further, the National Park Service proposes to seek a cession of concurrent legislative jurisdiction from the State of California, over all the other lands and water administered by the Park Service within the Recreation Area over which the United States presently only holds a proprietary interest. As a result, the United States would then exercise concurrent legislative jurisdiction over all of the Recreation Area's lands and waters.


Specifically, there are five areas within the Recreation Area where the United States currently has exclusive jurisdiction, and which are proposed for relinquishment to concurrent legislative jurisdiction. See the enclosed Recreation Area Boundary Map.

The National Park Service believes that the proposed retrocession and cession comport with 16 U.S.C. § 1a-3, which directs the Secretary of the Interior to "diligently pursue the consummation of such arrangements with each State...to the end that insofar as practicable the United States shall exercise concurrent legislative jurisdiction within units of the National Park System." In that regard, the National Park Service will strengthen the legal tools available and enhance its ability to accomplish its statutory mission, including protection for park visitors and resources. The relinquishment and acceptance of legislative jurisdiction will proceed in accordance with the statutory process established by the State of California.

An identical letter is being sent to the Honorable Nick J. Rahall II, Chairman, Committee on Natural Resources, U.S. Representatives.

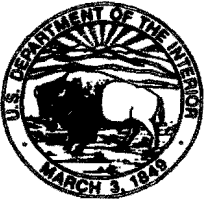
Sincerely,

A handwritten signature in black ink, appearing to read "Mary A. Bomar". The signature is fluid and cursive, with the first name "Mary" being more prominent.

 Mary A. Bomar
Director

Enclosure

cc: Honorable Pete Domenici, Ranking Member



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

APR 11 2007

L58 (0120)

Honorable Lois Capps
United States House of Representatives
Washington, DC 20515

Dear Congresswoman Capps:

During the FY 2008 National Park Service budget oversight hearing before the Subcommittee on National Parks, Forests, and Public Lands on March 1, 2007, you asked the Park Service to provide the Department of the Interior's interpretation of section 1077(c) of Public Law No. 109-364. Enclosed please find a copy of the information provided to me by the Department.

Thank you for this opportunity to clarify the Department's position. If I can be of further assistance, please let me know. I look forward to working with you on issues which come before the Natural Resources Committee.

Sincerely,

Mary A. Bomar
Director

Enclosures

Issue: Channel Islands National Park
Interpretation of Section 1077(c) of P.L. 109-364

Date: March 30, 2007

As finally adopted the relevant portion of the act reads as follows:

RECREATIONAL ACTIVITIES ON SANTA ROSA ISLAND.—The Secretary of the Interior shall immediately cease the plan, approved in the settlement agreement for case number 96-7412 WJR and case number 97-4098 WJR, to exterminate the deer and elk on Santa Rosa Island, Channel Islands, California, by helicopter and shall not exterminate or nearly exterminate the deer and elk.

The conference report that accompanies the legislation states that the provision would:

...require the Secretary of the Interior to cease the plan to exterminate deer and elk on Santa Rosa Island, California by helicopter, and prohibit the Secretary of the Interior from exterminating or nearly exterminating the deer and elk on the island. H.R. Conf. Rep. No. 109-702, at 820 (2006).

At the time this provision was approved by the House of Representatives last May, the Department expressed its views in the enclosed letter sent to the chairmen and ranking members of the House and Senate Armed Services Committees.

In light of recent inquiries, the Department has reexamined the language as it appears in the final Public Law. The Department understands the expressed intent of Congress in adopting the language in the Act and the accompanying report language is to preclude the Department from participating in any plan approved in the settlement agreement to the extent that any such plan is designed to exterminate¹ the island's deer and elk by helicopter. It further prohibits the Department from otherwise "exterminating or nearly exterminating the deer and elk on the island." The provision therefore also prohibits the Department from destroying all or nearly all of the deer and elk on the island by other means.

While the Department understands the prohibition, no plan to exterminate the deer and elk on the island has been presented to the Department or been internally generated. The settlement agreement, however, does address the removal of deer and elk. It also makes reference to the potential use of helicopters in removing the ungulate population, so it is important to assess the underlying agreement approved by the court, to more fully understand the relation between the legislative language and the situation on the island.

The court-ordered settlement agreement states that the elk and deer on Santa Rosa Island are not public property, but are instead private personal property. The agreement states

¹ According to *The American Heritage Dictionary* (Second College Edition, 1982), "exterminate" means "to get rid of by destroying completely."

that Alexander Lennox Vail, Nathan Russell Vail, Margaret Vail Woolley, and the Vickers Company, Ltd. (collectively "V&V") are responsible for removing their personal property ("including ungulates") from the island by the termination of a final special use permit or by December 31, 2011, whichever is sooner. The relevant provision of the settlement agreement reads:

In the last year that V&V will have elk or deer on [the island], V&V will remove the remaining deer and elk to the greatest extent feasible. Provided that V&V meets all deer and elk reduction requirements in every year prior to 2011, and provided that the remaining deer and elk in 2011 become extraordinarily difficult to remove despite the diligent efforts of removal by V&V, [the National Park Service] will equally share the "unusual costs" of the removal of those deer and elk. "Unusual costs" is defined as the cost of trained professionals and helicopters.

Under the settlement agreement, the obligation to remove the elk and deer from the island is the responsibility of the private parties, V&V. The role of the Department is limited and does not arise until the final year that the private parties have elk or deer on the island. At that time, the role is a potential cost-sharing arrangement targeted at the removal of the animals rather than their "extermination" per se.

Consequently, the principal effect of Section 1077(c) appears to be, to prohibit the Department from sharing in the costs of any plan to remove the ungulates if such a plan uses helicopters to exterminate the elk and deer. The language of the act also prohibits the Department from using other methods to destroy the deer and elk. In any case, the ongoing obligation of V&V under the court-approved agreement, to remove the deer and elk from the island at the end of the term, is not affected by section 1077(c).



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

APR 11 2007

L58 (0120)

Honorable Don Young
United States House of Representatives
Washington, DC 20515

Dear Congressman Young:

During the FY 2008 National Park Service budget oversight hearing before the Subcommittee on National Parks, Forests, and Public Lands on March 1, 2007, you asked the Park Service to provide the Department of the Interior's interpretation of section 1077(c) of Public Law No. 109-364. Enclosed please find a copy of the information provided to me by the Department.

Thank you for this opportunity to clarify the Department's position. If I can be of further assistance, please let me know. I look forward to working with you on issues which come before the Natural Resources Committee.

Sincerely,

Mary A. Bomar
Director

Enclosures

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United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

MAY 23 2007



Honorable Raul Grijalva
Chairman, Subcommittee on National Parks
Forests, and Public Lands
Committee on Natural Resources
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed are the responses to the follow-up questions from the oversight hearing on the FY 2008 budget request held by the Subcommittee on National Parks, Forests, and Public Lands on March 1, 2007. Also enclosed is additional information in response to questions asked during the hearing. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Jane M. Lyder
Legislative Counsel

Enclosure

cc: The Honorable Rob Bishop
Ranking Minority Member

**Followup Written Questions
Subcommittee on National Parks, Forests, and Public Lands
Hearing on the FY 2008 Budget for the National Park Service
March 1, 2007**

Centennial Match

One component of the proposed “Centennial Initiative” is a \$100 million annual mandatory funding stream to match private donations dollar for dollar.

- Other than OMB, who assisted in crafting the legislative proposal? For example, have Friends Groups or the National Park Foundation had any input into this proposal? If so, please provide a summary of what comments or inputs they provided.

Response: The legislative proposal to establish the National Park Centennial Challenge Fund was drafted by employees of the Department of the Interior and the National Park Service. It was reviewed by the Office of Management and Budget, which sought comment from the U.S. Treasury. Prior to the development of the legislative proposal, Department officials discussed some of the ideas that led to the proposal with representatives from several organizations. Among the organizations consulted were the National Park Foundation, the National Parks Conservation Association, the National Governors Association, the American Recreation Coalition, the Outdoor Industry Association, and the Friends Alliance.

In your written testimony, you state that the “costs of this proposal are offset within the President’s Budget for the Department of the Interior, which includes specific proposals with sufficient net budget savings within this Committee’s jurisdiction.”

- Could you identify the specific proposals that you consider to provide this offset, and how much each proposal will generate?

Response: There are several mandatory proposals with savings in the President’s budget for FY 2008 that are under the jurisdiction of the Committee on Natural Resources. They are listed below with the estimated net amount of savings they would generate over the next 5 and 10 fiscal years. We are not asking Congress to use any of these proposals specifically to offset the Centennial Challenge proposal; we list these only to illustrate some options for offsets. (See Table S-5 on page 156 of the 2008 President’s Budget.)

Proposal	Net Savings 2008-2012	Net Savings 2008-2017
MMS Net Receipt Sharing <i>Deduct states' share of administrative costs of onshore mineral leasing program from their receipts</i>	\$227 million	\$447 million
Coal Bonuses <i>Require full payment of bonuses on all new coal leases at the time of lease sale, consistent with oil and gas leases</i>	\$426 million	
Federal Land Transaction Facilitation Act <i>Update BLM lands available for disposal and change the distribution of proceeds from those sales</i>	\$186 million	\$334 million
Arctic National Wildlife Refuge <i>Open Section 1002 of Coastal Plain to energy exploration and development</i>	\$4,010 million	\$4,025 million
BLM Range Improvements <i>Deposit grazing fee receipts in Treasury instead of Range Improvement Fund</i>	\$47 million	\$97 million
Energy Policy Act of 2005 <i>Repeal fee prohibitions and mandatory permit funds (Sections 224, 234, 344, 345, 365)</i>	\$184 million	\$309 million
Pick Sloan Missouri Basin Program <i>Recover capital costs from power users</i>	\$115 million	\$230 million

Centennial Challenge - Private Donations

The Subcommittee expects that nothing in the legislative proposal for the Centennial Challenge will impinge on or change the recently-signed Director's Order-21. This important NPS policy ensures appropriate parameters on NPS employees' role in fund raising, establishes criteria for accepting donations, and provides guidance on donor recognition.

- Will the legislative proposal meet this expectation?

Response: Yes. Section 6(d) of the proposed National Park Centennial Challenge Fund Act, as transmitted to Congress, states that "Nothing in this Act shall be construed as expanding any authority that exists on the date of its enactment with respect to the ability of the National Park Service and its employees to receive or solicit for donations." The National Park Service is committed to ensuring compliance with Director's Order #21 under the Centennial program and with respect to all other private donations to parks.

The proposed Centennial Match provides a government match to private donations of up to \$100 million per year. Presumably this match requires cash, not in-kind donations.

- What is the average total annual cash donation that the National Park Service currently receives? What percentage of those donations comes from individual parks, what percentage comes through the National Park Foundation, and what percentage comes through recognized Friends Groups?

Response: In the last 6 years (2001-2006), cash donations to the National Park Service have averaged about \$24.3 million. To specify the source of these funds would require an inordinate amount of time and effort. This is due to two factors: 1) donations are not accounted for centrally, but rather are captured at the park level, and 2) the donor is not entered into the accounting system. These factors would require someone at each park and region to manually go through thousands of deposit tickets each year to find the donor for each donation.

- How does the Service propose to increase these donations to \$100 million annually? Who will do this fundraising and how will this fundraising be undertaken?

Response: There has already been significant interest in the Centennial Challenge from the private sector. In March 2007, the National Park Service conducted over 40 public listening sessions covering all regions of the country and simultaneously offered the public the opportunity to comment about the future of their national parks on-line. In addition, park managers were asked to work with partner organizations to identify potential signature projects and programs as proposed in the President's Centennial Initiative. Support was overwhelming as nearly 2,000 potential projects were identified, nearly 500 of them with ready partners. In total, those partner-ready projects amounted to more than \$4 billion. While the Service needs to now further vet those projects for consistency with policy and alignment with the Centennial Initiative goals, it is clear that more than sufficient support exists to fully subscribe the \$100 million in annual match proposed as part of the Centennial Challenge. We will be relying upon our partners, including the National Park Foundation and our 140 Friends groups, to work with us in engaging the private sector.

Maintenance Backlog

The FY'08 Departmental budget highlights that, for the first time in its history, NPS has a full asset inventory. Presumably this information sheds some light on the current NPS maintenance backlog.

- What is the National Park Service's current estimation of the maintenance backlog?

Response: The NPS has completed both an inventory of park facilities and comprehensive condition assessments of those facilities. The NPS has far more extensive information about its assets than ever before and this information is useful in establishing priorities and maintaining an effective asset maintenance program.

Since the completion of the comprehensive condition assessments, about \$7.9 billion in deferred maintenance needs for total standard industry assets has been identified in a snapshot at the end of FY 2006. More than half of that amount -- about \$4.3 billion -- is for roads. This amount, however, does not constitute the “backlog”, since completing all of that maintenance would require NPS assets to be maintained in perfect condition regardless of priority. That would be neither practical nor desirable. Instead, the key questions are the amount of deferred maintenance between the current and acceptable levels for all assets, priority assets, and critical systems, as measured by the Facility Condition Index. We are currently working to determine acceptable FCI levels for each of these categories and for each asset type.

- Please provide the Subcommittee with a detailed summary of the system-wide FCI.

Response: A summary of both the deferred maintenance level and the Facility Condition Index for key asset types is contained in the attached chart. Please note that the FCI targets are *preliminary*.

NPS Asset Management Program

Fulfilling the mission through
proactive life-cycle asset management

Asset Portfolio Overview

Asset Type	Count	Current Replacement Value	Deferred Maintenance	Current Facility Condition Index	Critical Systems Deferred Maintenance	Target FCI
Buildings	15,466	\$ 8,921	\$ 1,323	0.19	\$ 528	0.11
Campgrounds	1,080	\$ 331	\$ 60	0.18	\$ 14	0.14
Housing	4,064	\$ 1,214	\$ 186	0.15	\$ 87	0.08
Trails	5,245	\$ 2,431	\$ 469	0.19	\$ 240	0.09
Wastewater Systems	1,650	\$ 885	\$ 173	0.20	\$ 92	0.09
Water Systems	1,400	\$ 1,995	\$ 311	0.16	\$ 130	0.09
Industry Standard Subtotal	28,905	\$ 13,776	\$ 2,522	0.18	\$ 1,091	0.10
Paved/Unpaved Roads	7,115	\$ 18,324	\$ 4,339	0.24		
All Other ¹	14,875	\$ 42,847	\$ 1,077	N/A		
Grand Total	50,895	\$ 74,948	\$ 7,938	N/A		

In millions of dollars; includes NPS occupied assets; Roads data from Federal Highways (pavement)

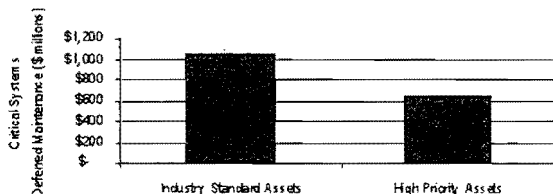
¹ All unique asset types, including monuments, fortifications, archaeological sites, etc.

*Current Replacement Value – Standard industry costs of the materials, supplies, and labor required to replace a facility

*Deferred Maintenance – The total cost to correct deficiencies resulting from unaccomplished past maintenance, repairs, and replacements.

*Facility Condition Index – Deferred Maintenance/Current Replacement Value.

An asset's systems that must be maintained in order for the asset to function effectively (ex. roof – building) can be targeted equaling to \$1 billion (critical systems deferred maintenance).



Focusing on *high priority assets* with critical systems deferred maintenance of \$645 million can help NPS show asset improvement on a sub-set of assets.

Outsourcing

- What is the status of any current or planned studies or competitions within NPS regarding outsourcing?

Response: In FY 2007, the National Park Service is conducting a streamlined competition of turf maintenance functions in the metropolitan areas of the National Capital Region, encompassing work performed by approximately 44 Government FTE positions. The NPS will also conduct a standard competition of human resources records management, position classification, compensation and payroll, and benefits functions. The scope encompasses work performed by approximately 122 Government FTE positions.

NPS also plans to begin preliminary planning for potential competitions in three areas, for which any actual competitions would begin in FY 2008:

- Information technology functions performed in the Washington Support Office encompassing work performed by approximately 56 Government FTE positions;
 - Guard functions within the U.S. Park Police in the Washington D.C. and New York City metropolitan areas encompassing work performed by approximately 26 Government FTE positions; and
 - Interpretive media design functions at Harpers Ferry Center encompassing work performed by approximately 103 Government employees.
- For each outsourcing study or competition, please provide a cost estimate that includes all direct and indirect costs associated with such study or competition.

Response: Since 2001, the NPS has conducted two competitions in accordance with OMB Circular A-76:

1. Natchez Trace Parkway maintenance - the total cost of this competition of 74 FTE positions was \$192,000 (\$1,350 per FTE), and the total savings over five years was \$1.103 million (\$221,000 per year). A recent audit of this competition by the DOI Inspector General suggests that savings were understated by over \$500,000 because more roadway is being maintained than before.
2. Southeast Archaeological Center - the total cost of this competition of 43 FTE positions was \$97,000 (\$2,256 per FTE), and the total savings over five years was \$4.2 million (\$840,000 per year).

OMB guidance for Congressional Reporting under Section 647(b) of the FY 2004 Consolidated Appropriations (P.L. 108-199) does not allow personnel time during a planning phase to be charged to the competitive sourcing costs (see excluded costs below) so we do not have figures for this portion of the work. This phase typically includes analysis of activities, grouping into business units, an assessment of workload data, baseline costs of the existing organization and a definition of requirements to do the work. As described below, the time required for this work can vary considerably by the

scope and size of the work to be analyzed. Analysis of a Service-wide function is considerably more time-consuming than an analysis of a function or functions within a park or program.

OMB guidance allows costs to be included as long as they are directly attributable and can be distinctly identified against effort spent on competitive sourcing. That includes:

- costs of consultants or contractors who participate in the conduct of reported competitions;
- costs of travel, training, or other incremental expenses directly attributable to the conduct of reported competitions; and
- incremental in-house staff costs incurred as part of conducting competitions (i.e., staff hired specifically to work on a particular competition or overtime costs, where overtime costs are tracked).

Excluded costs include:

- costs of in-house staff who spent time on the competition during regular working hours, such as developing the performance work statement, but were working before the competition commenced and continue to work; and
- costs of central program oversight of competitive sourcing (i.e., those resources that do not directly relate to a particular competition) such as competitive sourcing office staff or general training provided to employees that is not considered a part of the competition.

Hetch-Hetchy

The Administration is proposing to spend \$7 million on Hetch-Hetchy restoration studies in FY 2008. A recent story in the *San Francisco Chronicle* stated that “No one at the Department of the Interior or within the National Park Service or OMB could say who included the Hetch-Hetchy item in the spending plan or why.”

- Who included this proposal in the FY 2008 budget and why does the Administration feel it is important?

Response: The decision to include funding for a Hetch Hetchy study in the FY 2008 budget was made as part of the budget formulation.

The study could help fill in gaps in information that were identified by the State of California study completed in 2006. The State report indicates that there are major information gaps, and examination of the issues should engage Federal, State, local tribal and public entities. The proposed study would provide a preliminary analysis of issues pertaining to dam retention versus removal.

Law Enforcement

Since 9/11, new homeland security and border protection requirements have been mandated at National Parks and other federal facilities.

- What are the costs – both one-time and recurring - of these requirements on the National Park Service? Which, if any, of those costs are reimbursed?

Response: Since the attacks on September 11, 2001, the NPS has received increased appropriations to address increased security costs at icon parks. Through the FY 2007 joint resolution, Congress has provided \$33.2 million in recurring law enforcement increases for icon parks (including increases for the U.S. Park Police). During the same period, Congress provided one-time emergency supplemental funding of \$34.5 million and \$36.1 million for construction at icon parks. Additionally, the NPS used concessions fees to cover approximately \$12 million in additional homeland security costs at the Statue of Liberty and absorbed over \$9 million in costs that allowed the NPS to react to the Code Orange threat levels that occurred mostly in 2003.

Congress has also provided increased appropriations for border parks and other law enforcement needs. Since 2001, \$5.5 million has been appropriated for recurring law enforcement at border parks, \$3.4 million for recurring law enforcement training, and \$10.3 million for recurring law enforcement at non-border or icon parks. \$17.7 million has been appropriated for the construction project at Organ Pipe Cactus NM.

Park Police

Last month the Committee heard testimony from the Office of the Inspector General regarding a recent survey of Park Police officers who help secure our nation's icon parks. The testimony implied that this survey raised concerns about security implementation at these parks.

- Could you describe the results of this survey and comment on whether the proposed increases to the Park Police budget are targeted toward addressing the concerns raised in the survey?

Response: This survey was conducted by the Fraternal Order of Police, U.S. Park Police Labor Committee. The results were presented to the Chief of the U.S. Park Police on January 23, 2007. The survey was unscientific in nature and was completed by approximately 25 percent of USPP employees (30 percent of the employees were in police positions). The employees, who responded to the survey, expressed dissatisfaction with the level of training provided, the perceived degree of preparation to respond to a terrorist attack as compared to other agencies, the equipment provided to officers, the staffing levels at the work sites, and the abilities of the Command Staff.

NPS Director Mary Bomar has reaffirmed her confidence in the U.S. Park Police (USPP) and the Command Staff. USPP leadership constantly strives to provide the men and

women of the USPP with the tools, training, and equipment needed to do their jobs, while carefully balancing the multitude of issues and demands placed on the USPP. The current leadership was instrumental in increasing the USPP budget from \$80.2 million in 2006 to \$88.1 million in the 2008 request—a 10 percent increase over two years.

Information Provided for the Record
Subcommittee on National Parks, Forests, and Public Lands
Hearing on the FY 2008 Budget for the National Park Service
March 1, 2007

Operating Increase Proposed for FY 2008

During the hearing, Representative Pearce asked for detail on the proposed increase in the NPS operating budget for FY 2008. The table below shows proposed changes in funding from the amounts approved for FY 2007.

National Park Service Core Operations (ONPS and USPP)
FY 2008 Changes from FY 2007 Enacted (+\$209 million)

Proposed Budget Change	FY 2008 Request Change from FY 2007 Enacted
FY 2007 Enacted for ONPS	1,762,684
FY 2007 Enacted for USPP	85,213
FY 2007 Enacted for Core Operations	1,847,897
Centennial Commitment	+100,000
Improve Health of Park Resources (flexible park funding)	+20,000
Support Park Operations with 3,000 Interpretation, Maintenance and Law Enforcement Seasonals	+40,600
Preventive Maintenance	+35,000
Expand the Junior/Web Ranger Program at Parks	+1,000
Expand the VIP Program at Parks	+3,400
Core Operating Capacity	+109,235
Increases	
Fixed Costs for ONPS and USPP	+54,044
Targeted Park Base Increases for Core Operations	+36,875
Repair and Rehabilitation Program	+15,000
Hetch Hetchy Study	+7,000
Support FBMS	+4,796
Expand Relationship with Youth Partnership Programs to Connect with Youth	+1,825

Meet Visitor Demand for Park Brochures - 1 map for every 9 visitors	+1,000
Improve Content of All IT Based Interpretation and Informational Media	+1,000
Connecting Trails to Parks- National Trails System	+850
Support Captain John Smith Chesapeake NHT	+75
Vanishing Treasures Initiative	+4
Decreases and Transfers	
Eliminate Support to Lewis & Clark Corps of Discovery II, Transfer Stat Aid items to ONPS; Reduce support for Jamestown 2007	+739
Eliminate FY07 one-time funding, FLETC training backlog, USPP Equipment, IT licensing and HSPD-12 requirements	-10,785
Pursue Revenue Authorized by Location Fee Legislation	-1,600
Other Adjustments	-1,588
<hr/>	
Total Change	+209,235

FY 2008 NPS Core Operations Request

2,057,132

H.R. 309, Program to Facilitate Cultural Landscape Restoration

Representative Pearce asked for the National Park Service's position on legislation he introduced, H.R. 309, to direct the Secretary of the Interior to establish a demonstration program to facilitate landscape programs within certain units of the National Park System established by law to preserve and interpret resources associated with American history. The legislation would allow military park units that implement approved landscape restoration plans to retain receipts from timber sales. The Department has not taken an official position on H.R. 309 in the 110th Congress. During the 109th Congress, the National Park Service stated in oversight testimony on December 19, 2005, that it could be beneficial for Civil War park units to have authority to retain proceeds from the sale of timber that is removed as part of a landscape restoration program for the park.

Use of Structure at Salt River Bay National Historical Park and Ecological Preserve

Delegate Christensen asked for assurances that the National Park Service's recently acquired structure (formerly a private home) at Salt River Bay National Historical Park and Ecological Preserve in St. Croix be used for the visiting public, not for staff housing. The structure will not be used for housing. The National Park Service has undertaken a planning process, which includes public involvement, for the use of the structure. Three alternative use plans are under consideration, and none of the options include housing. A final decision on the plan is expected in the summer of 2007. The National Park Service is keeping Delegate Christensen's office informed about each step in the process.

Land Acquisition Needs

Delegate Christensen asked for information about the backlog of National Park Service land acquisition needs. The NPS maintains a list of lands which have been identified for acquisition through the General Management Plan and Land Protection Plan process and have not been acquired to date. It is a list of all privately owned lands within the national park system that have been identified for acquisition and for which appropriated funds are not available. The tracts and acres listed are derived from each area's Land Protection Plan, which identifies all privately owned land in the area and recommends the minimum interest necessary to protect the area. Lands expected to be acquired by donation or by exchange are omitted from this list, as well as privately owned lands that are, at present, adequately protected. The current list illustrates that 1,813,461 acres will remain to be acquired at an estimated cost of \$2 billion after FY 2007. This figure is derived from estimated values provided by field personnel with knowledge of the tracts to be acquired and the local realty market trends.

The *Departments of the Interior and Agriculture National Land Acquisition Plan of February 2005* found that most inholdings do not need to be under consideration for acquisition. The key conclusion of the *Plan* is that land acquisition is only one of a suite of tools to reach the Department's conservation and other land management objectives. Cooperative conservation programs provide alternative tools to protect and manage land and resources. These tools significantly leverage Federal funds and often broaden the ways in which lands are managed and conservation goals are achieved.

The *Plan* also shows that our agencies have systematic processes for selecting the appropriate tools to manage lands, ensuring that acquisition is used with discretion, extensive public input, and only where acquisition appears to be the best alternative. For example, of the 5.4 million acres of inholdings with legislatively established NPS boundaries, the NPS has concluded that 3.5 million of these acres are already adequately protected through means other than acquisition, such as zoning easements, or other protections. Some 1.8 million acres (roughly 33 percent of total inholdings) may be considered for fee or less-than-fee acquisition.

The 2008 budget seeks a balance of acquisition with other conservation programs that can leverage Federal funds. Using alternatives to Federal acquisition allows us to achieve conservation goals in partnership with others in lieu of adding more lands to Federal ownership.

Funding for Civil War Battlefield Sites

Representative Brown requested information about funding for the acquisition of Civil War battlefield sites. The National Park Service FY 2007 operating plan includes \$4.0 million for Civil War Battlefield Preservation Grants. The proposed FY 2008 budget also requests \$4.0 million for this program. As of this date, no grants have been made from the FY 2007 funds. Eligibility for grants is based on the needs identified and prioritized by the 1993 Report on the Nation's Civil War Battlefields prepared by the Civil War

Sites Advisory Commission. Decisions about providing grants are made as applications are received and reviewed.

Santa Rosa Island – Island Fox Recovery

Representative Young requested information about the amount of funding that NPS has spent on the recovery of the endangered island fox on Santa Rosa Island in Channel Islands National Park. Including funding for FY 2007, NPS has spent \$3.963 million on the recovery of the endangered island fox. Of this amount, about \$718,000 came from donations. NPS estimates that it will cost another \$1.395 million to conclude the most intensive phase of the program, captive breeding.

Specific Land Acquisition Needs

Representative Kildee asked for confirmation that no land acquisition needs had been identified for the Automobile (MotorCities) National Heritage Area or for the North Country National Scenic Trail. For the Automobile National Heritage Area, there is no Federal land acquisition authority, so the NPS has never sought to acquire land there. Concerning the North Country National Scenic Trail, the NPS is not seeking any additional land for the trail at this time.

Hemlock Trees

Representative Shuler requested information about the amount of funding NPS was spending to protect hemlock trees in North Carolina, which are threatened by infestations by the hemlock woolly adelgid. Great Smoky Mountains National Park, located in both North Carolina and Tennessee, received a park base increase of \$476,000 in FY 2005 specifically for hemlock woolly adelgid monitoring and mitigation activities.



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

JAN 23 2008

The Honorable Daniel K. Akaka
Chairman, Subcommittee on National Parks
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed are responses to the follow-up questions from the hearing on several bills held by the Subcommittee on National Parks on September 11, 2007. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Jane M. Lyder
Legislative Counsel
Office of Legislative and Congressional
Affairs

Enclosure

cc: Honorable Richard Burr, Ranking Minority Member

Questions for the Record
From Senator Richard Burr
Senate Committee on Energy and Natural Resources
Subcommittee on National Parks
September 11, 2007

(1) Great Sand Dunes Amendment (S. 127):

a. Will S. 127 have any impact on the operation and management of Great Sand Dunes National Park and Preserve?

Response: No. The bill provides a purpose statement to the Baca National Wildlife Refuge and clarifies water rights issues relating to the refuge.

b. How many visitors does Great Sand Dunes National Park and Preserve receive annually and will S. 127 affect visitation in any way?

Response: Visitation for 2007 to Great Sand Dunes National Park and Preserve is estimated to be 285,000. We do not expect the bill to have any impact on visitation.

(2) Cesar Estrada Chavez Study (S. 327/H.R. 359):

a. How many sites will be included in the Cesar Estrada Chavez study and which states are involved?

Response: We anticipate that the study will look only at sites in Arizona and California, although it is possible that relevant sites in other states will come to our attention as the study gets under way. We will not know how many sites we will evaluate until the study is authorized and we begin the scoping process.

b. What other units of the National Park System are spread across multiple sites in multiple states and what are the management challenges associated with such an arrangement?

Response: Park managers of National Park System units that have sites in more than one state generally operate in a more complex environment in terms of law enforcement, land management, and other matters than do park managers of sites that are located in a single state and a single local jurisdiction. Beyond that, these park units are too diverse to generalize about the management challenges associated with this arrangement.

The following is a list of the units of the National Park System that have sites in more than one state:

Lake Meade National Recreation Area – AZ, NV
Death Valley National Park – CA, NV
Dinosaur National Monument – CO, UT
Hovenweep National Monument – CO, UT
Gulf Islands National Seashore – FL, MS

Appalachian National Scenic Trail – CT, ME, MD, WV, GA, TN, NJ, NY, NC,
PA, VT, VA
 Chesapeake & Ohio Canal National Historical Park – DC, MD, WV
 George Washington Memorial Parkway – DC, MD, VA
 Potomac Heritage National Scenic Trail – DC, MD, PA, VA
 Chickamauga and Chattanooga National Military Park – GA, TN
 Yellowstone National Park – ID, WY, MT
 Nez Perce National Historical Park – ID, MT, OR, WA
 Big South Fork National River and Recreation Area – KY, TN
 Cumberland Gap National Historical Park – KY, VA, TN
 Vicksburg National Military Park – LA, MS
 Assateague Island National Seashore – MD, VA
 Harpers Ferry National Historical Park – MD, VA, WV
 Saint Croix National Scenic Riverway – MN, WI
 Natchez Trace National Scenic Trail – AL, MS, TN
 Natchez Trace Parkway – AL, MS, TN
 Shiloh National Military Park – MS, TN
 Bighorn Canyon National Recreation Area – MT, WY
 Fort Union Trading Post National Historic Site – MT, ND
 Delaware Water Gap National Recreation Area – NJ, PA
 Gateway National Recreation Area – NJ, NY
 Statue of Liberty National Monument – NJ, NY
 Upper Delaware Scenic and Recreational River – NY, PA
 Blue Ridge Parkway – NC, VA
 Great Smoky Mountains National Park – NC, TN
 Middle Delaware National Scenic River – PA, NJ
 Missouri National Recreational River – SD, NE
 Glen Canyon National Recreation Area – AZ, UT
 Klondike Gold Rush National Historical Park – WA, AK.

(3) Taunton Wild and Scenic River Designation (S. 868):

a. The Administration’s testimony states: “we would like to work with the committee to make this bill consistent with other wild and scenic river designation bills that have been enacted by Congress.” What is inconsistent with S. 868 when compared with other Wild and Scenic River designations and how should the bill be amended to make it consistent?

Response: Recent bills designating Wild and Scenic Rivers in partnership settings have included legislative provisions supporting proposed management policies and intent. The National Park Service would like to work with the committee to include in the bill a reference to managing the river in accordance with the Taunton River Stewardship Plan dated July, 2005 and to clarify that the river shall not be a unit of the National Park System. In addition, we recommend language to limit land acquisition to willing sellers, to authorize the use of cooperative agreements, and to specify classifications of the river by segment.

b. Has the National Park Service completed a suitability and feasibility study for this designation and, if so, what was the outcome of the study?

Response: The Study Report and Environmental Assessment have been completed and are currently under public and agency review. The tentative conclusion, pending analysis of agency and public comment, is that the entire 40-mile length of the Taunton River meets the criteria for inclusion in the Wild and Scenic Rivers System.

c. How will the proposed wild and scenic river designation affect private property use along the river?

Response: Private property will continue to be regulated through existing state and local mechanisms. The river would be managed in partnership with local and state authorities in accordance with the Taunton River Stewardship Plan (July 2005) which has been unanimously endorsed by all ten affected communities. If designated, projects requiring federal permits, such as Army Corps of Engineers permits under Section 404 of the Clean Water Act, would be reviewed for consistency with the purposes of the designation.

(4) National Liberty Memorial (S. 1051)

a. What is the relationship between the National Liberty Memorial and the Black Revolutionary War Patriots Memorial?

Response: The sponsor organizations are two separate entities, the memorials are two different designs, and it appears the subject of the National Liberty Memorial is intended to be wider in scope than the Black Revolutionary War Patriots Memorial. The Black Revolutionary War Patriots Foundation's former President and Founder, Maurice Barboza, left that organization and established a new organization for the purpose of building the National Liberty Memorial. He seeks to build this memorial on the site the Foundation had sought for the Black Revolutionary War Patriots Memorial.

b. Is the National Park Service aware of any unpaid debts associated with the Black Revolutionary War Patriots Memorial? What is the total amount and how many businesses are involved?

Response: The National Park Service (NPS) is unaware of the extent of unpaid debts. The NPS is advised that the Office of the Inspector General of the Comptroller of the Currency is currently conducting an investigation to determine what happened to the \$902,758 in proceeds received from the sale of the Black Revolutionary War Patriots commemorative coin, which were designated to be used to assist in construction of the memorial. The legislation that authorized issuance of the coin, The United States Commemorative Coin Act of 1996 (P.L. 104-329), requires that the money be repaid to the Treasury if the memorial was not built.

c. What other memorial foundations have gone bankrupt and left unpaid debts in the past 30 years?

Response: Prior to enactment of the Commemorative Works Act 21 years ago, memorials sponsors were not required to provide financial information to the NPS; therefore we have no indication that any memorial sponsors went bankrupt or left unpaid debts prior to 1986. In 1986, the Commemorative Works Act authorized the NPS to request financial information only at the time sponsors applied for a construction permit to certify that the memorial sponsors had raised adequate funds to complete the memorial and to provide a payment into a United States Treasury maintenance endowment account. Amendments to the Commemorative Works Act in 1994 (Public Law 103-321) added the requirement that sponsors provide annual audited financial statements to the NPS. We have received annual financial statements from memorial sponsors for the past 13 years.

Since the 1994 financial reporting requirements were enacted, 21 sponsor organizations have undertaken the task of establishing memorials. Only four were unsuccessful in their efforts and their legislative authorities have expired. Of these four, only the National Peace Garden provided regular annual reports. The National Peace Garden was in good standing when the 15-year extended authority to establish the National Peace Garden expired in 2002. Two others, the Thomas Paine National Historical Association, U.S.A. (Thomas Paine Memorial) and the Washington Interdependence Council (Benjamin Banneker Memorial), did not respond to the NPS requests for annual reports, and we have no means to determine whether they went bankrupt or left unpaid debts when their legislative authorities expired. Both organizations still exist, but neither has provided any financial reports to the NPS or responded to NPS requests for annual financial reports prior to the lapse of their legislative authorities. The Black Revolutionary War Patriots Foundation (Black Revolutionary War Patriots Memorial) did not provide financial reports for 2004 or 2005, and the NPS has no means to determine whether this organization was bankrupt or had unpaid debts when its legislative authority expired in 2005, with the exception of the Inspector General's investigation referenced above.

d. How frequently are memorial foundations, such as the foundation for the Black Revolutionary War Patriots Memorial, required to submit financial statements? Please provide a copy of the financial statements submitted by the foundation for the Black Revolutionary War Patriots Memorial.

Response: Chapter 89, 40 U.S.C., Section 8906(d) requires sponsors to provide an annual report of operations, including a financial statement audited by an independent certified public accountant to the Secretary of the Interior. The Commemorative Works Act does not stipulate a format for these statements or define a reporting period, and the NPS determined that the information contained in the annual financial statements Section 501(c)(3) non-profit organizations provide to the Internal Revenue Service contain a level of information that meets the requirements of the Commemorative Works Act; therefore, NPS accepts copies of the annual financial statements which memorial sponsor organizations provide to the Internal Revenue Service. These annual reports are based on the organization's individual accounting practices and fiscal year. Copies of the

annual financial statements from 1995-2003 were provided to the Subcommittee on National Parks on September 27, 2007.

- e. For each memorial that has been approved by Congress for the National Capital Region and has not yet begun construction, what is the status of the design, site approval, funds needed, funds raised, and financial reports (i.e., dates due and dates submitted)?

Response:

Martin Luther King, Jr., Memorial

Authorized: November 12, 1996-November 12, 2008 (2 extensions)

Site Approval: 1999

Design Approval: Design concept approved 2006

Funds Needed: Not applicable until final design completed

Funds Raised: \$37.7 million (2006 financial report) in addition to \$10 million appropriation

Financial Reports provided: 1999 through 2006

American Veterans Disabled for Life Memorial

Authorized: October 24, 2000-October 24, 2015 (1 eight-year extension)

Site Approval: 2001

Design Approval: Design concept approved 2004

Funds Needed: Not applicable until final design completed

Funds Raised: Unknown

Financial Reports provided: 2004, 2005, and 2006

Frederick Douglass Memorial

Authorized: November 9, 2000-November 9, 2007

Site Approval: None

Design Approval:

Funds Needed: Not applicable until final design completed

Funds Raised: Unknown

Financial Reports provided: None

John Adams Memorial

Authorized: November 5, 2001-December 2, 2009

Site Approval: None

Design Approval:

Funds Needed: Not applicable until final design completed

Funds Raised: \$11,342 (draft 2007 financial report) in addition to \$1 million federal matching grant

Financial Reports provided: 2004, draft 2007

Dwight D. Eisenhower Memorial

Authorized: January 1, 2002-May 5, 2013

Site Approval: 2006

Design Approval:

Funds Needed: Not applicable until final design completed

Funds Raised: Unknown
Financial Reports provided: None

Ukraine Famine Victims Memorial

Authorized: October 13, 2006-October 13, 2013
Site Approval: None
Design Approval:
Funds Needed: Not applicable until final design completed
Funds Raised: Unknown
Financial Reports provided: Not due until 2008.

f. Financial reports for the Black Revolutionary War Patriots Memorial were submitted over two years beyond the due date. How common is it for financial reports to be late, what action did the National Park Service take to persuade the foundation to submit the reports in a timely manner, and what changes has the National Park Service made to ensure timely submittal of reports by other foundations?

Response: The Commemorative Works Act places the burden of supplying annual financial statements on the memorial sponsor organizations. The NPS requests that this information be provided but the Act does not provide any authority to the Secretary of the Interior or to the NPS to take action if the reports are not forthcoming after written requests are made to the sponsor.

g. In the past 20 years, how many memorials authorized by Congress for the National Capitol Region have failed to complete the necessary requirements to begin construction within the authorized period? Please provide a list of the memorials. What happened to the funds raised in each case? Did any of the memorial foundations go bankrupt and leave unpaid debts?

Response:

There were four authorized memorials that failed to complete the necessary requirements to begin construction within the authorized period: Black Revolutionary War Patriots Memorial, Benjamin Banneker Memorial, Thomas Paine Memorial, and National Peace Garden.

The National Peace Garden had no donated funds remaining upon expiration of their legislated authority to establish the National Peace Garden. The Thomas Paine Historical Association, U.S.A. (Thomas Paine Memorial) and the Washington Interdependence Council (Benjamin Banneker Memorial) did not respond to NPS requests for annual reports. Both organizations still exist but we have no means to determine whether these organizations were successful in raising any funds for the authorized memorials or what has happened to any funds raised. The Black Revolutionary War Patriots Foundation (Black Revolutionary War Patriots Memorial) did not provide annual financial reports to NPS in 2004 or 2005 and we have no means to determine whether there were donated funds on hand when its authority to establish the memorial expired on October 27, 2005.

Please also see response to question c., above.

h. The Administration's testimony for S. 1051 states that the site approved for the Black Revolutionary War Patriots Memorial should not be automatically approved for the National Liberty Memorial. How long did the site selection process take, what type of documentation was needed to support the process, and what agencies were involved?

Response: The Black Revolutionary War Patriots Memorial Foundation was authorized to construct this memorial in 1986. The specific site identified in the bill was in Area I at Constitution Gardens which was approved for the Black Revolutionary War Patriots Memorial in 1988, but expired in 2005. That site is now within the Reserve, where this additional construction is prohibited by the Commemorative Works Clarification Act, (P.L. 108-126). The final design for the memorial was approved by the National Park Service, the National Capital Planning Commission and the Commission of Fine Arts in November 1991. Despite four extensions of the memorial's authorization over 21 years, the Foundation was unable to raise sufficient funds to construct the memorial. Additionally, the Commemorative Works Act specifies that "upon expiration of the legislative authority, any previous site and design approvals shall also expire."

A chronology of the site and design approval process is given below. All four of the prior extensions were granted within weeks of the lapse of authority unlike the case of S. 1051, which is being considered nearly two years after the final lapse of authority.

October 27, 1986:	Black Revolutionary War Patriots Memorial authorized by PL 99-558
March 25, 1988:	Location in Area I authorized
July 1988:	Site in Constitution Gardens approved by NPS, NCPC and CFA
November 1991:	Final design approved by NPS, NCPC, and CFA
October 27, 1993:	1 st expiration of legislative authority
August 26, 1994:	1 st extension of legislative authority through October 27, 1996 (PL 103-321)
October 27, 1996:	2 nd expiration of legislative authority
Nov. 12, 1996:	2 nd extension of legislative authority through October 27, 1998 (PL 104-333)
October 27, 1998:	3 rd expiration of legislative authority
November 2, 1998:	3 rd extension of legislative authority through October 27, 2000 (PL 105-345)
October 27, 2000:	4 th expiration of legislative authority
Nov. 6, 2000:	4 th extension of legislative authority through October 27, 2005 (PL 106-442)
October 27, 2005:	5 th expiration of legislation authority.

(5) Taunton Massachusetts Study (S. 1184/H.R. 1021):

a. The area of Taunton proposed for study contains one or more historic districts. Has the area been evaluated for National Historic Landmark designation?

Response: The area was listed on the National Register of Historic Places in 1984. A nomination was prepared by certified professionals and accepted by the State Historic Preservation Office and the National Park Service. The nomination form requires the preparer to designate the level of significance (national, state, or local) and the local level was indicated. National Historic Landmark evaluations are based on these nomination forms, and since NHL criteria require national significance, it appears that the evaluation stopped with this nomination. We are unaware of any further evaluation.

b. Could National Historic Landmark designation be a recommendation from the study? If so, what are the criteria for a National Historic Landmark and how does that compare with criteria for National Historic Site designation?

Response: A Special Resource Study does examine alternatives to unit designation including possible designation as a National Historic Landmark. The latter is more often pursued when a resource has a national level of significance on the National Register of Historic Places.

National Register criteria evaluate resources:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That have yielded or may be likely to yield, information important in prehistory or history.

National Historic Landmark criteria evaluate resources:

1. That are associated with events that have made a significant contribution to and are identified with, or that outstandingly represent, the broad national patterns of United States history and from which an understanding and appreciation of those broad patterns may be gained; or
2. That are associated importantly with the lives of persons nationally significant in the history of the United States; or
3. That represent some great idea or ideal of the American people; or
4. That embody the distinguishing characteristics of an architectural type or specimen exceptionally valuable for the study of a period, style, or method of

construction, or that represent a significant, distinctive, and exceptional entity whose components may lack individual distinction; or

5. That are composed of integral parts of the environment not sufficiently significant by reason of historical association or artistic merit to warrant individual recognition but collectively compose an entity of exceptional historical or artistic significance, or outstandingly commemorate or illustrate a way of life or culture; or

6. That have yielded or may be likely to yield information of major scientific importance by revealing new cultures, or by shedding light upon periods of occupation over large areas of the United States. Such sites are those which have yielded, or which may reasonably be expected to yield, data affecting theories, concepts, and ideas to a major degree.

(6) Weir Farm National Historic Site Amendment (S. 1247):

a. S. 1247 authorizes the National Park Service to exchange 9 acres of park land for 12,000 square feet of finished space on nearby property owned by the Georgetown Land Corporation. The park has identified a use for the finished space, but the use of the 9 acres by the land corporation is unclear. How does the Georgetown Land Corporation plan to use the 9 acres and is it compatible with the Weir Farm National Historic Site?

Response: The 9 acres are currently zoned and subdivided for housing as it was when we acquired the property; that subdivision is still intact and current. Based on this, we assume the land will return to private ownership and most likely be used for residential development. The 9 acres are not contiguous with the park and development on them will not have any impact on the park.

b. How will S. 1247 improve the visitor experience at Weir Farm National Historic Site?

Response: Quality curatorial storage space at a new site will allow the park to exhibit and use more of its collections for interpretive purposes. The facilities would provide opportunities for visitors and researchers to have access to NPS libraries, staff, and collections.

c. What is the current acreage associated with the Weir Farm National Historic Site and how much additional property has the National Park Service identified for future acquisition?

Response: The current acreage is 69 acres. The park is authorized to acquire 6 additional acres; however, there are no plans to acquire any additional acreage beyond the one acre associated with the exchange at the Wire Mill at this time.

(7) Arizona National Scenic Trail Designation (S. 1304):

a. When was the suitability and feasibility study completed for the Arizona National Scenic Trail and what was the outcome of the study?

Response: We are unaware of any study that was completed on the Arizona Trail.

b. How much of the trail crosses private land and does the National Park Service anticipate any land acquisition for the trail?

Response: Approximately 5% of the 800-mile trail is on private property (40 miles). The trail would be administered by the U.S. Forest Service; we are unaware of any plans the Forest Service has to acquire land for the trail.

c. What is the anticipated cost for signage, interpretive material along the trail, parking, and other improvements if S. 1304 is enacted?

Response: The trail would be administered by the U.S. Forest Service. We are unaware of any cost estimates for development and interpretation of the trail.

(8) Acadia National Park Advisory Commission Reauthorization (S. 1329):

a. When was the Acadia National Park Advisory Commission established and what major accomplishments has it had since that time?

Response: The establishment of the Acadia National Park Advisory Commission was authorized by Public Law 99-420 enacted in 1986. Over the past 10 years the Commission consulted with the public and provided recommendations to the Secretary on several important issues including:

(1) The fee simple acquisition of 62 parcels of private property within the park boundary and the acquisition 61 conservation easements.

(2) The park's General Management Plan (1992) and the amendment to the GMP (2006), the Land Protection Plan, the Commercial Services Plan, the Hiking Management Plan, the Water Resources Management Plan, and the Visitor Use Management Plan for the Isle au Haut and Schoodic section of the park.

(3) The communities' perspective and advice on scientific research, educational programs, entrance and user fees, the establishment of the Island Explorer shuttle bus system, the proposed development of the intermodal transportation center and projects funded from the NPS line-item construction program.

b. S. 1329 raises the funding authority for land acquisition at Acadia National Park. How much land has the National Park Service identified for future acquisition at Acadia and what is the estimated value at this time?

Response: Acadia National Park's authorized land acquisition ceiling of \$9.1 million has been reached, although there are over 100 tracts left to be acquired to complete the park as authorized by Congress in 1986. The estimated cost to acquire all 100 tracts is over \$40 million. Land prices on Mount Desert Island, where Acadia National Park is located, have increased dramatically since 1986 and may continue to do so if local home-inflation trends continue.

(9) Bob Hope Library Designation at Ellis Island (H.R. 759):

- a. What is the National Park Service policy on naming sites and structures after individuals?

Response: According to the 2006 National Park Service Management Policies, the association between the park and the person must be of exceptional importance and at least 5 years must have elapsed since the death of the person.

- b. Has the National Park Service studied the suitability and feasibility of naming the library at Ellis Island after Bob Hope?

Response: Yes. The Park Service has determined that while Mr. Hope is cherished in memory by people the world over there is no special, compelling connection between him and the park that would distinguish him from the millions of others who immigrated to the United States through Ellis Island.

- c. Could you name at least 5 individuals of international prominence in addition to Bob Hope that immigrated through Ellis Island?

Response: As the premier immigration site in the United States, Ellis Island processed a wide variety of famous individuals with international prominence including Irving Berlin, Henry Kissinger, Albert Einstein, Enrico Caruso, Charles Chaplin, and John Ringling, among numerous others.

(10) Columbia Space Shuttle Memorial Study (H.R. 807):

- a. What units of the National Park Service are currently associated with the space program, where are they located, and when was each established?

Response: We do not have any units in the National Park System that are directly associated with the space program. Some units, such as Dayton Aviation Heritage National Historical Park and Wright Brothers National Memorial commemorate progress in aviation. There are several National Historic Landmarks that commemorate the space program.

- b. How many sites are involved in the study authorized by H.R. 807?

Response: The bill directs the Secretary to study four specific sites in Texas and directs the Secretary to make recommendations for any other sites in Texas that may be suitable.

JEFF BINGAMAN, New Mexico, *Chairman*
DANIEL K. AKAKA, Hawaii
BYRON L. DORGAN, North Dakota
RON WYDEN, Oregon
TIM JOHNSON, South Dakota
MARY L. LANDRIEU, Louisiana
MARIA CANTWELL, Washington
KEN SALAZAR, Colorado
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JRD SANDERS, Vermont
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PETE V. DOMENICI, New Mexico
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USA MURKOWSKI, Alaska
RICHARD BLURR, North Carolina
JIM DEMINT, South Carolina
BOB CORKER, Tennessee
JOHN BARRASSO, Wyoming
JEFF SESSIONS, Alabama
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United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

ENERGY.SENATE.GOV

September 13, 2007

Daniel N. Wenk
Deputy Director for Operations
National Park Service
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Mr. Wenk:

I would like to take this opportunity to thank you for testifying at the September 11, 2007 Senate Subcommittee on National Parks of the Committee on Energy and Natural Resources hearing on several bills, including: S. 127, to amend the Great Sand Dunes National Park and Preserve Act of 2000 to explain the purpose and provide for the administration of the Baca National Wildlife Refuge; S. 327 and H.R. 359, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement; S. 868, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System; S. 1051, to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia at Constitution Gardens previously approved to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution; S. 1184 and H.R. 1021; to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, and for other purposes; S. 1247, to amend the Weir Farm National Historic Site Establishment Act of 1990 to limit the development of any property acquired by the Secretary of the Interior for the development of visitor and administrative facilities for the Weir Farm National Historic Site, and for other purposes; S. 1304, to amend the National Trails System Act to designate the Arizona National Scenic Trail; S. 1329, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, and for other purposes; H.R. 759, to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library"; and H.R. 807, to direct the Secretary of the Interior to conduct a special resource study to determine the feasibility and suitability of establishing a memorial to the Space Shuttle Columbia in the State of Texas and for its inclusion as a unit of the National Park System.

I am enclosing a list of questions which have been submitted for the record. It would be helpful if you could respond to these questions by Friday, September 28, 2007. Responses by e-mail may be sent to rachel_pasternack@energy.senate.gov. Thank you for your assistance. If you have any questions, please contact Kira Finkler at (202) 224- 5523, or Rachel Pasternack at (202) 224-0883.

Sincerely,



Daniel K. Akaka
Chairman
Subcommittee on National Parks

REC'D 9/28/07

Senator Richard Burr
Questions for the Record

Senate Committee on Energy and Natural Resources
Subcommittee on National Parks

Tuesday, September 11, 2007
2:30 PM

Dan Wenk, Deputy Director, National Park Service,
Washington, DC

(1) Great Sand Dunes Amendment (S. 127):

- a. Will S. 127 have any impact on the operation and management of Great Sand Dunes National Park and Preserve?
- b. How many visitors does Great Sand Dunes National Park and Preserve receive annually and will S. 127 affect visitation in any way?

(2) Cesar Estrada Chavez Study (S. 327/H.R. 359):

- a. How many sites will be included in the Cesar Estrada Chavez study and which states are involved?
- b. What other units of the National Park System are spread across multiple sites in multiple states and what are the management challenges associated with such an arrangement?

(3) Taunton Wild and Scenic River Designation (S. 868):

- a. The Administration's testimony states: "we would like to work with the committee to make this bill consistent with other wild and scenic river designation bills that have been enacted by Congress." What is inconsistent with S. 868 when compared

with other Wild and Scenic River designations and how should the bill be amended to make it consistent?

- b. Has the National Park Service completed a suitability and feasibility study for this designation and, if so, what was the outcome of the study?
- c. How will the proposed wild and scenic river designation affect private property use along the river?

(4) National Liberty Memorial (S. 1051)

- a. What is the relationship between the National Liberty Memorial and the Black Revolutionary War Patriots Memorial?
- b. Is the National Park Service aware of any unpaid debts associated with the Black Revolutionary War Patriots Memorial? What is the total amount and how many businesses are involved?
- c. What other memorial foundations have gone bankrupt and left unpaid debts in the past 30 years?
- d. How frequently are memorial foundations, such as the foundation for the Black Revolutionary War Patriots Memorial, required to submit financial statements? Please provide a copy of the financial statements submitted by the foundation for the Black Revolutionary War Patriots Memorial.
- e. For each memorial that has been approved by Congress for the National Capital Region and has not yet begun construction, what is the status of the design, site approval, funds needed,

funds raised, and financial reports (i.e., dates due and dates submitted)?

- f. Financial reports for the Black Revolutionary War Patriots Memorial were submitted over two years beyond the due date. How common is it for financial reports to be late, what action did the National Park Service take to persuade the foundation to submit the reports in a timely manner, and what changes has the National Park Service made to ensure timely submittal of reports by other foundations?
- g. In the past 20 years, how many memorials authorized by Congress for the National Capitol Region have failed to complete the necessary requirements to begin construction within the authorized period? Please provide a list of the memorials. What happened to the funds raised in each case? Did any of the memorial foundations go bankrupt and leave unpaid debts?
- h. The Administrations testimony for S. 1051 states that the site approved for the Black Revolutionary War Patriots Memorial should not be automatically approved for the National Liberty Memorial. How long did the site selection process take, what type of documentation was needed to support the process, and what agencies were involved?

(5) Taunton Massachusetts Study (S. 1184/H.R. 1021):

- a. The area of Taunton proposed for study contains one or more historic districts. Has the area been evaluated for National Historic Landmark designation?
- b. Could National Historic Landmark designation be a recommendation from the study? If so, what are the criteria for a National Historic Landmark and how does that compare with criteria for National Historic Site designation?

(6) Weir Farm National Historic Site Amendment (S. 1247):

- a. S. 1247 authorizes the National Park Service to exchange 9 acres of park land for 12,000 square feet of finished space on nearby property owned by the Georgetown Land Corporation. The park has identified a use for the finished space, but the use of the 9 acres by the land corporation is unclear. How does the Georgetown Land Corporation plan to use the 9 acres and is it compatible with the Weir Farm National Historic Site?
- b. How will S. 1247 improve the visitor experience at Weir Farm National Historic Site?
- c. What is the current acreage associated with the Weir Farm National Historic Site and how much additional property has the National Park Service identified for future acquisition?

(7) Arizona National Scenic Trail Designation (S. 1304):

- a. When was the suitability and feasibility study completed for the Arizona National Scenic Trail and what was the outcome of the study?

- b. How much of the trail crosses private land and does the National Park Service anticipate any land acquisition for the trail?
- c. What is the anticipated cost for signage, interpretive material along the trail, parking, and other improvements if S. 1304 is enacted?

(8) Acadia National Park Advisory Commission Reauthorization (S. 1329):

- a. When was the Acadia National Park Advisory Commission established and what major accomplishments has it had since that time?
- b. S. 1329 raises the funding authority for land acquisition at Acadia National Park. How much land has the National Park Service identified for future acquisition at Acadia and what is the estimated value at this time?

(9) Bob Hope Library Designation at Ellis Island (H.R. 759):

- a. What is the National Park Service policy on naming sites and structures after individuals?
- b. Has the National Park Service studied the suitability and feasibility of naming the library at Ellis Island after Bob Hope?
- c. Could you name at least 5 individuals of international prominence in addition to Bob Hope that immigrated through Ellis Island?

(10) Columbia Space Shuttle Memorial Study (H.R. 807):

- a. What units of the National Park Service are currently associated with the space program, where are they located, and when was each established?
- b. How many sites are involved in the study authorized by H.R. 807?



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

IN REPLY REFER TO:

L58 (0120)

FEB 01 2008

The Honorable John Warner
United States Senate
Washington, DC 20510

Dear Senator Warner:

Thank you for your letter of December 21, 2007, to Secretary Dirk Kempthorne, regarding the Captain John Smith Chesapeake National Historic Trail. I was asked by Secretary Kempthorne to respond on his behalf.

Public Law 109-418 designated the Captain John Smith Chesapeake National Historic Trail to commemorate the explorations of Captain John Smith on the Chesapeake Bay and its tributaries from 1607 to 1609. This law marks the 21st trail to be administered by the Secretary of the Interior, of which 18 are administered solely by the National Park Service. These trails form a system of scenic and historic trails across the country that meet the outdoor recreational needs of an increasing population of Americans and their visitors. Of the 18 NPS-administered trails, only three are also units of the National Park System.

The National Park Service is currently looking into the relationship between trails administered by the NPS and the 391 units of the National Park System. Your request to administratively designate the Captain John Smith trail as a unit of the National Park System is part of a larger discussion at NPS that involves questions of funding, applicability of park laws, regulations, and policies, and other issues that have to be fully explored before any additional trails are designated as units. In addition to the Captain John Smith trail, other trails have expressed an interest in being designated as units as well.

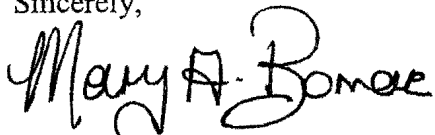
In your letter, you also mentioned the fact that since the Captain John Smith trail is not a unit, it is not eligible for Centennial Challenge funds or some other types of NPS funding or partner programs. As part of our broader discussions on trails, we will also be looking at trails' eligibility for some additional NPS funding, including Centennial Challenge funding, for such activities as protecting and managing natural and cultural resources, printing brochures, conducting cultural landscape surveys and supporting youth programs.

For the Captain John Smith trail, the FY 2008 budget approved by Congress includes \$247,000 for trail administration to assist partners in the early implementation of visitor experiences along the trail, to develop partnerships for management of segments of the trail, to assist partners to provide access to the trail, and to create interpretive and educational materials. The funds will also provide for a trail administrator and technical assistance to trail partners. The NPS has also

begun a comprehensive management plan for the trail that will consider alternative visitor experiences, long-term access plans, and alternative management strategies. The plan is scheduled to be completed late in 2009. Finally, a federal advisory council for the trail will be appointed by the Secretary of the Interior early in 2008.

I appreciate the strong leadership and support you have shown in getting the Captain John Smith Chesapeake National Historic Trail designated. As we celebrate the 400th anniversary of Captain John Smith's 1608 voyages, I look forward to working with you and other interested members across the region as we assist our partners in developing and implementing the management plan for the trail.

Sincerely,

A handwritten signature in black ink that reads "Mary A. Bomar". The signature is written in a cursive style with a large, stylized "M" and "B".

Mary A. Bomar
Director

JOHN WARNER
U.S. SENATOR
COMMITTEES
ARMED SERVICES
ENVIRONMENT AND PUBLIC WORKS
SELECT COMMITTEE ON INTELLIGENCE
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

United States Senate

December 21, 2007

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The Honorable Dirk Kempthorne
U.S. Department of the Interior
1849 C St., N.W.
Washington, D.C. 20240

Dear Secretary Kempthorne:

I write to thank you for your tremendous support for the Captain John Smith Chesapeake National Historic Trail. Your leadership was critically important for the bill to be signed into law last year before the commemoration of Jamestown's 400th Anniversary.

Moreover, I was pleased that you were able to come to Jamestown last spring. I greatly appreciated the President's commitment to recognize the significance of Jamestown and John Smith's voyages of discovery.

While the National Park Service (NPS) is doing a terrific job implementing the Trail, I seek your continued assistance, specifically in two key areas, to ensure that the Trail can achieve its full potential.


First, I understand that the NPS has discretionary authority to make the Captain John Smith Chesapeake National Historic Trail a unit of the National Park System. Even though the NPS is overseeing the Trail right now as a unit of the National Trails System, it is not a unit of the National Park System. Accordingly, the John Smith Trail cannot compete for funding under the President's Centennial Challenge program and other special NPS and partner programs. I support the designation of the John Smith Trail as a unit of the National Park System, just like the Appalachian Trail, and respectfully request that the NPS designate the Trail next year in honor of the 40th anniversary of the National Trails System Act and the 400th anniversary of Smith's 1608 voyages.

In addition, I seek your support for increased operational funding in the Fiscal Year (FY) 2009 budget request for the John Smith Trail. Specifically, I hope that the FY 2009 budget request will include \$500,000 to manage the Trail, a funding level identified by NPS during consideration of the Trail legislation last year.

While these initiatives are important to me, the Commonwealth of Virginia, and the entire Chesapeake Bay region, they will also help ensure the Trail's vitality for generations of Americans to come. Thank you for your consideration of my requests.

With kind regards, I am

Sincerely,


John Warner

JW/vbr



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

MAR 26 2008

L58 (0120)

Honorable Raúl M. Grijalva
Chairman
Subcommittee on National Parks, Forests and
Public Lands
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Enclosed is information to be submitted for the hearing record for the hearing on October 30, 2007 that was promised by our witness, Ms. Karen Taylor-Goodrich. The hearing was held on several bills of interest to the National Park Service. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Jane M. Lyder
Legislative Counsel
Office of Legislative and Congressional
Affairs

Enclosure

cc: The Honorable Rob Bishop, Ranking Minority Member
Subcommittee on National Parks, Forests and Public Lands

Clarifications for the Hearing Record
House Natural Resources Committee
Subcommittee on National Parks, Forests and Public Lands
Chairman Raúl M. Grijalva
Hearing date: October 30, 2007

Rep. Rob Bishop (UT-1): Please provide to the committee, in writing, under what authority the National Park Service expanded the study area for the Taunton River Wild and Scenic River study.

Answer for the record: In October 2000, Public Law 106-318 listed as a potential addition to the National Wild and Scenic Rivers System, 22 miles of the upper portion of the Taunton River from the headwaters at the confluence of the Town River and Matfield River in Bridgewater to the confluence with the Forge River in Raynham. The Act required the Secretary to complete a study of the area within three years.

In Fall of 2002, three members of the Massachusetts delegation sent a letter to the Department requesting that the Secretary study as well the lower portion of the Taunton River. Enclosed with their letter was a resolution signed by all the communities along the lower portion of the river in support of this. Based on this congressional request, the National Park Service agreed to study this portion as well. This was done administratively.

The authority for the Secretary to conduct studies is found in Section 5(d)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.). It states:

The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and investigations to determine which additional wild, scenic and recreational river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved.

In addition, in 1982, the Department of the Interior and Department of Agriculture published final revised guidelines in the Federal Register related to the National Wild and Scenic Rivers System. The Notice was titled "National Wild and Scenic Rivers System; Final Revised Guidelines for Eligibility, Classification and Management of River Areas". The relevant portion under Section II – The River Study, is as follows:

Description of the River Area

Each report will contain a description of the area included in the study. The study area will cover, as a minimum, an area extending the length of the river segment authorized for study and extending in width one-quarter mile from each bank of the river.

Adjacent river areas beyond one quarter mile from each river bank may be studied if their inclusion could facilitate management of the resources of the river area. For example, there may be important historic, archeological or ecological resource

areas which may extend beyond the boundaries of the mandated study area, but could be better managed by inclusion in the river area. Also, management of the river area may be facilitated by extension to include established or available access points not included in the study.

Taken together, these authorities have been relied upon as providing the necessary authority to the Secretary to not only study potential wild and scenic rivers, but to expand the study area as appropriate during the course of the study.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

APR 15 2008



The Honorable Raúl M. Grijalva
Chairman
Subcommittee on National Parks, Forests and
Public Lands
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This memo is in response to a request for additional information about funding for the construction of the new visitor center that was promised by our witness, Katherine Stevenson, at the March 6 hearing on H.R. 1423, a bill to authorize the Secretary of the Interior to lease a portion of a visitor center to be constructed outside the boundary of the Indiana Dunes National Lakeshore in Porter County, Indiana.

The new Dorothy Buell Memorial Visitor Center opened in November 2006. Funding for this project was secured by the Porter County Convention and Visitor Commission. No National Park Service funds were used. The Commission secured 80 percent of the funding for the facility through the Transportation Enhancement Act (TEA-21) and the 20 percent match that is required by TEA-21 through the sale of Porter County's former visitor center.

Thank you for giving us the opportunity to respond to you on this matter.

Sincerely,

Jane M. Lyder
Legislative Counsel
Office of Legislative and Congressional
Affairs

cc: The Honorable Rob Bishop, Ranking Minority Member
Subcommittee on National Parks, Forest and Public Lands



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



APR 28 2008

The Honorable Daniel Akaka
Chairman, Subcommittee on National Parks
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510-6450

Dear Mr. Chairman:

Enclosed are responses prepared by the National Park Service to questions submitted following the November 8, 2007, hearing before the Subcommittee on National Parks on: **S. 1449**, Rocky Mountain Science Collection Center; **S. 1365**, Boston Harbor Cooperative Agreements; **S. 1921**, American Battlefields Protection Act Reauthorization; **S. 1941**, Wolf House Feasibility Study; **S. 1961**, Little River Canyon Boundary Expansion; **S. 1991**, Lewis & Clark National Historic Trail Extension Study; **S. 2098**, Northern Plains National Heritage Area; **S. 2220**, Outdoor Recreation Act Appropriations; and **H.R. 1191**, Grand Canyon Subcontractor Payments.

Thank you for the opportunity to provide this material to the Subcommittee.

Sincerely,

Jane M. Lyder
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Richard Burr
Ranking Member
Subcommittee on National Parks
Committee on Energy and Natural Resources

Questions for the Record
Senate Committee on Energy and Natural Resources
Subcommittee on National Parks
November 8, 2007

Questions from Senator Ken Salazar (S. 1449)

1. As you stated, this Museum showcases many important artifacts and documentation, which enhances our historical understanding of the Rocky Mountain Region and its Parks. Furthermore, The White House Office of Management and Budget and the Office of Science and Technology Policy have issued budgetary guidelines since 2005 that include language advocating for the importance of object-based collections for scientific advancements. How do the priorities of the National Park Service contrast with the priorities of the Museum?

Answer: We cannot speak for the priorities of the Museum. However, the National Park Service (NPS) gives high priority to making scientific collections accessible for research. In FY 2007, parks in the National Park System responded to more than 315,000 public research requests for use of park museum collections and nearly 6,900 permits for research and collecting in parks were active. The soon-to-be-released NPS benefits-sharing environmental impact statement details procedures that parks will follow to ensure that the public benefits from valuable discoveries, inventions, and other developments resulting from research involving specimens collected from national park units.

2. You suggested using federal repositories as an alternative to this legislation. In what ways will this help address the issue of granting the public access at the Museum to artifacts and documents that are currently unable to be displayed?

Answer: Display is only one type of access to collections and is limited to those few items selected for exhibit. What is on exhibit in most museums is generally the tip of the iceberg. Parks provide research access to all cataloged items and their associated documentation (nearly 70 million items throughout the National Park System), whether they are on display or stored in an associated repository. In FY 2007, NPS responded to more than 315,000 public research requests for use of the park museum collections in either exhibits or storage.

Questions from Senator Richard Burr

3. Boston Harbor Cooperative Agreements (S. 1365):

a. How will S. 1365 improve the operation of Boston Harbor Islands National Recreation Area?

Answer: The legislation that added the Boston Harbor Islands to the National Park System created a park that is fundamentally different from traditional national park units. Unlike other units of the National Park System, Boston Harbor Islands NRA is administered in partnership by the NPS, the Commonwealth of Massachusetts, the City of Boston, and others in accordance with the provisions of law generally applicable to units of the National Park System. NPS does not own any of the park islands. Fundamental to the NPS's partnership role is collaboration with the U.S. Coast Guard, and State, municipal, and not-for-profit entities that own the islands within the park or that are part of the Boston Harbor Islands Partnership (Partnership).

The authorizing legislation only allows the NPS to enter into cooperative agreements for collaborative projects with the Commonwealth of Massachusetts and its political subdivisions. This bill would authorize the Secretary to also use cooperative agreements with the not-for-profit organizations represented in the Partnership. For example, with this authority the NPS could enter into a cooperative agreement with the Thompson Island Outward Bound Education Center to fund a youth crew to improve the condition of park trails within the boundary of the park. The bill would improve operations because the NPS could increase its ability to effectively partner with all the entities on collaborate projects.

b. Does the Boston Harbor Islands National Recreation Area have any pending construction projects or other capital improvements that require S. 1365 to complete?

Answer: Not at this time.

c. What is the difference between a cooperative agreement for goods and services and a sole source contract for goods and services?

Answer: A cooperative agreement is a type of legal instrument used when the primary purpose is to provide a form of financial assistance to support or stimulate the accomplishment of a public purpose. It also requires that the provider of the assistance is substantially involved in the project. The key is cooperative agreements may not be used to acquire goods and services for the direct benefit or use of the Federal Government.

A procurement contract under the provisions of the Federal Acquisition Regulations (FAR) would be issued when the principle purpose of the award is to acquire (by purchase, lease, or barter) goods or services for the direct benefit or use of the Federal Government. A sole source award could be executed in circumstances governed by the FAR. Justifications for these noncompetitive procurement awards fall into several categories including vendor capability and cost capability.

d. Will an authorization for obtaining goods and services through cooperative agreements circumvent the source selection process?

Answer: No. However, existing authorities under the FAR permit the park to purchase goods and services for its benefit. A cooperative agreement would not be the appropriate vehicle to provide goods and services for the benefit of the government. A cooperative agreement, as

discussed in the answer above, is a financial assistance instrument for the purposes of collaboration or public stimulation.

e. What type of safeguards will the National Park Service impose to ensure protections for delivery of goods and services under cooperative agreements that are currently in place in laws and regulations that pertain to contracts?

Answer: Cooperative agreements are governed by law and policy. Congress provided guidance in the Federal Grant and Cooperative Agreement Act of 1977. The Office of Management and Budget provides policy guidance through frequent circulars, and general requirements as well as specific requirements for the Department of the Interior are contained in the Code of Federal Regulations. These requirements are primarily focused on the administrative aspects (cost principles, audit requirements, etc.) of the agreement award. The Department of the Interior also updated its Department Manual on January 9, 2008, to clarify DOI guidelines. In addition, the NPS has the ability to impose additional requirements within the agreement related to quality assurance and any other aspect that is determined to be necessary and within the legal framework of cooperative agreements and other applicable laws.

f. How can S. 1365 be amended to ensure cooperative agreements provide equivalent safeguards that are found in laws and regulations that pertain to contracts?

Answer: As mentioned above, safeguards are already in place for cooperative agreements and hence, S. 1365 does not need to be amended to provide this.

4. Rocky Mountain Science Collection Center (S. 1449):

The proposed legislation would authorize construction of a center for storing archeological, zoological, geological and other materials for the Denver Museum of Nature and Science in Denver, Colorado. The Federal government would pay 50% of the cost of the facility.

a. Does the National Park Service have an existing relationship with the Denver Museum of Nature and Science for storing artifacts?

Answer: Yes. A small number of NPS artifacts, according to database searches 5,000 – 6,000 from five parks, are stored at the Denver Museum. NPS has also conducted training courses with the Museum and provided technical assistance, when requested, regarding museum procedures.

b. Where does the National Park Service and other agencies currently store material collected on public lands in the Intermountain Region?

Answer: Parks store collections in parks, in NPS centers (such as the Western Archeological and Conservation Center), and in non-NPS repositories. In the National Park System, less than one percent of the items in NPS collections are on loan to 570 non-NPS partner facilities for short-term exhibit and use or long-term storage and research services.

c. Do the National Park Service and other bureaus of the Department of the Interior have an inventory of material collected on public lands and retained by the Denver Museum of Nature and Science? If so, is the Department of the Interior in a position to reclaim the material and store it elsewhere?

Answer: The NPS has the ability to search our database of artifact records to determine the location of those artifacts. Based on a query of the database, between 5,000 and 6,000 artifacts are shown as being stored at the Denver Museum. The Intermountain Region Museum Collection Facilities Strategy targets 21 facilities in the region that could house park museum collections. Some of these facilities are extant and others are expected to be constructed in the future. The facilities in the Rocky Mountain area include those in ten parks and the Northern Arizona Cultural and Natural History Facility. We believe that these facilities will address the needs of the museum collections from parks in the Rocky Mountain area of the region. Some natural history collections are likely to be stored with universities as continued research and teaching collections but this represents a small fraction of the total.

5. American Battlefields Protection Act Reauthorization (S. 1921):

a. Does S. 1921 authorize anything other than a 5-year extension of the time allowed to acquire property by fee or easement?

Answer: Yes, by amending the American Battlefield Protection Act of 1996, S. 1921 extends the authorization for up to \$10 million in Land and Water Conservation Fund monies per fiscal year to carry out the Civil War Battlefield Acquisition Grant Program from 2009 through 2013. The bill also reauthorizes the American Battlefield Protection Program through 2013.

b. Which battlefield sites are affected by S. 1921 and how much acreage does the National Park Service hope to acquire as a result of this legislation?

Answer: Only the 384 battlefields listed in Civil War Sites Advisory Commission's Report on the Nation's Civil War Battlefields (1993) are affected by S. 1921. The NPS will acquire no additional lands through this legislation: by law, the acquisition grants may not be used to purchase land within the authorized boundary of any unit of the National Park System. Instead, NPS does expect to help State and local governments acquire and protect 7,500 acres or more between 2009 and 2013.

6. Wolf House Feasibility Study (S. 1941):

a. S. 1941 requires the Secretary of the Interior to submit to Congress not later than 1 year after the date of enactment of this Act a report describing the results of the study. Most study bills give the Secretary 3 years from the date funds are made available to conduct the study before the results are required.

b. Can you meet the one-year deadline imposed by S. 1941?

Answer: Due to various requirements, we could not meet the one-year deadline for the study. For any study bill, we recommend the standard time frame of three years after funds are made available to complete a study.

c. What is the current condition of Wolf House and who owns it?

Answer: Baxter County, Arkansas, owns the property; however, it is operated by the Wolf House Memorial Foundation, Inc. Extensive restoration of the property began in 1999 and was completed in 2001. The restored building reopened to the public in the spring of 2002. The restoration work was funded by a County Courthouse Restoration Grant awarded by the Arkansas Historic Preservation Program, an agency of the Department of Arkansas Heritage.

7. Little River Canyon Boundary Expansion (S. 1961):

a. How many acres are currently included within the boundaries of the Little River Canyon National Preserve and how many acres will the Secretary be authorized to add as a result of S. 1961?

Answer: Currently the Preserve includes 13,797 acres. This boundary expansion would authorize the addition of 1,656 acres.

b. Are any property owners within the revised boundary opposed to this legislation?

Answer: Except for the Canyonview Forest parcel, all the other landowners either support, or do not oppose the legislation. The Canyonview Forest landowners are mixed with some in support of being included within the boundary and others being concerned that having their property included within the boundary could lead to NPS infringement on their private property rights.

8. Lewis & Clark National Historic Trail Extension Study (S. 1991):

a. S. 1991 requires the Secretary of the Interior to submit to Congress not later than 2 years after funds are made available to conduct the study, a report describing the results of the study. Most study bills give the Secretary 3 years from the date funds are made available to conduct the study before the results are required. Has any of the study already been completed and can you meet the two-year deadline imposed by S. 1991?

Answer: Given the size, scope, and complexity of the Eastern Legacy area and the anticipated level of public interest, completing all phases of the suitability/feasibility study would take a minimum of three years. Although no portions of the suitability/feasibility study have been completed, a National Historic Landmark study of the Eastern Legacy was completed in September 2006. This study would not reduce the full study time, but it could provide a faster start.

b. What is the estimated distance of the trails to be studied if S. 1991 is enacted?

Answer: The study process itself would actually determine what trail areas to include, but we estimate that approximately 1,700 miles or more could be involved.

9. Northern Plains National Heritage Area (S. 2098):

a. How much Federal funding was requested in 2007 by the 37 National Heritage Areas and how much Federal funding did DOI allocate to each area?

Answer: Public Law 110-5 provided \$13,335,000 of FY 2007 funding for National Heritage Areas (NHAs). Of that amount, \$102,000 was used for NPS Program Administration costs. The remaining \$13,233,000 was allocated to 24 National Heritage Areas. The NPS set aside \$233,000 of those funds to provide technical assistance to the 11 new NHAs (including the newly reauthorized Illinois and Michigan Canal NHA). The remaining \$13,000,000 was divided among the 24 eligible NHAs that were established prior to October 1, 2006, based upon certain data criteria. Below are the allocations to those areas.

ALLOCATIONS TO 24 NATIONAL HERITAGE AREAS

National Heritage Area FY 2007

America's Agricultural Heritage Partnership (IA)	\$ 770,119
Augusta Canal National Heritage Area (GA)	\$ 333,372
Automobile National Heritage Area (MI)	\$ 532,055
Blue Ridge National Heritage Area (NC)	\$ 748,955
Cane River National Heritage Area (LA)	\$ 642,233
Delaware and Lehigh National Heritage Corridor (PA)	\$ 661,886
Erie Canalway National Heritage Corridor (NY)	\$ 768,524
Essex National Heritage Area (MA)	\$ 682,207
Hudson River Valley National Heritage Area (NY)	\$ 532,055
John H. Chafee Blackstone River Valley National Heritage Corridor (MA, RI)	\$ 704,959
Lackawanna Valley National Heritage Area (PA)	\$ 462,621
Mississippi Gulf Coast National Heritage Area (MS)	\$ 236,470
National Aviation Heritage Area (OH)	\$ 236,470
National Coal Heritage Area (WV)	\$ 118,235
Ohio and Erie Canal National Heritage Area (OH)	\$ 694,275
Oil Region National Heritage Area (PA)	\$ 236,470
Quinebaug-Shetucket Rivers Valley National Heritage Corridor (CT, MA)	\$ 722,750
Rivers of Steel National Heritage Area (PA)	\$ 719,135
Schuylkill National Heritage Area (PA)	\$ 532,055
Shenandoah River Valley Battlefields National Historic District (VA)	\$ 471,647
South Carolina National Heritage Corridor (SC)	\$ 718,216

Tennessee Civil War Heritage Area (TN)	\$ 472,938
Wheeling National Heritage Area (WV)	\$ 631,431
Yuma Crossing National Heritage (AZ)	<u>\$ 370,922</u>

TOTAL **\$13,000,000**

b. The National Park Service testified that the amount of public interaction was inadequate to conclude that designation is warranted. What was the extent of public interaction for the Northern Plains Heritage Area Study and how much does the National Park Service consider adequate?

Answer: The feasibility study submitted to the NPS Midwest Regional Office included copies of letters of support from county officials. However, there was no documentation of their commitment and role in the viability and future sustainability of the heritage area once the study was completed. That support is an essential factor in the success of a new heritage area. The completed study also does not document any publicly held workshops or minutes of their meetings. Many studies conducted by foundations and other grant-making organizations have shown that public grassroots efforts are an indicator their grants would contribute to the long-term success of a heritage area. Feasibility studies that document these commitments compete well for grants from these larger foundations.

The NPS looks for the following grassroots components when reviewing a completed feasibility study for a new heritage area:

- Newspaper articles that invite resident and general public participation and dialog.
- Offers by owners in the designated area to preserve and maintain their sites as part of a cohesive collection of places within the indicated boundary that tell a nationally important story.
- Notes and individual comments from public meetings describing an agreed upon set of goals that would define a common vision for a large, diverse, individually owned series of sites, parks, communities, counties and property.
- Minutes of meetings held with State officials including their written support for a long-term commitment to help maintain the parklands indicated in the study as key sites for telling the nationally important story.
- Minutes of meetings held with the general public to discuss the impacts of the designation and the ways the public may participate in the promotion of the heritage area should designation takes place.
- Documentation from officials, civic organizations, businesses, residents and others who have committed to match federal funding describing their role in working toward future sustainability of the heritage area and the viability of the management entity.
- Documentation from individual residents regarding their commitment to ensure success of the heritage area concept and how they feel it will impact their lives should designation takes place.

10. Outdoor Recreation Act Appropriations (S. 2220):

a. Does the National Tropical Botanical Garden currently receive any federal funds to operate? If so, how much, which Federal agency provides the funding, and how is it used?

Answer: We do not have access to information that would answer this question definitively but, to our knowledge, the National Tropical Botanical Garden does not currently receive any federal funds.

b. What is the current working relationship between the National Park Service and the National Tropical Botanical Garden?

Answer: The NPS has an indirect working relationship with the National Tropical Botanical Garden. NPS has a cooperative agreement with the Center for Plant Conservation, which is associated with the Missouri Botanical Gardens, to coordinate the collection of seeds, other propagules, or plant parts of threatened and endangered species in national park units for long-term storage in case they are needed in the future. The National Tropical Botanical Garden is one of several entities the Center for Plant Conservation is working with to obtain specimens from national park units in Hawaii.

11. Grand Canyon Subcontractor Payments (H.R. 1191):

a. Should the bill be amended in any way to prevent this type of incident from occurring again?

Answer: No. Adequate safeguards, specifically the Miller Act and FAR 28, are all ready in place. The original GSA Indefinite Deliver/Indefinite Quantity (IDIQ) Contract with Pacific General Inc. included FAR clause 52.228-15 pertaining to Construction Payment and Performance Bonds. The Contracting Officer at Grand Canyon National Park who issued the task orders against the GSA IDIQ contract did not ensure the bonds were in place.

b. What type of disciplinary action did the National Park Service or Department of the Interior take against the NPS employees involved in negotiating, executing, implementing, and monitoring the Grand Canyon contract that ended in default?

Answer: The only actions taken were retirements. A Performance Improvement Plan was prepared, but not implemented due to retirement, for the Contracting Officer.

c. What changes has the National Park Service made to contracting procedures since the prime contractor defaulted at Grand Canyon?

Answer: The Intermountain Region of the NPS is currently implementing changes to its contracting function. Four major acquisition buying offices are being created across the region. A key focus for these offices is to guarantee that technical responsibility, appropriate accountability, and accessibility for technical oversight for contracting is conducted by

contracting specialists with ultimate responsibility residing with the Washington Procurement Chief.

d. Has the National Park Service experienced any contractor defaults similar to that at Grand Canyon? If so, how much money was involved and how was the situation resolved?

Answer: On July 24, 2006 a contracting office defaulted one firm for failing to obtain performance and payment bonds on a design-build contract. The design-build contract required the bonds be provided after completion of the design and prior to notice to proceed on the construction portion. The contractor was unable at the point of construction to produce payment and performance bonds for the \$1.8 million contract and was terminated for default. The firm was paid for the completed design. Since then, the office has changed its practices and now requires contractors to submit the required payment and performance bonds for design-build contracts right after contract award, just as on design-bid-build contracts. There was minimal risk to the government, as no construction was begun without bonds being in place, and the government did receive the benefit of the design.

e. How many construction contracts does the National Park Service currently have that exceed \$5 million in total obligation and has each been reviewed to prevent a Grand Canyon-like incident from reoccurring?

Answer: The NPS has approximately 30 active construction contracts valued over \$5 million in total obligations. The majority of these contracts are managed by the largest centralized acquisition office within the NPS, the Denver Service Center (DSC). The DSC contracting office is supervised by certified contracting officers that are fully aware of the requirements for bonding. All contracts valued over \$1 million require solicitor review prior to the issuance of the solicitation, to ensure that all appropriate requirements are included within the solicitation documents. In addition, Acquisition Management Reviews (AMRs) are conducted annually by both the Washington Office and Regional Offices to review contracts awarded at all levels of the organization. A part of an AMR is the review of construction files to ensure applicable requirements are in place, including bonding.

Questions from Senator Jim Bunning (S. 1991)

12. Mrs. Stevenson, you mention in your testimony that while there are many people who support S. 1991, there are many people who oppose this bill. I have heard nothing but positive feedback, ranging from individual constituents to organizations to state legislators. Every state in the Eastern Legacy area has seen their legislature pass resolutions supporting the goal of my bill. I have not been notified by anyone who is opposed to the bill. Has anyone contacted the National Park Service opposing this legislation? What people and groups were you talking about in your testimony?

Answer: During the Bicentennial, several bills were introduced to extend the trail. Some partners along the existing trail, particularly the more western portions, expressed concern that

extension of the trail would reduce the amount of Challenge Cost Share (CCS) funding available to them. We heard, anecdotally from partners, that some western members of the Lewis and Clark Congressional Caucus were not supportive of the trail extension for that reason. Following the Bicentennial, the CCS funding specifically directed toward the Lewis and Clark National Historic Trail, which had been up to \$5 million annually, was eliminated and the trail CCS funding is now about \$39,000 annually. Also during the Bicentennial, there were many informal conversations concerning the issue of when the Expedition began and when it ended. Often, these conversations involved historians who were more interested in the academic aspect of the question rather than specifically whether or not the Eastern Legacy should be part of the trail. Since the Bicentennial, we have not heard of any particular or specific opposition to the trail extension.

13. Mrs. Stevenson, you said that a suitability and feasibility study generally takes three years from start to finish, but explained that with high public participation, the process could be completed in a shorter time frame. In the last year, every state legislature in the Eastern Legacy region has passed a resolution in favor of trail extension and pledged support for the expansion process. Will this level of public support provide the NPS the assistance it needs to complete the Eastern Legacy study quickly? Also, do you think previous studies by local state governments and organizations would make such a study less costly and time consuming to the NPS?

Answer: We appreciate the efforts of state governments and organizations in conducting Eastern Legacy studies. Those documents, however, would not significantly reduce the time or cost of the suitability/feasibility study. While public involvement and interest in the project helps the team compose a better study, there is a positive correlation between the amount of public involvement and the length of the study process. A suitability/feasibility study does not automatically result in recommendations for extending a trail. It is a structured process which addresses specific questions in order to determine whether (1) the resources are nationally significant, (2) the resources are suitable for addition to the National Trails System, (3) it is feasible for the resources to be administered by the NPS, and (4) direct government involvement is needed to protect the resources.



United States Department of the Interior
OFFICE OF THE SECRETARY
Washington, DC 20240
MAY 1 - 2008

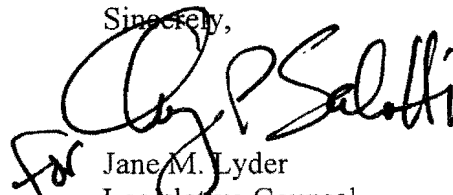


The Honorable Daniel K. Akaka
Chairman, Subcommittee on National Parks
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed are responses to the follow-up questions from the hearing on several bills held by the Subcommittee on National Parks on September 27, 2007. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

For Jane M. Lyder
Legislative Counsel
Office of Legislative and Congressional
Affairs

Enclosure

cc: Honorable Richard Burr, Ranking Minority Member

Questions for the Record
Senate Committee on Energy and Natural Resources
Subcommittee on National Parks
September 27, 2007

Questions from Senator Robert Menendez on S. 148, to establish the Paterson Great Falls National Park in the State of New Jersey, and for other purposes

(1) How many National Historic Districts include both a National Natural Landmark and a National Historical Landmark?

Answer: There are two in addition to the Great Falls. The Montpelier National Historic Landmark District that preserves the home and properties of James Madison, 4th President of the United States, includes the 200-acre, old growth James Madison Landmark Forest, a designated National Natural Landmark. The District is administered by the Montpelier Foundation. The Salt River Bay in the U.S. Virgin Islands is a designated National Natural Landmark and contains the Columbus Landing National Historic Landmark. Salt River Bay National Historical Park and Ecological Preserve is a unit of the National Park System.

(2) What other places in America now interpret Hamilton's vision of economic independence, particularly for military supplies?

Answer: Numerous events and exhibits have emerged to provide public understanding of Hamilton's overall contributions to the history of the United States including economic independence. The recent New York Historical Society exhibition as well as the ensuing traveling exhibit reached many audiences. The American Finance Museum has instituted a permanent exhibit on Hamilton and a temporary exhibit is scheduled to open in January 2008 at Federal Hall in New York City. The Special Resource Study concludes that a number of existing units of the National Park System associated with Hamilton could expand interpretive opportunities to provide a better understanding of his contributions. We know of no place that specifically addresses economic independence related to military supplies.

(3) Hamilton biographers emphasize that Hamilton's economic vision had two critical aspects: (i) zero tolerance for slavery; and (ii) opportunities for poor immigrants with no social pedigree to rise to the top of American society. What other places in America connected with Hamilton interpret this extraordinary vision of a Founding Father?

Answer: See above in answer #2 as it relates to Hamilton's overall contributions. The National Park Service (NPS) believes that existing units associated with Hamilton, particularly Hamilton Grange in New York City and Independence National Historical Park in Philadelphia are capable of addressing these aspects and other aspects of his beliefs. In terms of his beliefs about slavery and freedom, as well as the difficulties and opportunities experienced by immigrants, there are numerous units of the National Park System and sites administered by states and nonprofit organizations including Booker T. Washington National Monument (VA), Boston African American National Historic Site (MA), Maggie L. Walker National Historic Site (VA), Frederick

Douglass National Historic Site (DC), Ellis Island (NY/NJ), and Lower East Side Tenement (NY) that interpret these themes.

(4) What National Park Service units have a relationship to Muslim Americans?

Answer: Units of the National Park System, of course, are not designated based on religious relationships or beliefs, so there is no specific unit relating to Muslim Americans, as there are no units relating specifically to other religious beliefs. The National Park System, however, contains numerous units that interpret the importance of liberty, equal opportunity, and religious tolerance.

(5) What National Park Service units interpret the modern Silk Road that was the theme of the Smithsonian Folk Life Festival on the National Mall in 2002?

Answer: We are not aware of any units that specifically interpret the “modern Silk Road,” but numerous units and National Historic Landmarks with such relationships could provide interpretation on social, cultural, political and technology transfers associated with the Silk Road as they influenced aspects of American life.

(6) On the same day that the Administration testified against the Paterson National Park, the Administration testimony on S. 187 stated that Lowell, Massachusetts is “the most significant planned industrial city in the United States.” Why is Lowell more significant than Paterson, which was planned as an industrial city a generation earlier than Lowell by one of our Founding Fathers and Pierre L’Enfant?

Answer: The referenced testimony was based on the Congressional finding in Public Law 95-290 which states, “that certain sites and structures in Lowell, Massachusetts, historically and culturally the most significant planned industrial city in the United States, symbolize in physical form the Industrial Revolution.” The Department has not concluded that Lowell is more or less significant than Paterson. The Special Resource Study which was conducted on the Great Falls Historic District, only, concluded that Lowell National Historical Park was among a number of places where certain themes associated with the Great Falls Historic District were adequately represented, which is a finding that addresses the suitability criterion for designation as a unit of the National Park System.

(7) The Park Service testified that Hamilton is represented three places in the National Park System. But scholars point out that he lived in Hamilton Grange only the last two years of his life--many years after his service in government--and the Grange has nothing to do with his industrial vision and its primary importance is as a remaining 18th century house. Independence Hall does not interpret Hamilton's vision of the American economy or economic independence. And Federal Hall is a welcome center for the entire New York region that has only a very limited display on Hamilton's contributions. How can these three sites be used as a justification for rejecting the Paterson National Historical Park legislation?

Answer: The study of the Great Falls Historic District investigated numerous comparable resources and went well beyond these three sites, or just Hamilton’s association with the District.

The study concluded that there were many additional factors relating to the congressionally required criteria of suitability, feasibility and need for NPS management that precluded a recommendation for unit designation. The three sites were referenced as examples of places where the overall contributions of Hamilton could be better interpreted, not just one of many aspects of his contributions to American history. The Department's testimony was based on the entire body of the study's findings, not simply the existence of already designated sites that are associated with Hamilton.

In addition, while I did ask these questions at the hearing I would like a more complete answer from the National Park Service on these questions in writing if possible.

(8) At an early stage of the Paterson Great Falls Study, the National Park Service launched a special webpage devoted to the Paterson Study. For all the years the Study continued, the webpage noted that the Administration "does not support addition of new units to the National Park System." What effect did the Administration policy have on the Paterson Study?

Answer: The web page contained in part, a generic "frequently asked questions" section that was copied from another Special Resource Study web site. It was removed from both sites as soon as the referenced phrasing was brought to the attention of the study team. The phrasing had no bearing on the conduct of the study which was conducted in accordance with accepted NPS study policies and practices, as well as legislatively prescribed congressional direction. Given the high number of public comments submitted in support of designation during the study period, it would seem that the message did not have an impact on public input.

(9) The Park Service published a Draft of the Paterson Great Falls Study for public comment in November 2006 and invited the public to provide comments by January 30, 2007. It is astonishing to read the letters of some of the most distinguished scholars in America characterize what the Park Service did in the Paterson Study. They used words like: "misreads the historical record"... "seriously deficient"... "truly absurd"... "demonstrably wrong"... "false"... "a serious misreading of the historical record." As a result of getting all these letters from leading scholars, what changes did the Park Service make in the Draft Study?

Answer: The NPS has not made changes to the study based on the 22 public comments received during the public comment period. The study team prepared and sent a 35-page public response document to those providing comments. We believe the response document addresses the comments and provides clarification, where necessary, on the study content and conclusions. Many of the comments addressed the national significance criterion, which was not at issue in the study.

(10) Governor Corzine wrote a letter to Secretary Kempthorne on September 11, 2006 that said: "The State of New Jersey alone cannot protect the resources of the Great Falls and properly present them to the public without an NPS unit in Paterson." How can the Park Service Draft Study conclude that the State will be doing all that is necessary at the Great Falls when the New Jersey contribution to the Park is \$10 million and the Park Service numbers make it clear that \$20 million is necessary?

Answer: The cost estimates provided in the study did not represent a “necessary” figure for the protection of the District’s resources. They represent an estimate of a staffed and functioning unit of the National Park System without NPS ownership or management of the resources beyond that necessary for basic visitor services, plus a grant program for preservation and improvements to historic resources owned by others. The \$10 million to be invested by the state appears to be adequate for the portion of the District that constitutes the first phase of the state’s improvements and the state is currently preparing a master plan for the park. As the report indicates, the alternative of designating the state park as an affiliated area of the National Park System could potentially assist the state through federally provided grants and technical assistance. In addition, the \$3.3 million authorized, but not appropriated, in Public Law 104-333, Title V, Section 510 would provide additional assistance to the state through a cooperative agreement for restoring, repairing, rehabilitating, and improving historic infrastructures within the historic district, as well as planning and technical assistance by the Secretary.

Questions from Senator Richard Burr

(11) Cache la Poudre River National Heritage Area Amendment (S. 128):

a. Why has this National Heritage Area been inactive since it was first established in 1996?

Answer: The heritage area has never been fully operational due to concerns from the Department of Justice that the language used in Public Law 104-323, the legislation that established the heritage area, to appoint members to the operating commission potentially conflicts with the appointments clause of the Constitution. Since the operating commission could not be appointed, due to this conflict, the heritage area has been inactive. The NPS and members of the Colorado delegation have been working for several years to reach an agreement on legislative language that meets the concerns laid out by the Department of Justice, preserves the regional administration of the area, and protects private property rights.

b. Have any other National Heritage Areas or Corridors encountered similar management challenges to those found at Cache la Poudre River? If so, how were the problems resolved?

Answer: Yes. The Dayton Aviation Heritage Commission and the Keweenaw National Historical Park Advisory Commission had similar problems with the language that appointed members for their commissions and which was determined to violate the appointments clause of the Constitution. In these two cases the laws were amended to adjust the way members were appointed, removing the concerns. The amendments to Public Law 104-323 will replace the commission originally proposed for Cache la Poudre as the management entity with a non-profit corporation, making the management of this heritage area similar to other heritage areas.

(12) Paterson Great Falls Park Act (S. 148):

a. What is the status of the suitability and feasibility study conducted by the National Park Service for the Paterson site?

Answer: The study has been completed and is in the clearance process prior to its transmittal to Congress. We expect the study will be transmitted by summer 2008. The study concludes that the resource is nationally significant, but it is not suitable or feasible for designation as a unit, nor is there a need for NPS management.

b. How many acres of the proposed area are in private ownership and how much will remain in private ownership after designation?

Answer: It is estimated that approximately 30 to 40 acres are in private ownership. We do not anticipate any federal acquisition of land if the unit is established other than for necessary visitor services, but the bill provides authority for acquisition by donation, purchase with donated or appropriated funds, or exchange. The Senate bill also appears to authorize condemnation authority if the Secretary determines that the land is being developed or proposed for development in a manner detrimental to the values of the park. The House bill (H.R. 189) as passed on October 22, 2007, removed the provision giving condemnation authority to the Secretary.

c. The House companion bill, H.R. 189, has been reported out of the Natural Resources Committee with an amendment. The National Park Service opposed the House bill as introduced. Does the National Park Service support the amended version of H.R. 189? If not, why?

Answer: The NPS does not believe that the resources associated with the Great Falls Historic District meet Congressional criteria for designation as a unit of the National Park System and does not support H.R. 189 as reported by the Committee and passed by the House.

d. Who will control land use within the boundaries of the unit after designation?

Answer: Section 5(b) of the bill provides that state and other political jurisdictions maintain civil jurisdiction in the proposed park. Section 6 (b)(1)(B) provides that a management plan will determine coordination of federal, state and local responsibilities with regard to planning and regulatory authorities.

e. How many private businesses exist within the proposed boundaries of the Paterson National Park? What other units of the National Park System contain a concentration of private businesses similar to Paterson? Does the National Park Service collect a franchise fee or business use authorization fee in such cases?

Answer: NPS does not have an accurate estimate of private businesses within the proposed boundary since many may be located within individual structures. We believe that the number could exceed 100, but no formal census was undertaken during the study. A number of units of the National Park System contain private business either in private structures within the boundary, or through the historic building leasing program. An example of these parks includes Lowell National Historical Park. We are not aware of any authority to collect fees on the uses of private or other non-NPS publicly owned properties within park boundaries.

f. It is my understanding that the proposed Paterson National Park site currently contains apartments, affordable housing, and proposed condominiums as adaptive reuse of historic structures. Do any other units of the National Park System contain private residential structures of this type? If so, where and to what extent? Would the National Park Service support adaptive reuse of historic structures for condominiums in a national park unit?

Answer: Other units of the National Park System do contain private residential uses. Again, Lowell National Historical Park represents an example. Not knowing the exact number of current or potential residential uses in the Great Falls Historic District, we cannot comment on whether any parks have comparable uses to the extent of the District. Since the study disclosed that the District does not meet suitability and feasibility criteria, NPS did not undertake extensive research on private residential uses.

(13) Keweenaw National Historical Park Matching Funds Reduction (S. 189):

a. The amendment removes a provision that prohibits the Secretary from acquiring lands that have become contaminated with hazardous substances. Under what circumstances would the National Park Service feel compelled to purchase lands that are contaminated with hazardous substances?

Answer: The NPS might feel compelled to purchase lands that are contaminated with hazardous substances when there is a high level of resource value, a need for resource protection, and an opportunity to provide valuable visitor experiences relative to the park mission, reasons compelling enough to offset the costs required to remediate the contamination. For example, a highly significant historic property slated for demolition by its owner could provide a unique opportunity to experience an important component of the park story, especially if the property has a minimal amount of contamination that could be removed or remediated for far less than the cost of acquisition. Another example would be a site of similar significance that has had the contamination remediated but not removed with little or no potential for incurring future clean up costs. The present provision in the park legislation would prohibit these opportunities for acquisition as the site still contains the contaminants.

The Coppertown property, cited in our written testimony, is a good actual example of an area where small contamination issues surfaced during the environmental analysis, issues that could be remediated at relatively little expense. But because of this contamination, the park was unable to acquire one of the best-preserved industrial facilities associated with the Calumet & Hecla mine operations – key features of the park’s Calumet Unit. The present owner is unable to maintain the property and almost closed it to the public in 2007 due to inadequate operating funds. This historic property is important in understanding the industrial scale of the mine undertakings. However, it is both threatened and, potentially, unavailable to visitors.

b. Why is it necessary to delete a provision that prohibits the acquisition of lands contaminated with hazardous substances?

Answer: The provision is more restrictive than applicable Department of the Interior requirements, which would allow for consideration of property such as those cited in 13(a) above. By deleting this provision, the NPS would have the opportunity to acquire key at-risk historic properties at Keweenaw NHP in a manner consistent with virtually every other unit of the National Park System. The NPS believes that sufficient safeguards are in place to prevent the acquisition of properties with burdensome contamination-related costs. The Department of the Interior (DOI) has established policy and procedures in place whereby all real property and interests in real property considered for acquisition by the DOI will be assessed prior to the acquisition to determine if contaminants are present. The cost of cleaning up or remediation of contaminants must be factored into the decision-making process prior to the purchase of the property. The policy provides for up to three levels of inspection and professional assessment, depending on the data collected during the initial assessment. It also provides for a thorough review and approvals if the park manager desires to complete the purchase. Approval is required by a Regional Director for acquisition of properties where remediation would cost up to \$250,000, by the NPS Director when remediation amounts range from \$250,000 to \$500,000, and by the Secretary when remediation costs would exceed \$500,000. The Department's policy in Secretarial Order No. 3127 is reflected in NPS Management Policies 2006, Sections 8.1 and 8.2.

c. How will this amendment improve the visitor experience to Keweenaw National Historical Park?

Answer: The amendment would allow for the acquisition of historic properties, or interests therein, of high significance to park themes that otherwise would not be preserved or accessible to the public. Visitors would be able to experience a more comprehensive and cohesive visit with preserved resources that include historic properties of the highest significance to the overall park story.

d. How many units of the National Park System have matching funds requirements as part of their enabling legislation or subsequent amendments? What is the range of matching fund requirements (e.g., 1 federal to 1 non-federal or something less being the smallest to 1:4 or something greater being the largest)?

Answer: Most units in the Midwest Region do not have matching fund requirements as part of their enabling legislation or subsequent amendments. In the Northeast Region, the Boston Harbor Islands National Recreation Area, in Massachusetts, requires a 3:1 match of non-federal dollars to federal dollars, and New Bedford Whaling National Historical Park, also in Massachusetts, requires a 3:1 match for cooperative agreements and a 1:1 match for visitor and interpretive facilities. There are also programs managed by the NPS that have matching fund requirements (typically 1:1), i.e., the Land and Water Conservation Fund, the Challenge Cost Share program, the Cooperative Conservation Initiative grant program, and Preserve America and Save America's Treasures. The National System Trails Act, in establishing national scenic or national historic trails, has a requirement for 1:1 matching in the development of the trails and the associated trail centers. The requirement for a match with national heritage areas is not yet a program requirement, but specified for each heritage area within their enabling legislation.

e. Would Keweenaw or other units having a matching fund requirement be able to apply the non-federal match toward the enabling legislation requirement and the Centennial Challenge program, if enacted, and essentially “double dip”?

Answer: The NPS believes that there would be no opportunity for “double dipping.” The matching requirement exists regardless of the fund source. Funds provided by a partner could be matched once by any federal funds. Centennial Challenge funds would be processed through the park as the match to the partner funds. The park, by its legislative provision, would be unable to use other NPS funds to match the partner's funds again as this would reduce the ratio of partner funds to federal funds. Keweenaw National Historical Park’s enabling legislation requires that “Funds authorized to be appropriated to the Secretary for the purposes [of providing financial assistance] shall be expended in the ratio of \$1 of federal funds for [presently] each \$4 of funds contributed by non-federal sources.” Partner funds could be credited against federal funds only once.

(14) Steel Industry National Historic Site Designation (S. 697): The site is part of the Rivers of Steel National Heritage Area, which was designated a National Heritage Area in 1996. It preserves and interprets the role of the steel industry in the development of a nation. The site contains several structures that are in need of over \$30 million in repairs. If designated a National Historic Site, it would become a unit of the National Park System and the Federal government would be responsible for the repairs.

a. How many other National Heritage Areas or portions of such areas have been designated as units of the National Park System?

Answer: Of the 37 National Heritage Areas, none are units of the National Park System. However, 28 contain within their boundaries, one or more units of the National Park System, but those units were designated prior to the larger regional heritage area designation. The only unit designated after a heritage area designation was Cedar Creek and Belle Grove National Historical Park in Virginia. Designation of that park was recommended in the Special Resource Study that also recommended designation of the Shenandoah Valley Battlefields National Historic District, which is considered a National Heritage Area.

b. How many structures are on the proposed site and what is the estimated cost of repairs and annual maintenance?

Answer: There are seven structures at the Carrie Furnace site, including the Hot Metal Bridge and Blast Furnaces. There are two structures at the Homestead Landing Site—the pump house and water tower. In 2002, the NPS estimated the cost associated with the Carrie Furnace complex and the Homestead Landing Site, to be \$14 million. Capital costs for visitor facilities and exhibits would bring the total to close to \$40 million.

c. Has a study been conducted to determine the suitability and feasibility of designating the site as a unit of the National Park System and what were the findings?

Answer: A Special Resource Study of the Battle of Homestead and Carrie Furnaces 6&7 was completed in 2002. The study found that the resource did not meet criteria for unit designation and suggested that an affiliated area approach, also including the Homestead National Register Historic District, would assist in protecting resources over a wider area than just the Battle of Homestead Site and the furnace complex. Under this alternative, if authorized by Congress, NPS would provide limited financial and technical assistance, but not own or manage property.

(15) Lowell National Historical Park Boundary Adjustment (S. 867):

a. How many acres affected by this amendment are currently in private ownership and how many owners are involved?

Answer: The five small tracts total less than one acre and include both state and private ownership. The state parcel is 0.30 of an acre. The four private parcels combined total 0.68 of an acre.

b. Do any of the owners object to this amendment?

Answer: All owners have been notified and none have indicated an objection. Ownership of one small tract of land (0.05 of an acre) dates back to the 1800's and for which we do not have clear title or a known owner.

c. What is the estimated cost of the land included in this amendment?

Answer: If acquired in fee, the total cost of the land is estimated at \$200,000, but the park plans on some donated easements and/or fee.

d. How will this amendment support the purpose for which the Lowell National Historical Park was established?

Answer: The tracts included in this bill are needed to complete development of the Canalway, a linear park and walkway along Lowell's 5.6-mile historic power canal system, as described in the Lowell Preservation Plan approved by the Secretary of the Interior in 1991. The acquisition of these tracts will provide the access points necessary for development, maintenance, and surveillance in order to complete the Canalway. The Canalway was specifically described in House and Senate subcommittee hearings in 1987 that resulted in a reauthorization of the Lowell Historic Preservation Commission in 1988. The Park is continuing this work as successor to the Commission. The Park's original authorizing law from 1978 calls for land acquisitions to be specifically named and authorized, which is why this bill is necessary.

(16) New Jersey Coastal Heritage Trail Reauthorization (S. 1039): The Trail was reauthorized last Congress, but the final version signed into law inadvertently extended the authorization for one year instead of five. S. 1039 corrects the error by extending the authorization to 2011. The law passed in the 109th Congress also directed the National Park Service to prepare a strategic plan for the trail.

a. S. 1039 extends the authorization from 2007 to 2011. Does the National Park Service know of any other corrections we should take care of regarding the New Jersey Coastal Heritage Trail?

Answer: Yes. In our testimony during the September 27 hearing, the Department recommended two amendments, one related to the name of the trail and one authorizing the Secretary to use federal funding to complete the strategic plan.

b. What is the status of the strategic plan being prepared for the New Jersey Coastal Heritage Trail?

Answer: The project has been scoped and is ready to proceed, but is hindered by lack of available funding.

(17) Saguaro National Park Boundary Expansion Act (S. 1341):

a. What is the estimated cost of the property proposed for addition to the Park and the Conservation Area?

Answer: The bill would authorize the Secretary to conduct an exchange with a private developer. Approximately 2,392 acres would be added to the Las Cienegas National Conservation Area and approximately 160 acres would be added to Saguaro National Park. The exchange is expected to meet the criteria for equal value exchanges. As such, the only costs involved would be closing costs. Those are expected to be minor.

b. Are any of the lands included in the expansion area in private ownership?

Answer: All of the lands to be added to the National Conservation Area and the National Park are privately owned. The current owners and local communities support the proposed exchange and the acquisition of the private lands by the federal government.

(18) Tule Lake Segregation Study (S. 1476):

a. S. 1476 requires the National Park Service to complete a study within one year. The National Park Service is usually given three years to complete a study. Can the study authorized by S. 1476 be completed in one year or will you require more time?

Answer: In order to do a comprehensive study, we recommend that the bill be amended to provide for the study to be completed within three years after funds are made available, which is the standard time frame for conducting special resource studies.

b. How many acres does the Tule Segregation Center occupy and what original structures remain on the site?

Answer: The Segregation Center originally comprised 7,400 acres. Only 733 acres remain in federal ownership, including Bureau of Reclamation land, U.S. Fish and Wildlife Service land,

and 15 acres of State of California land that has been declared excess and is in the process of being transferred back to Bureau of Land Management. The balance is in private and local government ownership and is being used for an airfield, homes, agriculture purposes, small businesses, and a school, etc. The original camp consisted of 1,698 buildings; approximately 48 still remain with six of those on federal and state property. Those six include the former jail, the carpenter shop, and four warehouse/garage structures. There are also numerous other site features such as fences and building foundations that remain on both public and private lands.

(19) Underground Railroad Amendment (S. 1709/H.R. 1239):

a. Section 2 of S. 1709 specifies that “the Secretary shall appoint at least 8 full-time equivalent staff to assist the Secretary in carrying out duties under this act.” What other park units or park programs have legislation that specifies the number of full-time equivalent staff that the Secretary shall appoint?

Answer: We know of no other park units or programs where Congress determines the size of the staff. The House Natural Resources Committee amended H.R. 1239, the companion bill, to remove this language and favorably reported the amended bill on July 23, 2007.

b. How many full-time equivalent staff has the Secretary appointed to the National Underground Network to Freedom program in 2007?

Answer: There are currently six full-time equivalent staff assigned to the program.

(20) Denali National Park/Alaska Railroad Land Exchange (S. 1808):

a. How will the proposed land exchange between Denali National Park and the Alaska Railroad improve the visitor experience?

Answer: To accommodate existing traffic, the Alaska Railroad concentrates passenger service into two trains to Denali per day, one in the morning and one in the afternoon. These trains average 20 coach cars in length and carry up to 1,500 passengers each. The arrival of so many visitors to the park at one time often causes congestion, crowding, and traffic. Most visitors who travel by train to Denali Park Station use concessioner buses to go further into the park, resulting in two major “pulses” of buses that leave the park entrance and travel into the park each day. A turnaround would allow trains to run round trip from either Fairbanks or Anchorage to the park. It would offer the Railroad the ability to use smaller trains and to offer more than two trips to the park each day. This expanded schedule would, in turn, allow the park to smooth out the bus schedule and provide a less crowded experience for visitors.

b. Does the non-Federal land involved in this exchange contain any form of development or history of hazardous waste contamination?

Answer: All of the land involved in the exchange is owned by the federal government. The bill provides for an exchange of easements, with the railroad giving up an old exclusive use easement which is no longer adequate for the trains currently coming to the park. The existing easement

does have development (roads and parking areas) on it; the area anticipated for the new easement is undeveloped. There is an area near the old power house where a well-documented and adequately treated fuel spill occurred in 1973.

c. What is the historical use of the non-Federal land being acquired by the National Park Service as a result of S. 1808?

Answer: The NPS anticipates the railroad giving up an appropriate amount of acreage from its exclusive use easement that runs through the park. While subject to NEPA and public review, the NPS and Alaska Railroad anticipate that the easement being relinquished would primarily consist of the old wye near the current park visitor center and railroad depot. This easement and track (now removed) was used by the railroad to supply a former power plant in the park and to turn around short trains.

d. How will Denali National Park benefit from this land exchange?

Answer: The primary benefits from the exchange would be from the potential for improved visitor experiences through increased frequency of railroad service to the park. Visitation numbers currently peak twice a day, matching rail arrivals and departures; a larger number of smaller trains would even the flow of visitors. Also, new service to the park could be offered from intermediate stops on the Alaska Railroad, rather than only service from Anchorage and Fairbanks as is now the case.

e. Will the Alaska Railroad use the land it receives as a result of this exchange in a manner consistent with the purpose for which Denali National Park was established?

Answer: Yes. The railroad is currently limited in its use of the easement to activities necessary for the operation of the railway. Those operations are subject to laws and regulations for the protection of park values. The legislation would apply these same conditions to the new configuration of easements.

(21) Alexander Hamilton Site Study at Virgin Islands (S. 1969):

a. How many existing National Park Units currently interpret the life and contributions of Alexander Hamilton?

Answer: Hamilton Grange National Memorial in New York was Alexander Hamilton's home from 1802 until his death in 1804. Other park units where Hamilton is represented include, but are not limited to, the Yorktown Battlefield of Colonial National Historical Park (VA), Independence National Historical Park (PA), Federal Hall National Memorial (NY), and Christiansted National Historic Site (VI).

b. How much will it cost to conduct the proposed study?

Answer: We estimate the cost for this study to be approximately \$250,000.

JEFF BINGAMAN, New Mexico, *Chairman*
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United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

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October 1, 2007

Don Helman

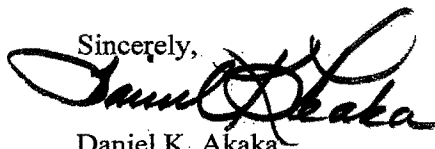
Daniel N. Wenk
Deputy Director for Operations
National Park Service
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Mr. Wenk:

I would like to take this opportunity to thank you for testifying at the September 27, 2007 Senate Subcommittee on National Parks of the Committee on Energy and Natural Resources hearing on several bills, including: S.128, to amend the Cache La Poudre River Corridor Act to designate a new management entity, make certain technical and conforming amendments, enhance private property protections, and for other purposes; S. 148, to establish the Paterson Great Falls National Park in the State of New Jersey, and for other purposes; S. 189, to decrease the matching funds requirement and authorize additional appropriations for Keweenaw National Historical Park in the State of Michigan; S. 697, to establish the Steel Industry National Historic Site in the State of Pennsylvania; S. 867 and H.R. 299, to adjust the boundary of Lowell National Historical Park, and for other purposes; S. 1039, to extend the authorization for the Coastal Heritage Trail in the State of New Jersey; S. 1341, to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes; S. 1476, to authorize the Secretary of the Interior to conduct a special resources study of the Tule Lake Segregation Center in Modoc County, California, to determine the suitability and feasibility of establishing a unit of the National Park System; S.1709 and H.R. 1239, to amend the National Underground Railroad Network to Freedom Act of 1998 to provide additional staff and oversight of funds to carry out the Act, and for other purposes; S. 1808, to authorize the exchange of certain land in Denali National Park in the State of Alaska; S. 1969, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating Estate Grange and other sites related to Alexander Hamilton's life on the island of St. Croix in the United States Virgin Islands as a unit of the National Park System, and for other purposes.

I am enclosing a list of questions from which have been submitted for the record. It would be helpful if you could respond to these questions by Tuesday, October 16, 2007. Responses by e-mail may be sent to rachel_pasternack@energy.senate.gov. Thank you for your assistance. If you have any questions, please contact David Brooks at (202) 224-9863, or Rachel Pasternack at (202) 224-0883.

Sincerely,



Daniel K. Akaka
Chairman

Subcommittee on National Parks

Questions for Dan Wenk, Deputy Director, National Park Service, Washington, DC

Questions from Senator Robert Menendez on S. 148, to establish the Paterson Great Falls National Park in the State of New Jersey, and for other purposes

- (1) How many National Historic Districts include both a National Natural Landmark and a National Historical Landmark?
- (2) What other places in America now interpret Hamilton's vision of economic independence, particularly for military supplies?
- (3) Hamilton biographers emphasize that Hamilton's economic vision had two critical aspects: (i) zero tolerance for slavery; and (ii) opportunities for poor immigrants with no social pedigree to rise to the top of American society. What other places in America connected with Hamilton interpret this extraordinary vision of a Founding Father?
- (4) What National Park Service units have a relationship to Muslim Americans?
- (5) What National Park Service units interpret the modern Silk Road that was the theme of the Smithsonian Folk Life Festival on the National Mall in 2002?
- (6) On the same day that the Administration testified against the Paterson National Park, the Administration testimony on S. 187 stated that Lowell, Massachusetts is "the most significant planned industrial city in the United States." Why is Lowell more significant than Paterson, which was planned as an industrial city a generation earlier than Lowell by one of our Founding Fathers and Pierre L'Enfant?
- (7) The Park Service testified that Hamilton is represented three places in the National Park System. But scholars point out that he lived in Hamilton Grange only the last two years of his life--many years after his service in government--and the Grange has nothing to do with his industrial vision and its primary importance is as a remaining 18th century house. Independence Hall does not interpret Hamilton's vision of the American economy or economic independence. And Federal Hall is a welcome center for the entire New York region that has only a very limited display on Hamilton's contributions. How can these three sites be used as a justification for rejecting the Paterson National Historical Park legislation?

In addition, while I did ask these questions at the hearing I would like a more complete answer from the National Park Service on these questions in writing if possible.

- (8) At an early stage of the Paterson Great Falls Study, the National Park Service launched a special webpage devoted to the Paterson Study. For all the years the Study continued, the webpage noted that the Administration "does not support addition of new units to the National Park System." What effect did the Administration policy have on the Paterson Study?

(9) The Park Service published a Draft of the Paterson Great Falls Study for public comment in November 2006 and invited the public to provide comments by January 30, 2007. It is astonishing to read the letters of some of the most distinguished scholars in America characterize what the Park Service did in the Paterson Study. They used words like: "misreads the historical record"... "seriously deficient"... "truly absurd"... "demonstrably wrong"... "false"... "a serious misreading of the historical record." As a result of getting all these letters from leading scholars, what changes did the Park Service make in the Draft Study?

(10) Governor Corzine wrote a letter to Secretary Kempthorne on September 11, 2006 that said: "The State of New Jersey alone cannot protect the resources of the Great Falls and properly present them to the public without an NPS unit in Paterson." How can the Park Service Draft Study conclude that the State will be doing all that is necessary at the Great Falls when the New Jersey contribution to the Park is \$10 million and the Park Service numbers make it clear that \$20 million is necessary?

Questions from Senator Richard Burr

(11) Cache la Poudre River National Heritage Area Amendment (S. 128):

- a. Why has this National Heritage Area been inactive since it was first established in 1996?
- b. Have any other National Heritage Areas or Corridors encountered similar management challenges to those found at Cache la Poudre River? If so, how were the problems resolved?

(12) Paterson Great Falls Park Act (S. 148):

- a. What is the status of the suitability and feasibility study conducted by the National Park Service for the Paterson site?
- b. How many acres of the proposed area are in private ownership and how much will remain in private ownership after designation?
- c. The House companion bill, H.R. 189, has been reported out of the Natural Resources Committee with an amendment. The National Park Service opposed the House bill as introduced. Does the National Park Service support the amended version of H.R. 189? If not, why?
- d. Who will control land use within the boundaries of the unit after designation?
- e. How many private businesses exist within the proposed boundaries of the Paterson National Park? What other units of the National Park System contain a concentration of private businesses similar to Paterson? Does the National Park Service collect a franchise fee or business use authorization fee in such cases?
- f. It is my understanding that the proposed Paterson National Park site currently contains apartments, affordable housing, and proposed

condominiums as adaptive reuse of historic structures. Do any other units of the National Park System contain private residential structures of this type? If so, where and to what extent? Would the National Park Service support adaptive reuse of historic structures for condominiums in a national park unit?

(13) Keweenaw National Historical Park Matching Funds Reduction (S. 189):

- a. The amendment removes a provision that prohibits the Secretary from acquiring lands that have become contaminated with hazardous substances. Under what circumstances would the National Park Service feel compelled to purchase lands that are contaminated with hazardous substances?
- b. Why is it necessary to delete a provision that prohibits the acquisition of lands contaminated with hazardous substances?
- c. How will this amendment improve the visitor experience to Keweenaw National Historical Park?
- d. How many units of the National Park System have matching funds requirements as part of their enabling legislation or subsequent amendments? What is the range of matching fund requirements (e.g., 1 federal to 1 non-federal or something less being the smallest to 1:4 or something greater being the largest)?
- e. Would Keweenaw or other units having a matching fund requirement be able to apply the non-federal match toward the enabling legislation requirement and the Centennial Challenge program, if enacted, and essentially “double dip”?

(14) Steel Industry National Historic Site Designation (S. 697): The site is part of the Rivers of Steel National Heritage Area, which was designated a National Heritage Area in 1996. It preserves and interprets the role of the steel industry in the development of a nation. The site contains several structures that are in need of over \$30 million in repairs. If designated a National Historic Site, it would become a unit of the National Park System and the Federal government would be responsible for the repairs.

- a. How many other National Heritage Areas or portions of such areas have been designated as units of the National Park System?
- b. How many structures are on the proposed site and what is the estimated cost of repairs and annual maintenance?
- c. Has a study been conducted to determine the suitability and feasibility of designating the site as a unit of the National Park System and what were the findings?

(15) Lowell National Historical Park Boundary Adjustment (S. 867):

- a. How many acres affected by this amendment are currently in private ownership and how many owners are involved?
- b. Do any of the owners object to this amendment?

- c. What is the estimated cost of the land included in this amendment?
- d. How will this amendment support the purpose for which the Lowell National Historical Park was established?

(16) New Jersey Coastal Heritage Trail Reauthorization (S. 1039): The Trail was reauthorized last Congress, but the final version signed into law inadvertently extended the authorization for one year instead of five. S. 1039 corrects the error by extending the authorization to 2011. The law passed in the 109th Congress also directed the National Park Service to prepare a strategic plan for the trail.

- a. S. 1039 extends the authorization from 2007 to 2011. Does the National Park Service know of any other corrections we should take care of regarding the New Jersey Coastal Heritage Trail?
- b. What is the status of the strategic plan being prepared for the New Jersey Coastal Heritage Trail?

(17) Saguaro National Park Boundary Expansion Act (S. 1341):

- a. What is the estimated cost of the property proposed for addition to the Park and the Conservation Area?
- b. Are any of the lands included in the expansion area in private ownership?

(18) Tule Lake Segregation Study (S. 1476):

- a. S. 1476 requires the National Park Service to complete a study within one year. The National Park Service is usually given three years to complete a study. Can the study authorized by S. 1476 be completed in one year or will you require more time?
- b. How many acres does the Tule Segregation Center occupy and what original structures remain on the site?

(19) Underground Railroad Amendment (S. 1709/H.R. 1239):

- a. Section 2 of S. 1709 specifies that “the Secretary shall appoint at least 8 full-time equivalent staff to assist the Secretary in carrying out duties under this act.” What other park units or park programs have legislation that specifies the number of full-time equivalent staff that the Secretary shall appoint?
- b. How many full-time equivalent staff has the Secretary appointed to the National Underground Network to Freedom program in 2007?

(20) Denali National Park/Alaska Railroad Land Exchange (S. 1808):

- a. How will the proposed land exchange between Denali National Park and the Alaska Railroad improve the visitor experience?
- b. Does the non-Federal land involved in this exchange contain any form of development or history of hazardous waste contamination?
- c. What is the historical use of the non-Federal land being acquired by the National Park Service as a result of S. 1808?

- d. How will Denali National Park benefit from this land exchange?
- e. Will the Alaska Railroad use the land it receives as a result of this exchange in a manner consistent with the purpose for which Denali National Park was established?

(21) Alexander Hamilton Site Study at Virgin Islands (S. 1969):

- a. How many existing National Park Units currently interpret the life and contributions of Alexander Hamilton?
- b. How much will it cost to conduct the proposed study?



Report to Congress



Artwork by George Yano, courtesy of Manzanar NHS

Public Law 109-441

Preservation of Japanese American World War II Confinement Sites

May 12, 2008



Report to Congress Pursuant to Public Law 109-441: Preservation of Japanese American World War II Confinement Sites

Introduction

On December 21, 2006, President George W. Bush signed Public Law 109-441, which authorizes the National Park Service (NPS) to create a program to encourage and support the preservation and interpretation of historic confinement sites where Japanese Americans were detained during World War II. The Act also directs the NPS to consult with a variety of governmental, educational, and private nonprofit organizations in the development of a grant program to achieve the purposes of the Act.

On June 11, 2007, the House Committee on Appropriations directed the NPS to provide a report that describes how the agency will implement the grant program (H. Rpt. 110-187). Included within this report is a description of the consultation process used to engage the interested public in the development of this grant program; the proposed grant program guidelines and evaluation criteria; and the NPS strategy for implementing and administering the grant program.

Background

Japanese American and local organizations, stakeholders, and individuals have worked for the preservation and interpretation of Japanese American World War II confinement sites over the last four decades. These grassroots efforts have led to improved recognition, appreciation, and preservation of many of these historic confinement sites. Today, several private nonprofit organizations, such as the Heart Mountain, Wyoming Foundation, the Topaz Museum, and the Friends of Amache, are actively engaged in the preservation of these sites and are dedicated to sharing the histories and lessons learned from the internment experience with new and diverse audiences. The NPS's participation in the identification, recognition, and preservation of these historic confinement sites formally began in 1992 when Congress directed the agency to conduct a thematic study and survey of historically important sites associated with the confinement of Japanese Americans during World War II. The resulting publications, *Confinement and Ethnicity: An Overview of World War II Japanese American Relocation Sites*

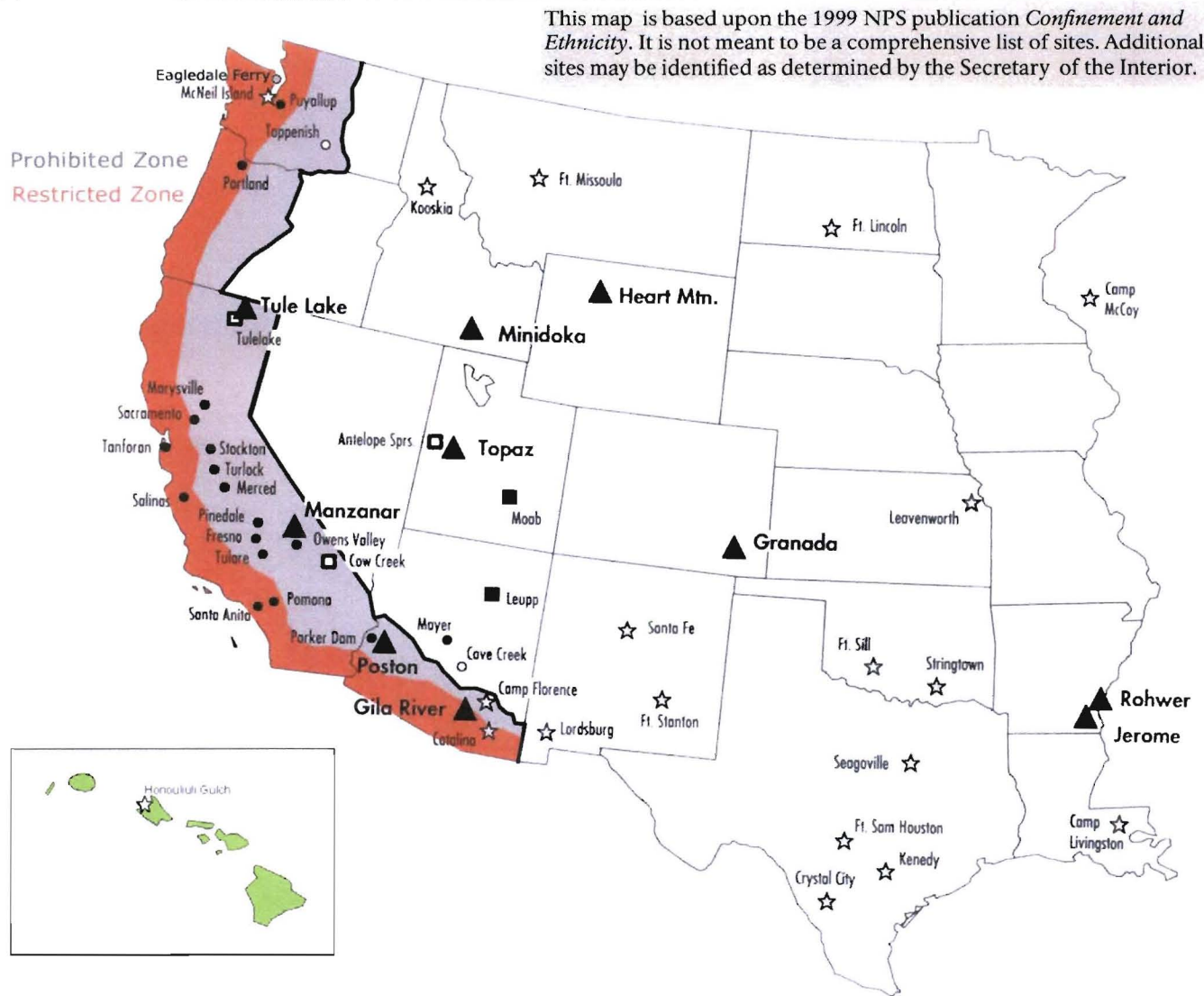
(1999) and the National Historic Landmark thematic study, "Japanese Americans in World War II," (2005) provided detailed information about the confinement sites. Thus far, two sites have been established as NPS units: Manzanar National Historic Site in California was established in 1992 and Minidoka Internment National Monument in Idaho was established in 2001. The NPS has cooperated with a number of nonprofit organizations and local communities to successfully nominate the Rohwer Relocation Center Cemetery (AR) and internment camp sites of Tule Lake (CA), Granada (CO), Topaz (UT), and Heart Mountain (WY) as National Historic Landmarks.

The NPS continues to work in partnership with a number of stakeholders and organizations to preserve and interpret Japanese American World War II confinement sites. On December 21, 2006, the NPS's role in preserving and interpreting these historic sites expanded with the enactment of Public Law 109-441, which authorized a new grant program directly targeting historic sites identified in the NPS report, *Confinement and Ethnicity*.

This Act defines the role of the NPS in implementing the grant program in Section 1(a) as follows:



Photo courtesy of the Bancroft Library,
University of California, Berkeley



The Secretary [of the Interior] shall create a program within the National Park Service to encourage, support, recognize, and work in partnership with citizens, Federal agencies, State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations for the purpose of identifying, researching, evaluating, interpreting, protecting, restoring, repairing, and acquiring historic confinement sites in order that present and future generations may learn and gain inspiration from these sites and that these sites will demonstrate the Nation's commitment to equal justice under the law.

Civic Engagement

In preparation for a congressional appropriation and in response to the directive from the House Committee on Appropriations, the NPS initiated a comprehensive and rigorous six-month civic engagement process to gain valuable public input to assist in the development of this grant program. The Act contained specific guidance regarding the consultation process and directed the NPS, at a minimum, to consult with "State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations (including organizations involved in the preservation of historic confinement sites)." The NPS's communication strategy to share information and



obtain diverse public input involved preparing two newsletters, hosting 20 public listening sessions and two national meetings, developing an NPS public comment website and communicating frequently with local, regional, and national media sources.

The first step in the process was preparing and mailing a “scoping” newsletter, sent to more than 12,000 individuals, organizations, academic institutions, and governmental entities, providing basic information about Public Law 109-441. In addition to those entities identified in the Act, the NPS also contacted former internees, their families, and other concerned parties interested in the creation of the grant program. The newsletter posed three key questions:

1. What are your hopes and expectations for this grant program?
2. What types of projects do you think should receive funding through this program?
3. What should the evaluation criteria be for determining which proposals receive consideration for funding, when it is available, through the grant program?

These same questions were also asked at 20 public listening sessions hosted by the NPS during September and October of 2007. The listening session locations were selected to encourage participation from key stakeholders and former internees and their families. The listening sessions were located primarily in the western United States, where the majority of the historic sites are located and where most key constituencies reside. Listening sessions were hosted in the following locations:

Glendale, Arizona
Dumas, Arkansas
Little Rock, Arkansas
Gardena, California
Los Angeles, California
Sacramento, California
San Diego, California
San Francisco, California
San Jose, California
Denver, Colorado
Washington, D.C.
Honolulu, Hawaii



Listening Session in Glendale, Arizona - NPS Photo

Chicago, Illinois
St. Paul, Minnesota
Las Vegas, Nevada
Portland, Oregon
Salt Lake City, Utah
Bainbridge Island, Washington
Seattle, Washington

In addition, the NPS developed the public comment website to provide information about the Act and ask for public comment with regard to the future of the grant program.

Through the listening sessions, newsletter, and NPS website, more than 800 people participated and provided useful input to help shape the development of the grant program.

After analyzing the public comments, the NPS prepared draft grant program guidelines and evaluation criteria. These two components of the grant program became the core of a second newsletter, which the NPS mailed to the public in December 2007. This newsletter asked for feedback on the draft grant program guidelines and evaluation criteria.

Finally, on January 17, 2008, the NPS hosted two national listening sessions at the National Center for the Preservation of Democracy in Los Angeles, California. These sessions focused on the draft grant program guidelines and evaluation criteria, while further engaging the public about the key components of the grant program. These national listening sessions were broadcast live via the internet to increase public access and participation. More than 80 people participated in these sessions and the NPS received more than 175 written comments by



mail and through the NPS public comment website.

Throughout the entire process, the NPS engaged more than 1,000 individuals representing more than 40 organizations, governmental entities and academic institutions. These groups included the Amache Preservation Society, Bainbridge Island Historical Society, Colorado Preservation, Inc., Colorado River Indian Tribes, Densho: The Japanese American Legacy Project, Friends of Amache, Friends of Minidoka, Gila Reunion Committee, Gila River Indian Community, Go for Broke Educational Foundation, Go for Broke National Veterans Association, Heart Mountain, Wyoming Foundation, Historic Hawaii Foundation, Jan Ken Po Cultural Association, Japanese American Citizens League, Japanese American National Heritage Coalition, Japanese American National Museum, Japanese American Service Committee, Jerome County Historical Society, Kooskia Internment Camp Project, Manzanar Committee, National Coalition for Redress/Reparations, National Japanese American Historical Society, National Parks Conservation Association, National Trust for Historic Preservation, Navajo Nation, Pinedale Assembly Center Project Committee, Poston Restoration Project, The Conservation Fund, Topaz Museum, Town of Granada, Trust for Public Land, Tule Lake Preservation Committee, Utah Heritage Foundation, Wing Luke Asian Museum, and many others.

Grant Program Guidelines

Based upon the extensive program of civic engagement described above, and in accordance with Public Law 109-441, the NPS developed the following grant program guidelines, project categories, and evaluation criteria:

Legislative Requirements of the Grant Program

In accordance with Public Law 109-441, all grant applicants must meet certain eligibility requirements, including:

What We Heard

“... the heart of internment is the camps themselves, the hallowed places, remote as they are. When people visit the site, they feel the onus of the incarceration. It emanates from the soil, the temperature whether hot or cold, the desolation, and they know the injustice of internment. Protecting and interpreting those places is paramount.”

“It is crucial to remember that the generation that experienced the trauma of the internment. . . are a dying generation. Time is of the essence for this grant program.”

“Anything that would keep the stories of the internees alive—so it never happens again.”

“My primary expectation is that any project which receives funding stays true to the voices of the people that were incarcerated in the concentration camps. . . .”

“I see the value of the grant program as an important vehicle for enabling others to understand what happened during World War II and the lessons learned. While these sites might be considered natural museums of sorts in desolate locations, they symbolize much more than that. So there must be a strong public awareness and educational component of the grant program and ultimately successful grantees.”

“... I feel strongly that this project... should encourage a deeper understanding of the causes of the confinement and what detainees experienced in point of physical, economic and psychological hardships. It should strive to encourage in the public their responsibility to try to prevent this type of violation of civil and human rights, which undermines the very foundations of a democratic society.”

“I also would hope that there would be ample opportunity to hear, via oral interviews, the words of those who were confined, to see artifacts of their lives. . . their life in the bitter cold of winter with the wind biting into every “home” and the blistering heat of summer, concentrated by the exterior tar paper of the barracks. . . .”



1. Must be a private nonprofit organization, educational institution, public entity, or state, local, or tribal government.
2. Must have a demonstrated commitment of a 2:1 Federal to non-Federal match (example: \$100 Federal to \$50 partner).

In accordance with Public Law 109-441, all applications for grants must meet certain eligibility requirements, including:

1. All grants must be for the purpose of identifying, researching, evaluating, interpreting, protecting, restoring, or repairing confinement sites.
2. Acquisition of non-Federal real property is allowable only for Jerome, Rohwer, Topaz, and Honouliuli. All acquisition of lands using Federal funding at these sites must have the written consent of the property owner(s).

Public Law 109-441 defines historic confinement sites as the 10 internment camps (Gila River, Granada, Heart Mountain, Jerome, Manzanar, Minidoka, Poston, Rohwer, Topaz, and Tule Lake), as well as those locations specifically identified in the NPS publication, *Confinement and Ethnicity: An Overview of World War II Japanese American Relocation Sites*.

Public Law 109-441 also requires the NPS to award grants no later than 180 days after the date on which funds are appropriated by Congress for the purposes of the Act. Based on the legislative direction and public input, NPS developed criteria and guidelines for the grant program as follows:

Project Categories

The NPS will evaluate projects and allocate funding within the following project categories:

1. Real property acquisition exclusive to Jerome, Rohwer, Topaz, Honouliuli (as stipulated in the law).
2. Documentation projects, including identification, research, and evaluation of confinement sites (examples: National Historic Landmark and National Register of Historic Places nominations and archeological surveys).

3. Interpretation and education projects related to confinement sites (examples: wayside exhibits, education curriculum, and creative arts).
4. Preservation of confinement sites and related historic resources (examples: stabilization, restoration, rehabilitation, acquisition, and relocation of historic buildings and structures to their original locations, reconstruction of key structures, and collections conservation).
5. Recording and sharing of oral histories.
6. Capital projects (examples: interpretive centers, restrooms, and interpretive trails).
7. Planning (examples: interpretive plans, land use plans, and resource management plans).

Evaluation Criteria

The NPS will utilize the following criteria to select the projects:

1. What need does the project address?
 - a. How does this project address a critical issue (examples: threatened resources, health/safety concerns)?
 - b. How will the project increase public awareness and understanding of the Japanese American World War II confinement sites?
 - c. How will the project preserve or improve the conditions of Japanese American World War II confinement site resources?
2. What impact will the project have and how will the impact be measured? (examples: increase visitation to the site, reach a large and diverse audience, remain relevant and available for current and future generations).
3. What is the long-term impact of the project and how will the project be sustained?



4. How feasible is the project and does the applicant demonstrate the ability to successfully complete the project?

- a. Is the project cost effective?
- b. Does the applicant demonstrate an ability to complete the project in a timely, cost effective, and professional manner, ensuring laws and standards are met?
- c. Has adequate planning been completed for the project?

5. How much support and participation does the project have from former internees, stakeholders, and/or the public?

Application Requirements

1. Each applicant may submit no more than three applications annually. Each grant application may not request less than \$5,000.

Over the entire life of the grant program, applicants may not receive more than \$3.8 million (or 10% of the congressionally authorized amount of \$38 million).

2. Acceptable types of a non-Federal match could include donations of cash, goods, land, services, and equipment. Donations of land value must be supported by an appraisal, meeting the Uniform Standards for Federal Land Acquisitions. Land donated for the preservation of these sites will be considered as a match, if the land is an integral part of the grant proposal, is part of the historic site, and will be accessible to the general public. Other in-kind donations would be evaluated relative to value based on established guidelines and must comply with OMB circulars A-102 and A-110.

3. Each applicant can receive only one grant per grant cycle.

4. Indirect and/or administrative costs may not exceed 15% for a project.

5. Projects that may affect historic resources are considered to be “undertakings” as



Photo courtesy of the Bancroft Library, University Of California, Berkeley

defined by Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. 470). Accordingly, grant recipients must consult with the appropriate State Historic Preservation Office or Tribal Historic Preservation Office prior to the initiation of the project.

Program Administration

The NPS has developed an administrative framework for the grant program to ensure expedient implementation once an appropriation has been received. The NPS will administer this national grant program through one of the regional offices in the Intermountain, Midwest, or Pacific West. As the majority of the confinement sites and stakeholder populations are located in the West, it is critical that the grant program is administered from a regional office in the West. The NPS director will determine which region will host the program. Depending on the level of funds appropriated for grants, administrative responsibilities may be collateral or require a limited staff contingent. Administrative staff would conduct public outreach, as well as administering grant proposals.

Selection Process

Applications that meet the requirements will be considered. Each year that funding is made available, a public announcement and call for proposals will be published so that eligible applicants may apply.



Artwork by George Yano, courtesy of Manzanar NHS

Once the application deadline passes, the NPS will hold at least one listening session in each of the three western regions to discuss the types and categories of projects submitted, to consider potential funding levels for these categories, and to gather input on the annual priorities for the grant program. A panel of NPS and other Federal agency experts representing applicable preservation, history, education, and conservation disciplines will then evaluate and rank applications based on the evaluation criteria and make funding recommendations to the Secretary of the Interior (Secretary) with consideration of the comments from the public meetings as well as their professional evaluations. The Secretary will select successful proposals and formally announce the grant recipients and projects.

Need for Continued Public Input

Several common themes emerged throughout the course of the extensive civic engagement process. First, the public expects the NPS to maintain an open, transparent, and cost effective grant program. Second, the public believes that the NPS should continue to seek public input and engage those interested in the preservation and interpretation of these sites and stories throughout the life of the grant program. Although some participants advocated for the creation of a formal advisory committee to provide this input, other participants recommended against the establishment of such a committee, citing the administrative costs of supporting an advisory committee and the difficulty in achieving

fair representation that truly reflected the diverse constituencies involved in the preservation of these historic sites. Others expressed concern that the long time frame normally associated with the creation of an advisory committee might delay a congressional appropriation.

Based upon these comments, the NPS will continue to seek public input annually throughout the life of the program. Each year, the NPS will host a minimum of three listening sessions. These listening sessions will be used to help the NPS establish annual grant priorities and to adjust the evaluation criteria and program guidelines as needed. The listening sessions will also be used to assist the NPS in developing a process to consider other additional sites (not currently identified in *Confinement and Ethnicity*) for eligibility in the grant program, as the legislation allows.

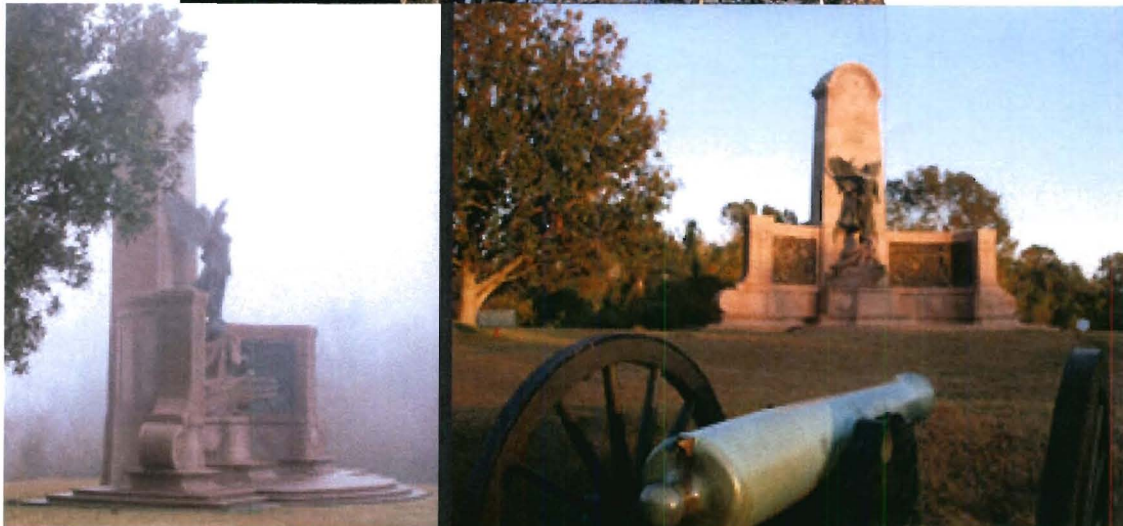
The NPS has not ruled out the possibility of establishing a formal advisory committee to provide recommendations on administration of the grant program. If it is determined that the three annual listening sessions are not adequate to meet public needs, the NPS will revisit the possibility of establishing a formal advisory committee.

Conclusion

The NPS believes that the grant program guidelines and evaluation criteria provided in this report reflect the public's hopes and expectations for the grant program and that projects funded through this grant program will educate the public and leave a legacy for future generations through the preservation of both the physical confinement sites and stories of internees' experiences during World War II.

This report fulfills the request from the House Committee on Appropriations to describe how the NPS will implement this grant program, and demonstrates the NPS's commitment to implementing and administering this grant program in accordance with Public Law 109-441.

Holding the High Ground: A National Park Service Plan for the Sesquicentennial of the American Civil War



May 2008

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Executive Summary

In House Report 110-187, Congress requested a report on National Park Service plans for the Civil War Sesquicentennial. In response, the National Park Service has prepared the report, "Holding the High Ground: A National Park Service Plan for the Sesquicentennial of the American Civil War." A proposed Action Plan to implement the findings is included in the report. The report details the background of the issue, along with summarizing the opportunities and the challenges facing the National Park Service during the Sesquicentennial commemoration.

Part 1 of the report outlines the NPS plan to utilize a new strategic approach that establishes a thematic context for interpreting the Civil War through NPS Civil War related sites. The plan urges a broader approach to interpreting the Civil War by expanding the definition of what constitutes a Civil War Site, and proposes a more nuanced approach to interpretation which will lead to a clearer understanding of the war. The report recognizes that, despite wide interest in the Civil War, the Park Service has not sufficiently used its sites to convey the true significance and breadth of America's Civil War experience. All sites with major themes related to the Civil War would be included in the commemoration process. The definition of a Civil War site would go beyond battlefields and would now capture sites within the system that can further illuminate some of the larger themes of the war such as politics, social change and economics. In addition to redefining a Civil War site, the new strategy would acknowledge differing perspectives of the wartime experience and the War's meaning by eliminating the strictly military lens through which the Civil War is viewed; all interpretations and experiences add richness to the story of the Civil War. The plan would also establish a thematic context for interpreting the Civil War through various sites of the National Park System. Going beyond the military boundaries of Civil War interpretation, the National Park Service has drawn up themes that are reflective of differing perspectives of the war and their meanings. To guide these themes, the National Park Service has established goals for the visitor experience at Civil War sites. These goals are based on legislation, NPS Management Policy, and the Secretary of Interior's NPS Centennial Initiative. Lastly, to ensure that Park visitors have a quality experience, Part 1 of the report also identifies deficiencies within existing NPS programs based on goals outlined by the Centennial Initiative and offers findings revealed during the evaluation of NPS Civil War programs.

Part 2 of the report outlines a proposed Action Plan to implement the new approach and findings. There are numerous challenges facing the Park Service in this endeavor. The NPS must utilize all of the cultural resources under NPS stewardship to enable the full significance and relevance of the Civil War to be conveyed. Additionally, much of the interpretive media for these parks are outdated, both in terms of technology and message, with some interpretive media being almost fifty years old. Complicating the task is the fact that many visitors arrive at the parks with less and less background in American history in general. The NPS, as clearly articulated in its Centennial goal on Education, must reconnect with its current audience in a meaningful way, as well as refining the message to attract a changing and more diverse audience that is either uninterested or unaware of the benefits of the park experience.

Within the Sesquicentennial Action Plan, the NPS has identified commemorative actions to be considered under the Centennial goals of Stewardship, Education, and Professional Excellence, as well as general commemorative activities that cross goal boundaries. Many action items would not require funding; conversely, some would require funding be dedicated to this purpose. However, no specific additional funding is proposed in the plan; rather the NPS will implement the plan within the budget allowances of its current and future budgets as national priorities dictate, and will seek to leverage partner funding to advance further these goals.

General commemoration activities include site specific community events in which 150th anniversary activities are scheduled to be held and the establishment of a Sesquicentennial Daybook with objectives, which include tourism promotion thematically linking NPS Civil War related sites, information sharing, and education through media, including national network television, e-technologies, radio stations, and newspapers. The Stewardship goal would be fulfilled through restoration of historic/commemorative landscapes, maintenance of historic structures, and selective NPS and partner land acquisition. The Education goal would be fulfilled through the establishment of national educational programs leveraged through partnerships, interpretive media development and implementation, and web learning centered on the NPS Civil War website. The Professional Excellence goal would be fulfilled through subject matter and media training and the successful Teacher-Ranger-Teacher Program.

Background

The Civil War, Memory, and the National Park Service

Despite the wide visibility of and interest in the Civil War among Americans, the National Park Service has not sufficiently used its sites to convey the true significance and breadth of America's Civil War experience. Nor has the NPS demonstrated the relevance of Civil War resources in educating all Americans, of this and every generation. This unfortunate reality has its roots in both history and tradition.

In the aftermath of national trauma, we as a Nation have historically assigned the rights of memory to a few select groups. In the aftermath of the Civil War, we accorded these rights to the veterans on both sides of the conflict. They, in turn, fostered a swift but incomplete reconciliation—one that did not extinguish lingering bitterness, was based on selective memory, and was forged, in part, at the expense of liberty for free blacks and newly freed slaves.

Most of the legislation for America's battlefield parks is a legacy of the commemorative and reconciliatory efforts of veterans—conceived in a period where a visitor's understanding of context was assumed, when the ownership of the war's memory, legacy, and meaning was unchallenged. Though the veterans are now gone, their descendants (and the National Park Service) have faithfully carried on the veterans' traditions. We, as a Nation, still use our battlefields to define the Nation's Civil War experience in largely military terms—through the eyes of the participants of battle. We emphasize military outcomes, with little discussion of the relationship of those military events to social, economic, and political evolution of the Nation.

As a result, large segments of the population fail to see the war's relevance. The NPS has failed to find ways to engage large segments of Americans in ways that demonstrate how the war is relevant to them. They fail to see the many human experiences and perspectives that comprised the war: the trials of civilians, the triumph of newly freed slaves, the prodigious efforts of women in the North and South, and the presence or absence of political and managerial leadership at every level of government. Thus, the public is far more knowledgeable about the experience of soldiers and the detail of battles than the significance of those battles to the war or the development of this Nation. This single-minded focus on battlefield sites and military aspects of the Civil War understates the conflict's significance and relevance.

The Nation's memory of the Civil War has evolved through overlapping stages; in each, the Nation has focused its memorial and educational efforts on battlefields.

- ◆ *Era of mourning.* Characterized by memorial efforts by soldiers or their families and the re-interment of the dead. This was an era dominated by personal experience and presumed understanding.
- ◆ *Decades of reconciliation.* Dominated by the use of battlefields and shared history to forge a reconciliation between the sections. The Nation placed a strong emphasis on honor and commemoration, as well as the practical use of the battlefields for professional military study. The first National Military Parks were created during this period.
- ◆ *Patriotic era.* This period saw the proliferation of Civil War Battlefields as National Parks—an era when battlefields transformed from raw land to places of public benefit and enjoyment (with growing expectations of both). This was a time when the value of the battlefields was unchallenged and their inherent value was presumed by all. The Civil War was used as a mechanism to foster patriotism.
- ◆ *The modern era.* The traditional keepers of the memory of the Civil War have been challenged, with resultant debates over wartime symbols, causation, results, and legacy.

Today, we face an era where new research and new approaches to military history have shed new light not just on the Civil War, but on the sites that comprise the National Park System. The monolithic interpretation of the war typical of the Reconciliatory and Patriotic eras—as purely a noble adventure, undertaken by noble men on both sides for noble ends with noble results for all—ignores the undeniable fact that the war was a struggle between competing visions for a Nation. It ignores the undeniable fact that the war was experienced differently by different people—depending on race, gender, geography, socioeconomic status, and cultural background. Today, all of these factors continue to shape how Americans view their war, and the war continues to mean different things among these groups. This adds vivid texture to the examination and interpretation to one of the seminal events in the history of human and civil rights.

Historical scholarship has evolved as well, challenging many of the assumptions we have held in the past about this era. The scholars themselves often disagree on their interpretations of the Civil War period, but it is important for parks to recognize and tell our visitors that history is a subject of continual debate, rather than a set of fixed facts.

The Opportunity

The approaching Sesquicentennial of the American Civil War offers the current generation its most important opportunity to know, discuss, and commemorate America's greatest national crisis while at the same time exploring its enduring relevance to America at the beginning of the 21st Century.

The “mystic chords of memory” so often associated with the Civil War in fact go well beyond being either simply mystical or memorial. The wartime struggle over the existence of the Union has transformed into an omnipresent search for a more perfect

Union. The issues that stood at the heart of crisis 150 years ago remain current and relevant.

They serve as a point of departure for the ongoing quest for legal and social equality for all Americans, the still-vigorous debate over the appropriate reach of the Federal government, and the never-ending effort to reconcile differing cultural values held under a single national flag. The struggle to define America continues, and all paths to understanding that struggle invariably pass through the cauldron of America's Civil War.

Understanding America's greatest trial is critical to the health of this republic. The cost of reunion, freedom, equality, self-determination and other values can be measured in the lost lives, fortunes, homes, and communities in both the North and the South. The value of those sacrifices and losses can be measured by how those who followed have exercised the freedoms gained and the lessons learned. The cost of the war and the value of its lessons intertwine to create a cornerstone of our national identity. The National Park System embodies many of the sites that constitute that cornerstone.

The Challenges

The challenge that faces the National Park Service today is huge: to convey the significance and relevance of the Civil War in all its aspects while at the same time sustaining the Service's invaluable tradition of resource-based interpretation (a concept that is at the very foundation of the National Park Service's mission). Clearly, the physical manifestations of that history are also the most vivid teaching tools. In fact, the sites of the National Park System--from battlefields to antebellum homes to Northern factories to public buildings to the homes of the renowned--offer an unmatched venue for modern Americans to understand, contemplate, and debate what Robert Penn Warren called "the great single event of our history." The value of NPS sites is both individual and cumulative--each individually embodying drama, pathos, or brilliance while collectively reflecting a struggle that permeated every aspect of American society. In addition to these challenges, much of the interpretive media of the parks is outdated, both in terms of technology and message, with some interpretive media being almost fifty years old. At the same time, visitors arrive at the parks with less and less background in American History in general. Some would be challenged to place the Civil War in its proper timeframe.

This plan urges a broader approach to interpreting the Civil War—it seeks to have parks challenge people with ideas, challenge them to not just understand the nature and horrid expanse of the bloodshed, but the reasons for it, and the consequences of its aftermath. This plan also recognizes that NPS sites relating to the Civil War are not exclusively battle sites. Rather, battles had implications far beyond the battlefields. Men (and even a few women) didn't just fight; they fought for reasons—some of them personal, some of them political. The women and families the soldiers left behind fought their personal battles as well. Nearly all faced new, and in many cases devastating hardships. Some supported the war effort, others resented it, and still

others were conflicted. Overall, the sacrifices of those men and women had profound meaning and implications for an entire society. This plan expands the accepted definition of what constitutes a Civil War site and proposes a more nuanced approach to interpretation—one that goes beyond stereotypes toward a clearer (though more complex) understanding of the war.

Part I: The Basis for the Action Plan

A First Step: Re-Defining a “Civil War Site”

For the public to view the Civil War as more than a succession of battles and campaigns, the Nation (and therefore the National Park Service) must expand its definition of Civil War sites to go beyond battlefields. While each battlefield must clearly demonstrate how it fits into the continuum of the war, and while each battlefield will be able to illuminate several of the larger themes articulated above, most battle sites are ill-suited to tell anything approaching the entire story of the American Civil War.

Instead of asking battle sites to function as a sole interpretive source, the NPS must look to other sites within the system that can further illuminate some of the larger themes of the war. These sites are readily identifiable; in fact, most are anxious to assume their rightful place as part of the Civil War mosaic. They reflect virtually every aspect of the Civil War—causes, politics, social change, economics, the military experience, civilian experience, and the legacy. See Appendix A for a list of NPS Civil War-related sites and their relevant themes.

Second Step: Acknowledging Differing Perspectives of the Wartime Experience and the War’s Meaning

Americans have for 140 years viewed the Nation’s Civil War largely through the eyes of men who waged battle. The military lens on the Civil War is indispensable and inviolable, but it is not the only lens through which to view the struggle. Major events of the war were subject to contemporary scrutiny and interpretation by every American. Often those varying interpretations found expression in individual action; a few found a voice in governmental policy or societal change. All add richness to the larger story of the conflict and help illustrate the enduring relevance and meaning of the war.

As it moves forward with this initiative, the NPS will give voice to observers and participants with differing, relevant perspectives on key events and places. Such an approach will enhance rather than diminish the perceived significance and relevance of events both military and not.

For some, anguish; for others freedom

Different participants often saw the same event in radically different ways, depending on age, economic status, race, gender, and location. On April 18, 1862, the Union army arrived for the first time opposite Fredericksburg, Virginia. Militarily, it was an insignificant event, but viewed through non-military lenses, the army's arrival illustrates hugely important aspects of the Civil War. The following two writings recount the same event—the arrival of the Union army—from different perspectives. Helen Bernard was a white woman living just outside Fredericksburg. John Washington was a slave in town.

Helen Bernard

Beaumont, Spotsylvania County

Good Friday, 1862. I write while the smoke of the burning bridges, depot, & boats, is resting like a heavy cloud all around the horizons towards Fredcksburg. The enemy [the Union army] are in possession of Falmouth, our force on this side too weak to resist them.... We are not at all frightened but stunned & bewildered waiting for the end. Will they shell Fbg., will our homes on the river be all destroyed? It is heartsickening to think of having our beautiful valley that we have so loved and admired all overrun & desolated by our bitter enemies, whose sole object is to subjugate & plunder the South.....

John Washington

April 18th 1862. Was "Good-Friday," the Day was a mild pleasant one with the Sun Shining brightly, and every thing unusually quiet...until every body Was Startled by Several reports of [Yankee] cannon.... In less time than it takes me to write these lines, every White man was out the house. [But] every Man Servant was out on the house top looking over the River at the yankees, for their glistening bayonats could eaziely be Seen. I could not begin to express my new born hopes for I felt...like I Was certain of My freedom now.

A Third Step: Establishing a Thematic Context for Interpreting the Civil War Through the Sites of the National Park System

For the National Park Service to expand its interpretation beyond traditional boundaries, it needs to be guided by strong thematic statements that are both grounded in solid scholarship and reflective of differing perspectives of the war and its meaning.

In fact, NPS battlefields and other sites have for years been using lenses beyond the purely military, to tell the broader story of this era. Still the work by individual parks provides ample intellectual basis for future enhancement of the Nation's interpretation of the Civil War. The themes are derived from the study and synthesis of more than 150 thematic statements submitted by National Parks possessing resources or stories associated with the American Civil War.

They are intended to act as a point of departure for developing media and programs and engaging visitors in figurative or literal discussions about the Nation's most destructive and transforming epoch.

It is neither desirable nor possible for each site to address each of the themes articulated below. Rather, each park will focus interpretive efforts on those that relate to that park's physical resources and primary stories. Antietam, for example, has much relevance to emancipation, but little to do with westward expansion. Appomattox can illustrate much about the results and consequences of the war; what it might say about industry and economics is far less significant.

Causes

Primary Theme: *The Civil War culminated eighty years of sectional tensions—tensions begot at various times and places by debate over economic policies and practices, cultural values, the extent and reach of the Federal government, but, most importantly, the role of slavery within an American society striving for identity and economic strength on the world stage.*

Secondary Theme: *Though various southern States clearly linked secession to*

the debate over slavery, the cause that motivated individual soldiers often differed from the causes of the war itself. Rather, the motivation of the individual soldier often derived from a complex mix—that sometimes changed during the war—of personal, social, economic and political values that at times contrasted with war aims expressed by the respective governments.

Parks with Relevant Major Resources Related to Causation: Booker T. Washington NM, Frederick Douglass NHS, Cane River Creole NHP, Hampton NHS, Fredericksburg and Spotsylvania NMP, Boston African American NHS, Charles Pinckney NHS, Fort Sumter NM, Fort Pulaski NM, Arlington House, The Robert E. Lee Memorial, Harper's Ferry NHP, Jefferson NEM, Lincoln Home NHS, Lincoln Birthplace, Lincoln Boyhood NM, Lincoln Memorial, President's Park, Martin Van Buren NHS, Natchez NHP, Richmond NBP, Jean Lafitte NHPP, and Independence NHP, Palo Alto NHS, New Bedford NHP, Fort McHenry NMHS, Shiloh NMP, Boston NHP.

The Military Experience: Strategy, Tactics, Technology, and Humanity

Primary Theme: *The outcome of the war was the cumulative result of political, economic, and social policies that affected (and were affected by) military operations and battles waged across a front spanning 2,000 miles.*

Subtheme: *The battles and campaigns of 1861-65 ultimately demonstrated that the simple application of massive military force and by armies on a battlefield was insufficient to resolve a conflict between two sections mobilized against one another politically, socially, philosophically, economically, and emotionally.*

Secondary Theme: *Leaders on both sides improvised, innovated, and gambled in an*

attempt to achieve a decisive, concluding battlefield victory.

Secondary Theme: *The application of new technologies forced changes in tactics that marked significant steps in the evolving method of warfare and that transformed the experience of soldiers in the field and navies on the waters.*

Secondary Theme: *The worsening ordeal of prisoners on both sides was closely related to the evolution of the war, militarily, politically, and economically. The Union's 1864 suspension of exchanges-intended to deny manpower to the Confederacy-contributed to conditions within prisons that cost thousands of lives and engendered*

bitterness that would continue for many years.

Parks with Relevant Major Resources Related to the Military Experience: All battlefield sites and forts including, Andersonville, Boston Harbor Islands, Colonial, Dry Tortugas, Arlington House, Harpers Ferry, James A. Garfield, Springfield Armory, Mammoth Cave, Ulysses S. Grant, C&O Canal, Governor's Island, Palo Alto, New Bedford, Civil War Defenses of Washington, Boston.

The Changing War: Interplay of the Military, Economic, Social, and Political

Primary Theme: Begun as a purely military effort with the limited political objectives of reunification (North) or independence (South), the Civil War transformed into a social, economic and political revolution with unforeseen consequences. As the war progressed, the Union war effort steadily transformed from a limited to a hard war; it targeted not just Southern armies, but the heart of the Confederacy's economy, morale, and social order—the institution of slavery.

Secondary theme: Failures on the battlefield and the expansion of the Union war effort to include the abolition of slavery, degradation of the Confederate economy, and the imposition of hardship on Southern civilians hardened the resolve of white

Confederates to carry the war to a successful conclusion in some cases, while it demoralized some to the point of such desperation, they deserted. It also engendered intense debate within the North, giving rise to opposition to the draft, urban violence, and a vocal peace party that threatened to defeat Lincoln's efforts to reunify the Nation and expunge slavery.

Subtheme: Confederate success (independence) required merely that its territory be defended; Union success (reunification and eventually emancipation) required invasion of the South, defeat of Confederate armies, and occupation of Southern territory.

Parks with Relevant Major Resources Related to the Changing War: All battlefield sites, Hampton, Charles Pinckney, Tuskegee, Ulysses S. Grant, Andersonville, Cane River Creole, Natchez, Lincoln sites, Marsh-Billings-Rockefeller, Palo Alto, Shiloh.

Emancipation and the Quest for Freedom

Primary Theme: Though most Northerners embraced abolition as a practical measure rather than a moral cause, the abolition of slavery emerged as one of two dominant objectives of the Union war effort. The war resolved in a legal and constitutional sense the single most important moral question that afflicted the nascent republic—an issue that prevented the country from coalescing around a shared vision of freedom, equality, and nationhood and hampered the emergence of the United States as a moral and economic leader on the world stage.

Subtheme: For millions of enslaved Americans, war meant liberation followed by a complex journey into freedom. Runaway slaves were so intent on achieving their freedom, they forced the issue of emancipation onto the Union agenda. But freedom did not mean racial equality; indeed, those who were most committed to the ideals of freedom that underlay the Constitution were often persecuted for their efforts to achieve and sustain true freedom. The quest for equality by former slaves, their descendants, and other Americans of color was an issue left undecided by the war.

Subtheme: *Freedom for four million former slaves stimulated myriad responses from*

white Americans—ranging from ready acceptance to reluctant tolerance to violent opposition.

Parks with Relevant Major Resources Related to Emancipation: Antietam, Booker T. Washington, Colonial, Frederick Douglass, Hampton, Harpers Ferry, Richmond, Appomattox, Charles Pinckney, Cane River Creole, Lincoln sites, Marsh-Billings-Rockefeller, Natchez, Tuskegee, Boston African American, Fredericksburg and Spotsylvania, Gulf Islands, Monocacy, Fort Raleigh, Independence.

Ethnicity, Race, and the Military

Primary Theme: *Though soldiers of color in the North and several distinct immigrant groups on both sides played significant roles in the progress of the war effort, their prominent role in the war did not represent a significant step forward in their quest for social equality. It would be decades before significant numbers of Americans recognized the considerable contributions of ethnic groups that had suffered chronic discrimination and a racial group that had been alternately enslaved, segregated, or ignored for more than 200 years.*

Secondary Theme: *The use of black troops on a wide scale enraged many Southerners, who regarded soldiers of color as the ultimate symbolic threat to the South's established social order. The enmity resulted in instances of battlefield*

atrocities that claimed the lives of black troops and white officers who commanded them. In addition, the introduction of black troops contributed to the breakdown of the prisoner exchange program in 1864.

Secondary Theme: *American Indians saw the war both as an opportunity and a threat. If they picked the right side they might regain land and freedom they had lost. On the other hand, if they picked the wrong side, they might face catastrophe. American Indians also provided ancillary services as guides and scouts in the western campaigns.*

Secondary Theme: *Hispanics played important roles on both sides. For example, the 1st New Mexico Volunteers, stationed at Fort Union, was mostly comprised of native Hispanic New Mexico troops.*

Parks with Relevant Major Resources Related to Ethnicity, Race, and the Military: Richmond, Petersburg, Fredericksburg and Spotsylvania, Gettysburg, Appomattox, Andersonville, Rock Creek Park (Fort Stevens), Fort Washington, Fort Scott, Boston African American, Frederick Douglass, Lincoln sites, Marsh-Billings-Rockefeller, Natchez Trace, Fort Union National Monument, New Bedford, Shiloh, Fort Raleigh.

Women Amidst War

Primary Theme: *The extreme demands of wartime industry and the loss of traditional family breadwinners to military service caused hardship, but also presented opportunities to women for employment, volunteerism, and activism that previously had been unavailable to them. While many of these gains would be temporary, the Civil War nonetheless represents an important*

step forward in American society's view of the role of women.

Subtheme: *With male family members off to war, women were sometimes required to serve the traditionally male roles of protector, manager, negotiator, care-giver, and counselor. As the war progressed, women were increasingly seen (and saw*

themselves) as the foundation of the respective war efforts—sustainers of the will to fight. On the other hand, recent scholarship suggests that women, especially

in the South, faced such intense hardships, they implored their soldier husbands to desert.

Parks with Relevant Major Resources Related to Women Amidst War: Manassas, Fredericksburg and Spotsylvania, Richmond, Gettysburg, Clara Barton, Andersonville, Antietam, Marsh-Billings-Rockefeller, Arlington House, Vicksburg, Petersburg, Booker T. Washington, Women's Rights, Shiloh.

The Civilian Experience

Primary Theme: *After being mere spectators at the war's early battles, civilians in the war zone later would become unwilling participants and victims of the war's expanding scope and horror.*

Secondary Theme: *In response to the hardships imposed upon their fellow citizens by the war, governments and civilians on both sides mobilized to provide comfort, encouragement, and material. On the other hand, the Confederate government failed*

almost completely to care for the families of its soldiers.

Secondary Theme: Modern scholarship looks more broadly at the civilian population—those who fled before the hostilities and never saw soldiers—and at the profound changes they experienced during the war. It also looks more closely at internal dissent—Copperheads in the North and Unionists in the South.

Parks with Relevant Major Resources Related to the Civilian Experience: All battlefields, Marsh-Billings-Rockefeller, F.L. Olmstead, Charles Pinckney, Hampton, Cane River Creole, Booker T. Washington, Arlington House, Harpers Ferry, Springfield Armory, New Bedford, Women's Rights, Fort McHenry, Independence.

Industry/Economics

Primary Theme: *Both North and South mobilized industry to an unprecedented degree. Industrial mobilization in the South represented a manifold increase over its pre-war capacity. Northern industry mobilized to conduct a war designed not just to defend Union territory, but to invade the South, defeat Confederate armies, and occupy Southern territory—a huge and unprecedented task that required all of the resources the North could muster.*

Subtheme: *The mobilization of both Northern and Southern industry in support of the war was a dramatic indication to the world of America's industrial potential—and a foreshadow of the decisive role American industry would play in shaping the political, economic, and military realities of the 20th Century.*

Parks with Relevant Major Resources Related to the Industry/Economics: Springfield Armory, Richmond, Natchez Trace, Fredericksburg and Spotsylvania, Mammoth Cave, C&O Canal, Harpers Ferry, Governor's Island, New Bedford, Shiloh.

The Ordeal of the Border States

Primary Theme: *The existence of divided populations in Border States (and in remote areas of some seceded States) had a profound impact on Union and Confederate strategy—both political and military. Each side undertook military and political measures (including brutal guerilla warfare) intended to persuade or sometimes conquer areas of divided loyalty. Each side suffered*

setbacks in the face of hostile moral and political views held by local civilians.

Subtheme: *Issues relating to civil liberties in wartime were particularly problematic in the Border States where the wrong words spoken at the wrong time could result in arbitrary incarceration.*

Parks with Relevant Major Resources Related to the Ordeal of the Border States: Antietam, Monocacy, Cumberland Gap, Andrew Johnson, Lincoln sites, Arkansas Post, Wilson's Creek, C&O Canal, Fort McHenry, Pea Ridge, Shiloh.

The War and the Westward Movement

Primary Theme: *With Federal resources focused on waging the war farther east, both native tribes and the Confederacy attempted to claim (in the Indians' case, reclaim) lands west of the Mississippi. The Federal government responded with measures (Homestead Act, transcontinental railroad) and military campaigns designed to encourage settlement, solidify Union control*

of the trans-Mississippi West, and further marginalize the physical and cultural presence of tribes native to the West.

Secondary Theme: *The Confederate aspirations to establish a foothold in the West ended with defeat at Glorieta Pass in New Mexico.*

Parks with Relevant Major Resources Related to the War and the Westward Movement: Homestead, Arkansas Post, Andrew Johnson, Fort Davis, Fort Larned, Fort Scott, Fort Union, Pecos, Golden Gate.

Consequences

Primary Theme: *The Civil War confirmed the single political entity of the United States, led to freedom for more than 4,000,000 enslaved Americans, started the abrupt departure of a fairly small central government toward a more powerful and centralized federal government, and laid the foundation for America's emergence as a world power in the 20th Century.*

Subtheme: *Though by itself unable to transform racial attitudes among white Americans, the Civil War initiated immense constitutional changes that re-defined the nature of American society and acted as a point of departure for a struggle for equal civil and human rights.*

Parks with Relevant Major Resources Related to the War's Consequences: Appomattox, Richmond, Ulysses S. Grant, Andrew Johnson, Natchez, Cane River Creole, Frederick Douglass, Lincoln Home, Lincoln Memorial, Marsh-Billings-Rockefeller, Charles Pinckney, Ford's Theater, Arlington House, Harpers Ferry, Homestead, Fort McHenry, Shiloh.

Reconstruction

Primary Theme: During Reconstruction, the Federal government pursued a program of political, social, and economic restructuring across the South—including an attempt to accord legal equality and political power to former slaves.

Subtheme: Reconstruction became a struggle over the meaning of freedom, with former slaves, former slaveholders and Northerners adopting divergent definitions.

The activities of African Americans alone gave substantive meaning to their freedom—in schools, family life, churches, and the political arena.

Subtheme: Faced with increasing opposition by white Southerners and some Northerners, the government abandoned efforts for black equality in favor of sectional reconciliation between whites.

Parks with Relevant Major Resources Related to Reconstruction: Andrew Johnson, Frederick Douglass, Booker T. Washington, Dry Tortugas, Ulysses S. Grant, Arlington House, Harpers Ferry, Tuskegee Institute, Charles Pinckney, Cane River Creole, Shiloh.

Reconciliation, Commemoration, and Preservation

Primary Theme: In the wake of the bloodiest, most destructive war of the century, the North and South—led by the men who had waged the battles—sought political and cultural reconciliation. In their pursuit of reconciliation, whites of both sections subjugated the Reconstruction-era's pursuit of social and legal equality for Americans of color.

Subtheme: The recognition and commemoration of shared sacrifice hastened and solidified the reconciliation of former enemies. Northerners permitted white Southerners their regional identity

(intensified by emerging Confederate iconography), acknowledged their collective suffering, yet rejoiced in the reunited Nation. White Southerners permitted Northerners to revel in the glow of wartime victory and consoled themselves with images of their wartime sacrifices and order their racial relationships without interference from the North.

Secondary Theme: The varied efforts at commemoration and preservation by succeeding generations illustrate society's evolving values and views on the Civil War.

Parks with Relevant Major Resources Related to Reconciliation, Commemoration, and Preservation: All battle sites, Lincoln Memorial, Tuskegee Institute, Frederick Douglass, Harpers Ferry, Boston African American, Appomattox, Independence.

A Fourth Step: Establishing Goals for the Visitor Experience at Civil War Sites

In the following goals, the term “visitor” encompasses both visitors who actually arrive on site and those who access its resources from a distance. The goals are based on legislation, NPS Management Policy, and the Secretary of the Interior’s NPS Centennial Initiative.

1: Every visitor to every site related to the war will have the opportunity to understand how that event, or that prominent person, or that story both fits into and affected the evolution of the Civil War—its change from a war to restore the Union to a war that transformed a Nation.

Rationale: Providing a richer, more varied perspective of the Civil War requires the NPS to address anew its goals for visitors to sites related to the War. Virtually every theme described above speaks to change—transformation. The Civil War evolved from a war to restore the Union to a war that transformed a Nation. This continuum is the mortar that holds together the bricks that are the individual Civil War sites.

2: Every visitor will have the opportunity to perceive the relevance of that particular site and the Civil War at large to America and Americans of today.

Rationale: The war’s relevance to modern Americans is complex. For some, the war

itself was a stage upon which Americans exhibited qualities and values that are today a cornerstone of the Nation’s identity. For others, the war’s relevance derives solely from results; the war became a vehicle for the most profound social, political, legal, and economic changes the Nation has ever seen.

3: Every visitor will understand that a park’s event, figure, or story was historically perceived and valued differently by different people—often depending on rank, race, gender, geographic origin, age, or socioeconomic status.

Each visitor will be given the opportunity to engage the park’s story from multiple perspectives.

Rationale: Just as participants in the war perceived the same events differently, so too do modern visitors. Indeed, the differing perceptions of participants are the perfect vehicle to allow for varied interpretation for today’s visitors. Ordinary men and women engaged in political action in their personal lives and their actions and thoughts were a powerful force in the historical process. Studying people on their own terms provides valuable insights into the complex forces that gave birth to decisive historical moments during the war. It is the challenge of the NPS to provide Americans of various backgrounds and perspectives the opportunity to explore the story, meaning, and significance of the Civil War in a way that is relevant to them.

4: Every visitor will engage the park's story primarily by interaction with the park's historic and natural resources—viewing larger thematic issues through the lens provided by the historic people, places, and events that comprise the park. Each visitor shall encounter a resource that is intact, well maintained, well-researched, and unencumbered by incompatible uses.

Rationale: The hallmark of the National Park Service is resource-based interpretation and a park's "sense of place." The physical resources within parks are the points of departure for the stories it tells. Preservation of those resources is fundamental to the education of our visitors.

5: Every visitor will have access to up-to-date, accurate, effective interpretive media and high-quality personal services that help them to have a safe, enjoyable visit and to understand the park's story and derive the significance of the place.

Rationale: Typically, 85% of visitors to Civil War related sites depend *entirely* on media to receive the story and derive the significance of a site. Current NPS media often dates to the 1960s and reflects the limited scope and monolithic interpretation of that time.

A Fifth Step: Identifying Deficiencies

In order to develop action items, it is necessary to examine the themes and goals identified thus far in this plan and compare them to current park operations. The resulting “findings” which are here grouped under three of the five overarching goals of the Secretary’s Centennial Initiative provides a rationale for the suggested actions that follow.

Stewardship - The National Park Service will lead America and the world in preserving and restoring treasured resources.

Findings:

- Many parks are threatened by urban and suburban development. Park founders did not foresee that agricultural landscapes would be transformed into commercial sites and residential communities. Authorized park boundaries are often woefully out-of-date and even land within park boundaries that is not owned by the NPS can be developed by private interests.

- It is no longer enough to strive for a friendly “coexistence” between parks and their agricultural neighbors. All parties need to be more intentional and proactive in defining their mutual interests and crafting new, more cooperative strategies that contribute to some measure of sustainability and long-term conservation of rural landscape character, such as has been started at Cuyahoga National Park.

- Resources in Civil War parks reflect the same facility maintenance issues present throughout the NPS. In addition, unique issues concerning the preservation and restoration of historic landscapes, structures, monuments and ruins often present challenging problems at battlefields.

- The National Park Service is the repository of many of the most valuable and sacred collections of Civil War artifacts and documents. Most of these artifacts are not on display to the public. Similar to the issues faced by other National Park Service units with their historic and natural collections, Civil War parks must confront problems concerning collection, presentation, inventory, security, and accessibility.

- The same roads that were important to troop movements in the Civil War are still in use today. There is increasing pressure to expand such roads to the detriment of the parks and historic landscapes.

Education - The National Park Service will foster exceptional learning opportunities that connect people to parks.

Findings:

- Visitors to Civil War parks often find outdated facilities and exhibits. Many exhibits are more than fifty years old and feature both outdated technology and scholarship. Some facilities are not energy efficient and present accessibility challenges. In addition, many are located on primary historic resources.

- Current visitors come to the parks with less knowledge about the Civil War than previous generations. Park interpretive media and the NPS website overall do not now provide information for understanding sites in the overall context of the war.

- Diverse perspectives concerning the causes and consequences of the Civil War are not presented by interpretive media in parks.

- New technologies, such as the internet, are not adequately utilized to tell park stories or reach audiences at a distance.

- Many parks do not have curriculum-based education programs.

- While over seventy parks have Civil War themes, they are not tied together thematically in NPS interpretive efforts.

- In the five years from 2001 to 2006, site-based visitation to National Military Parks dropped 14%. This has an effect not only on the number of visitors parks can serve, but also on local economies.

- Older facilities often lack full accessibility for visitors with disabilities.

Professional Excellence - The National Park Service will demonstrate management excellence worthy of the treasures entrusted to our care.

Findings:

- In recent years the number of historian positions has declined in Civil War parks, decreasing the specialized knowledge base and scholarship available to do research, answer visitor inquiries, and create effective interpretive programs.

- Interpretive media in the parks do not reflect current scholarship.

- Only about 15% of park visitors are able to attend ranger-led park programs.
- Few parks have up-to-date planning documents, including General Management Plans and Long Range Interpretive Plans.

Part 2: Implementation of the NPS Sesquicentennial Action Plan

Since the National Park Service is the keeper of the most significant buildings and sites from the Civil War Era—from the Pump House in Harpers Ferry occupied by John Brown and his raiders in 1859 to the final major battle site and place where General Robert E. Lee surrendered to General Ulysses Grant in 1865 – the National Park Service will be at the forefront of all commemorative activities.

By fortuitous circumstance, the Centennial of the National Park Service occurs in 2016, just as the Sesquicentennial of the Civil War is concluding. Thus, many of our proposed projects will likely be folded into the Centennial Initiative which began in FY 2008 and will continue for the next decade. Without exception, these requirements and desired conditions reflect the goals and objectives outlined in the Centennial Initiative Report. With few exceptions, the action items identified in *Holding the High Ground: A National Park Service Strategy for the Sesquicentennial of the American Civil War* also encompass already existing, funded NPS programs. The needs and deficiencies at Civil War parks identified in the report mirror those at parks throughout the National Park System. Overall NPS priorities set by NPS senior management will dictate whether Civil War parks and programs receive funding as programs and budgets are formulated throughout the Civil War Sesquicentennial time frame.

A significant part of the Sesquicentennial Action Plan involves a new strategy and approach as articulated in Part I of the Report. Commemorative activities will likely take place at all Civil War battlefield parks, as occurred during the 125th anniversary, although they will vary widely in scope and approach without specific direction. Some action items will require funding. Cost details and available fund sources will be determined in future budgets. A synopsis of actions that should be considered, in accordance with the Sesquicentennial Plan, follow:

Commemoration Activities:

Community Events: Throughout the Sesquicentennial, site specific community events and 150th anniversary activities will be held. Park base funds will be available for these efforts and, as priorities and budget allowances dictate, one time or short-term increases may be included in budget requests.

Sesquicentennial Daybook: During the American Bicentennial of the Revolution and the Constitution, the National Park Service produced daybooks with entries for each day highlighting significant events. Major national media used this source to develop such specials as the Bicentennial Minute. Sesquicentennial Daybook objectives include tourism promotion, thematically linking NPS Civil War related sites, information sharing and education via media to include national network television, e-technologies, radio stations, newspaper and print. Accomplishment will be dependent on budget allowances and NPS priorities.

Centennial Initiative Goal 1 - Stewardship

Land Acquisition: Critical areas and tracts both within and outside NPS boundaries remain to be protected. The Civil War Preservation Trust has made a commitment to match National Park Service money up to \$7.5 million per year through 2015 to acquire critical battlefield lands both inside and outside National Park Service boundaries. In addition, the NPS has an existing partner program within the NPS Land Acquisition account that provides grants to partners for preserving Civil War battlefield sites outside NPS boundaries. The Administration has proposed an extension of the authority for this program and \$4 million has been requested for FY 2009. Land Acquisition priorities and opportunities will continue to drive NPS acquisitions and are dependent on budget allowances.

Restore Historic/Commemorative Landscapes and Perform Maintenance of Historic Structures: Research and restoration efforts are necessary to return landscapes to their Civil War appearance, maintain commemorative features, such as monuments, and rehabilitate historic buildings and ruins. Existing programs such as Flexible Park Base and Regular and Cultural Cyclic Maintenance could be utilized to accomplish these goals. While landscape restoration has not been among the goals targeted in the Flexible Park Program for FY 2008 and FY 2009, the program is an excellent match for this type of effort in future years. In addition, if interested partners can be identified and funds are provided, these efforts could also fit with the Centennial Challenge Matching Program.

Centennial Initiative Goal 2 – Education

National Educational Programs: In order for the Park Service to have a legacy that will last well beyond the sesquicentennial, the development of educational programs that incorporate the themes articulated in our *Centennial Report to the President* is a critical goal. The NPS vision for the future included a goal for Education that stated that we should “cooperate with educators to provide curriculum materials, high-quality programs, and park based and online learning.” We would seek to “introduce young people and their families to national parks by using exciting media and technology.” This sentiment is also expressed in the NPS Interpretation and Education Renaissance Action Plan. Accordingly, the NPS would seek to develop curriculum-based educational media for all grade levels using the vast resources and expertise in our parks. The NPS would work with the National Park Foundation to secure partners to develop these projects. The National Park Foundation has already secured a grant from the National Endowment for the Humanities to implement a curriculum based educational program called the War for Freedom. As budget allowances and priorities dictate, the Civil War theme could serve a pilot for a national program, which has been and will likely continue to be considered for funding as part of the NPS Centennial Initiative.

Interpretive Media Development and Implementation: The Sesquicentennial provides the opportunity to use all Civil War-related sites in the National Park System to tell a broader story of the war in a fuller context using current scholarship. Many of these parks have exhibits from the 1950s-1960s with outdated media and messages. Currently, the NPS has no specific dedicated source of funding for interpretive media development, but does accomplish these efforts through a variety

of funding sources. Again, both the NPS *Education and Interpretive Renaissance Action Plan* and the *Centennial Report to the President* identify this deficiency. Interpretive media require upgrade in both form and context, especially in Civil War parks, with emphasis on replacing high cost media, and emphasizing new technology such as podcasts, webcasts, and digital imagery. This was an emphasis area in the FY 2008 Centennial program and remains so. The concept of connecting people, especially children, with parks and reaching a new, diverse audience with different learning styles and interests remains a basic goal of the Centennial Initiative.

Web Learning – the National Park Service Website: Continue with the development of the enormously popular Civil War Website. Approximately 11,000,000 visitors come to Civil War battlefields each year; those numbers likely will increase dramatically during the sesquicentennial. Several hundred million visitors from around the world, however, will visit the NPS Civil War website, to prepare for visits to our parks, to learn about the Civil War, and to download the most innovative curriculum materials available.

Centennial Initiative Goal 3 – Professional Excellence

Subject Matter and Media Training: The Centennial goal of Professional Excellence has a further goal to “establish a structured professional development curriculum to provide park managers with the skills to provide superior leadership. “ This plan urges a broader approach to interpreting the Civil War—it seeks to have parks challenge people with ideas, challenge them to not just understand the nature and horrid expanse of the bloodshed, but the reasons and the consequences of the war, as well as its aftermath. For the National Park Service to expand its interpretation beyond traditional bounds, it needs trained staff guided by strong thematic statements that are both grounded in solid scholarship and reflective of differing perspectives of the war and its meaning. The FY 2009 Budget proposes a significant increase to reinvigorate the Servicewide training program. As budget allowances and priorities dictate, employee development will continue to play a significant role in the NPS Centennial Initiative.

Teacher-Ranger-Teacher Program: The Teacher to Ranger to Teacher (TRT) Program links National Park units with teachers from Title 1 (30% of students on free or reduced cost lunch) urban and rural school districts. Under TRT, selected teachers spend the summer working as park rangers performing various duties depending on their interests and the needs of the park, including developing and presenting interpretive programs for the general public, staffing the visitor center desk, developing curriculum-based materials for the park, or taking on special projects. Then, during the school year, these teacher-rangers bring the parks into the classroom by developing and presenting curriculum-based lesson plans that draw on their summer’s experience. This program would compliment the Centennial Initiative component of 3,000 new seasonal employees.

Appendix A: Civil War-Related Sites in the National Park System

Relevant themes are those supported by the extant cultural resources within the park and which are identified in park planning documents.

Site	Relevant Themes
Andersonville National Historic Site	Military Experience, Changing War, Women, Reconciliation
Andrew Johnson National Historic Site	Causes, Border States, Consequences, Reconstruction
Antietam National Battlefield	Military Experience, Women, Civilians, Emancipation, Border States, Reconciliation
Appomattox Court House NHP	Military Experience, Changing War, Emancipation, Civilians, Consequences, Reconstruction, Reconciliation
Arkansas Post National Memorial	Military Experience, Border States, Westward Movement
Arlington House, The Robert E. Lee Memorial	Causes, Military Experience, Emancipation, Consequences, Reconstruction, Reconciliation
Booker T. Washington National Monument	Causes, Emancipation, Consequences, Reconstruction, Reconciliation
Boston African American National Historic Site	Causes, Emancipation, Consequences, Reconstruction, Reconciliation, Ethnicity and Race
Boston Harbor Islands National Recreation Area	Military Experience, Changing War
Boston National Historical Park	Causes, Military Experience
Brice's Cross Roads National Battlefield Site	Military Experience, Changing War
Cane River Creole National Historical Park	Causes, Emancipation, Women, Civilians, Industry/Economics, Consequences
Cape Hatteras National Seashore	Military Experience, Changing War, Industry/Economics
Cedar Creek and Belle Grove National Historical Park	Military Experience, Changing War, Women, Civilians, Industry/Economics

Charles Pinckney National Historic Site	Causes, Emancipation, Reconstruction
Chesapeake & Ohio Canal NHP	Military Experience, Industry/Economics
Chickamauga & Chattanooga NMP	Military Experience, Changing War, Civilians, Industry/Economics, Reconciliation
Clara Barton National Historic Site	Changing War, Women, Civilians, Reconstruction, Reconciliation
Colonial National Historical Park	Military Experience, Civilians, Emancipation, Reconciliation
Cumberland Gap National Historical Park	Military Experience, Border States
Dry Tortugas National Park	Military Experience, Consequences
Ford's Theater National Historic Site	Consequences, Reconstruction
Fort Davis National Historic Site	Military Experience, Westward Movement
Fort Donelson National Battlefield	Military Experience, Border States
Fort Larned National Historic Site	Military Experience, Westward Movement
Fort McHenry National Monument & Historic Shrine	Military Experience, Causes, Ordeal of the Border States, The Changing War, The Civilian Experience, Consequences
Fort Pulaski National Monument	Military Experience, Changing War, Emancipation
Fort Raleigh National Historic Site	Emancipation, Ethnicity and Race
Fort Scott National Historic Site	Military Experience, Westward Movement
Fort Sumter National Monument	Causes, Military Experience, Civilians, Changing War, Consequences, Reconciliation
Fort Union National Monument	Military Experience, Westward Movement
Frederick Douglass National Historic Site	Causes, Emancipation, Ethnicity and Race, Consequences, Reconstruction, Reconciliation
Frederick Law Olmstead NHS	Civilians
Fredericksburg/Spotsylvania NMP	Causes, Military Experience, Changing War, Ethnicity and Race, Women, Civilians, Industry/Economics, Reconciliation
General Grant National Memorial	Military Experience, Reconstruction

Gettysburg National Military Park	Ethnicity and Race, Women, Civilians, Consequences, Reconciliation, Military Experience, Changing War
Golden Gate National Recreation Area, CA <i>Alcatraz Island</i> <i>Fort Point National Historic Site</i> <i>Presidio of San Francisco</i>	Military Experience, Westward Movement
Governor's Island National Monument, NY	Military Experience
Gulf Islands National Seashore	Military Experience
Hampton National Historic Site	Causes, Civilians, Border States, Emancipation, Consequences
Harpers Ferry National Historical Park	Industry/Economics, Border States, Consequences, Reconstruction, Reconciliation, Causes, Military Experience, Changing War, Emancipation, Civilians
Homestead National Monument of America	Westward Movement
Independence National Historical Park	Causes, Emancipation, Civilian Experience, Reconciliation
James A. Garfield National Historic Site	Military Experience, Reconstruction, Reconciliation
Jefferson National Expansion Memorial	Causes
Jean Lafitte NH Park and Preserve	Civilians, Emancipation
Kennesaw Mountain National Battlefield Park	Military Experience, Changing War, Civilians, Reconciliation
Lincoln Home National Historic Site Lincoln Birthplace NH Site Lincoln Boyhood National Memorial Lincoln Memorial Mammoth Cave NP	Causes, Emancipation, Race and Ethnicity, Consequences, Reconstruction Industry
Manassas National Battlefield Park	Military Experience, Changing War, Women, Civilians, Reconciliation
Marsh-Billings-Rockefeller NHP (Northern homefront)	Civilians, Causes and Consequences, Free African-American Experience
Martin Van Buren NHS	Causes
Monocacy National Battlefield	

Military Experience, Civilians, Emancipation,	Border States, Reconciliation
Natchez National Historical Park	Causes, Emancipation, Consequences
Natchez Trace Parkway, MS <i>Natchez Trace National Scenic Trail</i> <i>Tupelo National Battlefield</i>	Military Experience, Industry/Economics
National Capital Parks East <i>Civil War Defenses of Washington</i>	Military Experience
Network to Freedom	Civilians, Causes, Emancipation, Border States, Ethnicity & Race
New Bedford National Historic Site	Causes, Military Experience, Ethnicity & Race, The Civilian Experience, Industry/Economics
Palo Alto Battlefield National Historic Site	
Pea Ridge National Military Park	Causes, Military Experience, Changing War Military Experience, Civilians, Border States
Pecos National Historical Park <i>Glorietta Pass Battlefield</i>	Military Experience, Westward Expansion
Petersburg National Battlefield	Military Experience, Changing War, Ethnicity and Race, Women, Civilians, Industry/Economics, Reconciliation
Richmond National Battlefield Park	Causes, Military Experience, Changing War, Ethnicity and Race, Women, Civilians, Industry/Economics, Reconciliation
Rock Creek Park <i>Fort Stevens</i>	Military Experience
Shiloh National Military Park	Military Experience, Civilians, Reconciliation
Springfield Armory National Historic Site	Industry/Economics, Civilians
Stones River National Battlefield	Military Experience, Changing War, Civilians, Reconciliation
Tuskegee Institute National Historic Site	Reconstruction
Ulysses S. Grant National Historic Site	Causes, Military Experience, Changing War, Ethnicity and Race, Consequences, Reconstruction, Reconciliation

Vicksburg National Military Park	Military Experience, Changing War, Civilians, Emancipation, Reconciliation
Wilson's Creek National Battlefield	Military Experience, Border States
Women's Rights National Historical Park	Women Amidst War, Civilians

Appendix B: A Sampling of Interpretive Intent for Civil War Sites as Expressed in Legislation & Presidential Actions:

The following excerpts from legislation and proclamations illustrate the evolution of both general and specific mandates that park managers have been charged with by Congress and the President. These mandates have evolved from primarily marking and labeling battle lines to telling both military and civilian stories and relating their significance to the broad context of the Civil War and American History.

Antietam – 1890: ...for the purpose of surveying, locating and preserving the lines of battle of the Army of the Potomac and the Army of Northern Virginia at Antietam, and for marking the same, and for locating and marking the positions of the forty-three different commands of the regular Army engaged in the Battle of Antietam, and for the purchase of sites for tablets for marking such positions.

Chickamauga and Chattanooga – 1890: ...for the purpose of suitably marking for historical and professional military study the fields of some of the most remarkable maneuvers and most brilliant fighting in the war of the rebellion.

Shiloh – 1894: ...so the participating armies might have "the history of one of their memorable battles preserved on the ground where they fought." A park commission will "ascertain and mark with historical tablets all lines of battle of the troops engaged in the Battle of Shiloh and other historical points of interest pertaining to the battle within the park or its vicinity." The legislation also mentions preserving outlines of fields and forest and restoring the battlefield to its 1862 condition.

Gettysburg – 1895: ...to properly mark the boundaries of the said park, and to ascertain and definitely mark the lines of battle of all troops engaged in the battle of Gettysburg...to preserve the important topographical features of the battle-field: *Provided*, That nothing contained in this Act shall be deemed and held prejudice the rights acquired by any State or by any military organization to the ground on which its monuments or markers are placed...authorized and directed to cause to be made a suitable bronze tablet, containing on it the address delivered by Abraham Lincoln, President of the United States, at Gettysburg on the nineteenth day of November, eighteen hundred and sixty-three, on the occasion of the dedication of the national cemetery at that place.

An Act Authorizing the Secretary of War to make certain uses of national military parks – 1896: That in order to obtain practical benefits of great value to the country from the establishment of national military parks, said park and their approaches are hereby declared to be national fields for military maneuvers for the Regular Army of the United States and the National Guard or Militia of the States.

Vicksburg – 1899: ...to commemorate the campaign and siege and defense of Vicksburg, and to preserve the history of the battles and operations of the siege and defense on the ground where they fought and were carried on...to ascertain and mark with historical tablets, or otherwise, as the Secretary of War may determine, the lines of battle of the troops engaged in the assaults, and the lines held by the troops during the siege and the defense of Vicksburg, the headquarters of General Grant and of General Pemberton, and other historical points of interest to the siege and defense of Vicksburg.

Kennesaw Mountain – 1917: ...for the benefit and inspiration of the people.

Arlington House – 1925: Lee Mansion ...honor is accorded Robert E. Lee as one of the great military leaders of history, whose exalted character, noble life, and eminent services are recognized and esteemed, and whose manly attributes of percept and example were compelling factors in cementing the American people in bonds of patriotic devotion and action against common external enemies in the war with Spain and in the World War, thus consummating the hope of a reunited country that would again swell the chorus of the Union.

Presidential Proclamation (No. 1713) of October 15, 1924

WHEREAS, there are various military reservations under the control of the Secretary of War which comprise areas of historic and scientific interest...

NOW THEREFORE, I, Calvin Coolidge, President of the United States of America, under the authority of the said Act of Congress (1906 National Monuments Act) do hereby declare and proclaim the hereinafter designated areas with the historic structures and objects thereto appertaining, and any other object or objects specifically designated, within the following military reservations to be national monuments.

Petersburg – 1926: ...to commemorate the siege and defense of Petersburg, Virginia, in 1864 and 1865 and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein...ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all breastworks, earthworks, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest.

Appomattox Court House – 1927:...to inspect the battle fields and surrender grounds in and around old Appomattox Court House, Virginia, in order to ascertain the feasibility of preserving and marking for historical and professional military study such fields.

Appomattox Court House – 1930: ...for the purpose of commemorating the termination of the War between the States...and for the further purpose of honoring those who engaged in this tremendous conflict.

Executive Order – Organization of Executive Agencies

WHEREAS executive order No. 6166 dated June 10, 1933, issued pursuant to the authority of Section 16 of the Act of March 3, 1933 (Public No. 428-47 Stat. 1517) provide in Section 2 as follows:

“All functions or administration of public building, reservations, national parks, national monuments, and national cemeteries are consolidated in an office of National Parks, Buildings, and Reservation in the Department of the Interior, at the had of which shall be a Director of National Parks, Buildings, and Reservations; except that where deemed desirable there may be excluded from this provision any public building or reservation which is chiefly employed as a facility in the work of a particular agency. This transfer and consolidation of functions shall include, among others, those of the National Park Service of the Department of the Interior and the National Cemeteries and Parks of the War Department which are located within the continental limits of the United States.

NOW, THEREFORE, said executive order No. 6166, dated June 10, 1933, is hereby interpreted as follows:

The cemeteries and parks of the War Department transferred to the Interior Department are as follows:

National Military Parks

Chickamauga and Chattanooga National Military Park, Georgia and Tennessee.

Fort Donelson National Military Park, Tennessee.

Fredericksburg and Spotsylvania County Battle Fields Memorial, Virginia.

Gettysburg National Military Park, Pennsylvania.

Petersburg National Military Park, Virginia.

Shiloh National Military Park, Tennessee.

Stones River National Military Park, Tennessee.

Vicksburg National Military Park, Mississippi.

National Parks

Fort McHenry National Park, Maryland.

Battlefield Sites

Antietam Battlefield, Maryland.

Appomattox, Virginia.

Brices Cross Roads, Mississippi.

Kenesaw Mountain, Georgia.

Monocacy, Maryland.
Castle Pinckney, Charleston, South Carolina.
Fort Pulaski, Georgia.

Miscellaneous Memorials

Lee Mansion, Arlington National Cemetery, Virginia.

National Cemeteries

Battleground, District of Columbia.
Antietam, (Sharpsburg) Maryland.
Vicksburg, Mississippi.
Gettysburg, Pennsylvania.
Chattanooga, Tennessee.
Fort Donelson, (Dover) Tennessee.
Shiloh, (Pittsburg Landing) Tennessee.
Stones River, (Murfreesboro) Tennessee.
Fredericksburg, Virginia.
Poplar Grove, (Petersburg) Virginia.
Yorktown, Virginia.

Monocacy – 1934: ...to commemorate the Battle of Monocacy, Maryland and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein.

Historic Sites Act—1935: ...develop an educational program and service for the purpose of making available to the public facts and information pertaining to American historic and archeological sites, buildings, and properties of national significance.

Manassas – 1935: ...to preserve for the public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States.

Kennesaw Mountain– 1935: ...for the benefit and inspiration of the people.

Richmond – 1936: ...to commemorate the battles that took place around Richmond and preserve features with military significance.

Fort Sumter National Monument – 1948: ...shall be a public national memorial commemorating historical events at or near Fort Sumter...and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of the Act entitled “An Act to establish a National Park Service and for other purposes”, approved August 25, 1916, as amended.

Arlington House (Custis-Lee Mansion) – 1955: ...be officially designated as the Custis-Lee Mansion, so as to give appropriate recognition to the illustrious Virginia

family in which General Lee found his wife, and that the Custis-Lee Mansion is hereby dedicated as a permanent memorial to Robert E. Lee.

Pea Ridge – 1956: ...the National Park Service, under the direction of the Secretary of the Interior, shall administer, protect and develop the park, subject to the provisions of the act entitled *An Act to Establish the National Park Service (1916)*.

Wilson's Creek National Battlefield – 1960: The lands acquired under the first section of this Act shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Wilson's Creek Battlefield National Park.

Arlington House (The Robert E. Lee Memorial) – 1972: ...to restore to the Custis-Lee Mansion located in the Arlington National Cemetery, Arlington, Virginia, its original historical name, followed by the explanatory memorial phrase, so that it will be known as Arlington House, The Robert E. Lee Memorial

Fredericksburg and Spotsylvania County Battle Fields Memorial National Military Park - 1989 (boundary adjustment): In administering the park, the Secretary shall take such action as is necessary and appropriate to interpret, for the benefit of visitors to the park and the general public, the battles of Fredericksburg, Chancellorsville, Spotsylvania Courthouse, and the Wilderness in the larger context of the Civil War and American history, including the causes and consequences of the Civil War and including the effects of the war on all the American people, especially on the American South.

Ulysses S. Grant - 1989: ...In order to preserve and interpret for the benefit and inspiration of all Americans a key property associated with the life of General and later President Ulysses S. Grant and the life of First Lady Julia Dent Grant, knowledge of which is essential to understanding, in the context of mid-nineteenth century American history, his rise to greatness, his heroic deeds and public service, and her partnership in them...

Gettysburg – 1990 (boundary adjustment): ...to interpret, for the benefit of visitors to the park and the general public, the Battle of Gettysburg in the larger context of the Civil War and American history including the causes and consequences of the Civil War and including the effects of the war on all the American People.

Vicksburg - 1990 (boundary adjustment): In administering Vicksburg National Military Park, the Secretary shall interpret the campaign and siege of Vicksburg from April 1862 to July 4, 1863, and the history of Vicksburg under Union occupation during the Civil War and Reconstruction.

Tennessee Civil War Heritage Area – 1996:

- (1) to preserve, conserve, and interpret the legacy of the Civil War in Tennessee;
- 2) to recognize and interpret important events and geographic locations representing key Civil War battles, campaigns, and engagements in Tennessee;

(3) to recognize and interpret the effect of the Civil War on the civilian population of Tennessee during the war and postwar reconstruction period; and

(4) to create partnerships among Federal, State, and local governments and their regional entities, and the private sector to preserve, conserve, enhance, and interpret the battlefields and associated sites associated with the Civil War in Tennessee.

Shenandoah Valley Battlefields National Historic District – 1996: ...preserve, conserve, and interpret the legacy of the Civil War in the Shenandoah Valley. Recognize and interpret important events and geographic locations representing key Civil War battles in the Shenandoah Valley, including those battlefields associated with Thomas J. (Stonewall) Jackson campaign of 1862 and the decisive campaigns of 1864. Recognize and interpret the effects of the Civil War on the civilian population of the Shenandoah Valley during the war and postwar reconstruction period.

Corinth Unit of Shiloh - 1996... In accordance with section 602 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f-5), the Secretary shall--

(1) commemorate and interpret, for the benefit of visitors and the general public, the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth within the larger context of the Civil War and American history, including the significance of the Civil War Siege and Battle of Corinth in 1862 in relation to other operations in the western theater of the Civil War; and

(2) identify and preserve surviving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes that include--

(A) the role of railroads in the Civil War;

(B) the story of the Corinth contraband camp; and

(C) the development of field fortifications as a tactic of war.

American Battlefield Protection Act of 1996 - ...the Secretary of the Interior, acting through the American Battlefield Protection Program, shall encourage, support, assist, recognize, and work in partnership with citizens, Federal, State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations in identifying, researching, evaluating, interpreting, and protecting historic battlefields and associated sites on a National, State, and local level.

National Underground Railroad Network to Freedom - 1998

(1) To recognize the importance of the Underground Railroad, the sacrifices made by those who used the Underground Railroad in search of freedom from tyranny and oppression, and the sacrifices made by the people who helped them.

(2) To authorize the National Park Service to coordinate and facilitate Federal and non-Federal activities to commemorate, honor, and interpret the history of the Underground Railroad, its significance as a crucial element in the evolution of the national civil rights movement, and its relevance in fostering the spirit of racial harmony and national reconciliation.

Cedar Creek & Belle Grove National Historical Park - 2002

- (1) help preserve, protect, and interpret a nationally significant Civil War landscape and antebellum plantation for the education, inspiration, and benefit of present and future generations;
- (2) tell the rich story of Shenandoah Valley history from early settlement through the Civil War and beyond, and the Battle of Cedar Creek and its significance in the conduct of the war in the Shenandoah Valley;
- (3) preserve the significant historic, natural, cultural, military, and scenic resources found in the Cedar Creek Battlefield and Belle Grove Plantation areas through partnerships with local landowners and the community; and
- (4) serve as a focal point to recognize and interpret important events and geographic locations within the Shenandoah Valley Battlefields National Historic District representing key Civil War battles in the Shenandoah Valley, including those battlefields associated with the Thomas J. (Stonewall) Jackson campaign of 1862 and the decisive campaigns of 1864.

Planning Team

Kathy Billings - *Pecos National Historical Park*

Marie Frias - *Fort Union National Monument*

John Howard - *Antietam National Battlefield*

Steve McCoy - *Fort Donelson National Battlefield*

Dale Phillips - *George Rogers Clark National Historical Park*

Dave Ruth - *Richmond National Battlefield Park*

Russ Smith - *Fredericksburg & Spotsylvania National Military Park*

Bob Sutton - *Manassas Battlefield Park /Chief Historian, National Park Service*

Susan Trail - *Monocacy National Battlefield*

Michael Ward - *Ulysses S. Grant National Historic Site*



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

NOV 20 2008

D18(2510)

Honorable Jeff Bingaman
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

We are pleased to transmit to Congress the enclosed *Waco Mammoth Site Special Resource Study/Environmental Assessment*. The National Park Service conducted the study pursuant to Public Law 107-341, which directed the Secretary of the Interior, in consultation with the State of Texas, the City of Waco, and other appropriate organizations, to conduct a special resource study to determine the national significance, suitability, feasibility, and need for Federal management in designating the Waco Mammoth Site as a new unit of the National Park System.

The study investigated the discovery site of a Pleistocene Columbian mammoth herd uncovered within the city limits of Waco, Texas. The study area included over 109 acres under the ownership of the City of Waco and Baylor University. These two entities have formed a partnership for the purpose of providing for the preservation and interpretation of the site's paleontological resources. A number of collected specimens are currently housed in Baylor University's Mayborn Museum Complex, while *in situ* specimens remain at the discovery site.

The study concludes that the Waco Mammoth Site meets the criteria for designating new national parklands and is eligible for consideration as a new unit of the National Park System. The study findings are summarized below.

National Significance: The combination of both *in situ* articulated skeletal remains and the excavated specimens from the site represent the nation's first and only recorded discovery of a nursery herd of Pleistocene mammoths. The resource as a whole possesses exceptional interpretive value and provides superlative opportunities for visitor enjoyment including scientific study. The resource retains a high degree of integrity as many of the remains represent fully articulated specimens of varying age groups. Their location and position have been recorded; the stratigraphy of the site has been studied in detail; and collected specimens have been placed under the curatorial care of a single institution (Baylor University).

Suitability: The inclusion of this site in the National Park System would expand and enhance the diversity of paleontological resources already represented by other parks in the system.

Feasibility: There are opportunities for efficient administration at a reasonable cost by the National Park Service, especially if existing partnership support could be maintained and enhanced. The City of Waco and Baylor University have stated a willingness to transfer lands without cost to the National Park Service.


Need for Direct National Park Service Management: The evaluation of several management alternatives in the special resource study process led to the finding that the most effective and efficient approach for ensuring the long-term protection of significant resources and providing opportunities for public enjoyment is for the National Park Service to join the existing management partnership between the City of Waco and Baylor University. This approach is outlined in the study report under Alternative C – Partnerships Led by the National Park Service. The Service would have the lead responsibility for ensuring the protection, scientific study, and visitor enjoyment of paleontological resources, enlisting the help of partners for this mission. The two partners would take the lead in initiating additional recreational and educational opportunities on the lands surrounding the core paleontological resource.

The Waco community has demonstrated its commitment to ensuring long-term resource protection and visitor enjoyment through generous donations of over \$3.5 million to support construction of an excavation shelter over the *in situ* specimens. This effort started with a \$200,000 grant from the Save America's Treasures program.

Public comments received during the study process and after publication of the report were overwhelmingly in favor of designating the site as a new unit, and for expanding the existing partnership between the City of Waco and Baylor University to include the National Park Service, with the strengths of each organization focused on the stewardship of this resource. A summary of public involvement in the study effort is attached, as is the Finding of No Significant Impact that officially completed the study process.

An identical letter is being sent to the Honorable Pete V. Domenici, Ranking Member, Committee on Energy and Natural Resources, United States Senate; the Honorable Nick J. Rahall II, Chairman, Committee on Natural Resources, House of Representatives; and the Honorable Don Young, Ranking Member, Committee on Natural Resources, House of Representatives.

Sincerely,



Lyle Laverty
Assistant Secretary for
Fish and Wildlife and Parks

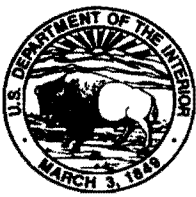
Enclosures

cc:

Honorable Kay Bailey Hutchinson
United States Senate
Washington, D.C. 20510

Honorable John Cornyn
United States Senate
Washington, D.C. 20510

Honorable Chet Edwards
House of Representatives
Washington, D.C. 20515



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

MAR 06 2009

The Honorable Chet Edwards
House of Representatives
Washington, DC 20515

Dear Mr. Edwards:

Thank you for your recent inquiry regarding the National Park Service's position on the inclusion of the Waco Mammoth Site as a potential unit of the National Park System.

The National Park Service completed a Special Resource Study of the Waco Mammoth site in 2008. That study evaluated the site based on its national significance, its suitability for representing a theme not already adequately represented in the National Park System or by another public agency, its feasibility for efficient management as a unit of the National Park System, and the need for direct management by the National Park Service. As was reported last year when we transmitted the study to the Congress, the study found that the site meets all the criteria for designation as a unit of the National Park System.

The Department of the Interior does not take an official position on legislation until a hearing is held. Should legislation be introduced that conforms to the findings of the study, the Department would recommend in the Office of Management and Budget clearance process that the Waco Mammoth site be included as a unit of the National Park System.

Donald Hellmann, our Acting Assistant Director, Office of Legislative and Congressional Affairs, is available to assist your staff if you have any additional questions. He may be reached at 202.208.5656 or by email at Don_Hellmann@nps.gov.

Sincerely,

Jane M. Lyder
Assistant Deputy Secretary



THE SECRETARY OF THE INTERIOR
WASHINGTON

JAN 16 2009

D18(2510)

Honorable Thomas R. Carper
United States Senate
Washington, D.C. 20510

Dear Senator Carper:

Pursuant to Public Law 109-338, the Delaware National Coastal Special Resource Study Act, I am pleased to transmit to Congress the *Delaware National Coastal Special Resource Study* (November 2008). The study was undertaken by the National Park Service.

As the study report indicates, Delaware was the scene of successive early settlements by Dutch, Swedish, and English colonists. Resources and stories related to the colonial period in the State offer an opportunity to enhance understanding of an important aspect of American history. Delaware was the first State to ratify the Constitution, and the resources associated with its early leaders testify to the significant role that the State played in the birth of our Nation.

The study's most effective and efficient alternative (Alternative B) provides for the establishment of a potential unit of the National Park System. The unit would be located in Wilmington, New Castle, and Dover, Delaware; it would be comprised of resources associated with the Dutch, Swedish, and English settlements and with Delaware's role as the first State in the Nation. The unit would involve partnerships, respectively, with the State of Delaware, local governments, non-profit organizations and individual property owners in the above-referenced municipalities.

The study process concluded an extensive public involvement process with State and local governments, affected private property owners, and interested organizations and citizens. Comments received during the study's public review period indicate significant support from state agencies, local government, and citizens for the establishment of a national historical park in Delaware.

The Department's preferred management option is Alternative B. This recommendation is based on the selection of Alternative B as the most effective and efficient alternative for protection of resources and provision of visitor use and enjoyment, and the wide

public support expressed for the establishment of a national historical park in the above-referenced Delaware locations. I am pleased to acknowledge that the study could potentially lead to the establishment of the first unit of the national park system in the State of Delaware.

An identical letter is being sent to the Honorable Jeff Bingaman, Chairman, Committee on Energy and Natural Resources, United States Senate; the Honorable Lisa Murkowski, Ranking Minority Member, Committee on Energy and Natural Resources, United States Senate; the Honorable Nick J. Rahall II, Chairman, Committee on Natural Resources, House of Representatives; and the Honorable Doc Hastings, Ranking Minority Member, Committee on Natural Resources, House of Representatives.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Kempthorne", with a long horizontal flourish extending to the right.

DIRK KEMPTHORNE

Enclosures

cc:

Honorable Edward E. Kaufman
United States Senate

Honorable Mike Castle
United States House of Representatives



United States Department of the Interior

National Park Service

Midwest Region
601 Riverfront Drive
Omaha, Nebraska 68102-4226



W3815(MWRO-PCL/PAL)

JAN 20 2009

Honorable Michael Turner
United States House of Representatives
Room 1740, Longworth House Office Building
Washington, DC 20515

Dear Representative Turner:

On behalf of the National Park Service (NPS), I want to thank you for your support, your commitment of time, and personal interest that you have devoted to Dayton Aviation Heritage National Historical Park. Your efforts in sponsoring and guiding H.R. 286, which will add Hawthorn Hill and The Wright Factory to the park, to passage in the House of Representatives are very much appreciated. This bill will allow the park to fully meet the intent of the original legislation.

The NPS recognizes the significance of these important resources and looks forward to working with the Oakwood community and all other concerned groups to best determine their use and access for the America people; as well as preserving these sites for future generations to enjoy and experience. Please rest assured that the NPS will follow the National Environment Policy Act of 1969 (Public Law 91-190) that you addressed in your letter. This is a public process and all concerned parties will have the opportunity to provide comments on the operation and management of the proposed new sites to the park. The Oakwood community will be listed as a consulting party in this process.

We greatly appreciate your deep interest in the preservation of our nation's heritage. Should you require additional information or have any questions, please contact acting Superintendent Mark Weekley at 937-225-7710.

Sincerely,

Ernest Quintana
Regional Director

cc:
Superintendent, Dayton Aviation Heritage National Historical Park
16 South Williams Street
Dayton, Ohio 45402

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COMMITTEE ON OVERSIGHT AND
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RANKING MEMBER
SUBCOMMITTEE ON
INFORMATION POLICY, CENSUS, AND
NATIONAL ARCHIVES

COMMITTEE ON
VETERANS' AFFAIRS

ASSISTANT MINORITY WHIP

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

DISTRICT OFFICES:

120 WEST 3RD STREET
SUITE 305
DAYTON, OH 45402
(937) 225-2843

15 EAST MAIN STREET
WILMINGTON, OH 45177
(937) 383-8931

January 9, 2009

Ms. Mary Bomar
Director, National Park Service
1849 C St. NW, Room 3112
Washington, DC 20240

Dear Director Bomar,

I am writing to request that the National Park Service affirm its commitment to work with community partners in the operations and management of the Dayton Aviation Heritage National Historical Park.

As you know, last year the House passed HR 4199, a bill to add The Wright Company factory buildings and Hawthorn Hill to the Dayton Aviation Heritage National Historical Park. The addition of these two sites would complete the historical picture that the Park presents for visitors, historians, and aviation enthusiasts. Also, adding these sites is critically important to the Miami Valley Region of Southwest Ohio.

In light of the potential additions of Hawthorn Hill and The Wright Factory to the Dayton Aviation Heritage NHP, we want to be certain that the National Park Service will continue its commitment to working with community partners with respect to the operations and management of the new sites. Specifically, we want to ensure that the City of Oakwood, Ohio (the site of Hawthorn Hill) will be consulted as the National Park Service operates and manages these new sites.

I understand that the National Environmental Policy Act of 1969 (P.L. 91-190) and its implementing regulations, as well as National Park Service policies, require the National Park Service to consult with regional partners in the development of plans for the operations and management of the Dayton Aviation Heritage NHP. The Oakwood community will greatly appreciate your commitment to work with them as a community partner in the Park.

I appreciate the work that goes into making the Dayton Aviation Heritage National Historical Park a community asset and an enjoyable learning experience for all those who visit. It is my hope that your commitment to the community will provide a continued beneficial relationship between the National Park Service and the partners of the Park. I look forward to your response and your assurance that the National Park Service will work with the City of Oakwood in the operations and management of the Dayton Aviation Heritage NHP. Your staff may contact Joseph Heaton (joseph.heaton@mail.house.gov) at 202-225-6465 in my office if we can provide further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael R. Turner", with a long horizontal flourish extending to the right.

Michael R. Turner
Member of Congress

CC: Tom Wolfe, Assistant Director, Congressional and Legislative Affairs



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JUN - 8 2009



L58 (0120)

The Honorable Raúl M. Grijalva
Chairman
Subcommittee on National Parks, Forests and
Public Lands
Committee on Natural Resources
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

At the subcommittee's April 2, 2009 hearing on H.R. 1612, the Public Lands Service Corps Act of 2009, I stated in my testimony that the Department of the Interior would provide recommended changes to the bill in writing. The Department's recommended amendments to H.R. 1612 are enclosed.

Thank you for giving us the opportunity to submit these recommended changes. We look forward to working with you as the committee moves forward on this legislation.

Sincerely,

Will Shafroth
Deputy Assistant Secretary for Fish
Wildlife and Parks

cc: The Honorable Rob Bishop, Ranking Minority Member
Subcommittee on National Parks, Forests and Public Lands

Enclosure

**Proposed Amendments to H.R. 1612, Public Lands Service Corps Act of 2009
Recommended by the Department of the Interior**

1) Cost sharing for projects on public lands

On page 20, after line 16, insert the following:

"(l) COST-SHARING— Section 211 of the Act (as so redesignated) is amended by adding before the last sentence of subsection (a)(1): "The Secretary may reduce to no less than 10 percent the nonfederal costs of a project when the Secretary determines that it is necessary to enable participation in the Public Lands Service Corps from a greater range of organizations."
Renumber (k) as (m).

Explanation: Existing law requires a 25 percent nonfederal cost share for projects on public lands, except for projects on Indian lands and Hawaiian home lands. This amendment would give agencies the ability to reduce from the 25 percent to no less than 10 percent the nonfederal contribution, but only when the Secretary determines it is necessary to enable a greater range of organizations, such as smaller, community-based organizations that draw from low-income and rural populations, to participate in the PLSC program.

A significant cost-share requirement requires nonprofit organizations to show they are committed to the projects. It also helps to distinguish these programs, which may use non-competitive cooperative agreements, from recruitment or other services fully paid for by the Federal government, which should rely on competitively awarded contracts. For most organizations, this cost-share requirement can readily be met by counting in-kind contributions as part of their matching share, so a waiver would only be needed in limited circumstances.

2) Cost sharing for nonprofit organizations contributing to expenses of resource assistants and consulting interns

On page 18, line 1, strike "10 percent" and insert "25 percent".

On page 18, after line 10, add a new paragraph as follows:

"(5) by adding after subsection (b), as amended by paragraph (4), the following:

" '(c) Cost sharing requirements--At the Secretary's discretion, the requirements for cost sharing applicable to participating nonprofit organizations for the expenses of resource assistants and consulting interns under subsection (b) may be reduced to less than 10 percent'."

Explanation: Under current law in the case of resource assistants, and under H.R. 1612 in the case of consulting interns, sponsoring organizations are required to

cost share the expenses of providing and supporting these individuals from “private sources of funding.” This amendment would give agencies the ability to reduce from the 25 percent to no less than 10 percent the nonfederal contribution, but only when the Secretary determines it is necessary to enable a greater range of organizations, such as smaller, community-based organizations that draw from low-income and rural populations, to participate in the PLSC program.

3) Benefits for consulting interns

On page 19, strike lines 1-2 and insert:

“(1) in subsection (a)—

“(a) by striking ‘Corps and each resource assistant’ and inserting ‘Corps, each resource assistant, and each consulting intern’ and

“(b) by adding at the end the following: ‘The Secretary may--’ ”.

On page 20, after line 16, by adding a new subsection (k) as follows:

“(k) NATIONAL SERVICE EDUCATIONAL AWARDS.--Section 209 of the Act (as so redesignated) is amended--

“(1) in subsection (a) by striking ‘Corps or a resource assistant’ and inserting ‘Corps, resource assistant, or consulting intern’; and

“(2) in subsection (b) by striking ‘Corps or resource assistants’ and inserting ‘Corps, resource assistants, or consulting interns.’ ”.

Explanation: The first amendment includes consulting interns as the third type of corps member who are eligible for living allowances; the second amendment includes consulting interns for eligibility for national service educational awards and forbearance in the collection of Stafford loans. With these two amendments, all three types of corps members – PLSC participants, resource assistants, and consulting interns – would be treated equally for purposes of eligibility for living allowances and education benefits.

4) Hiring preference

On page 19, strike lines 12-13 and insert:

“(A) in paragraph (1)--

“(i) by striking ‘member of the Public Land Corps’ and inserting ‘participant in the Public Land Service Corp or resource assistant’;

“(ii) by striking ‘and’ at the end; and”.

On page 19, line 16, strike “former member of the Public Lands Service Corps” and insert “former participant in the Public Lands Service Corps or resource assistant”.

On page 19, line 18, strike “two” and replace with “one”, and on page 20, line 8 strike “two” and replace with “one”.

On page 19, line 20, after "complete," insert "(not counting any time spent enrolled in an academic institution or trade school)".

On page 19, insert “performed within a qualified youth or conservation corps program as defined in Section 203 of the Act” after “conservation project” on line 23.

Explanation: The first two amendments ensure that resource assistants are included with PLSC participants in the provision of credit for time served with the PLSC for purposes of future Federal hiring, and that the noncompetitive hiring status applies to both categories of Corps members.

Under the third change, former PLSC members would be eligible for noncompetitive hiring status for up to one year. The Administration opposes eligibility for up to two years because the service requirements for this program are minimal. This change would make eligibility status consistent with other Government-wide, non-competitive appointment authorities based on service outside of the Federal government.

The fourth amendment ensures that time these former Corps members (both types) spent as full-time students does not count against the time period they have to use their noncompetitive hiring status. That way, college students who served in the Corps during the summer, for example, would be able to use their time period of noncompetitive status after they graduate from college.

The fifth amendment would permit only PLSC participants who have served at least 960 hours on an appropriate natural and cultural resource conservation project within qualified youth or conservation corps programs as defined in Section 203 of the Act, that included at least 120 hours through the PLSC, to be eligible for noncompetitive hiring status. This language will ensure that participants who have documented work experience within a legitimate program would be eligible for a noncompetitive hiring preference. This change maintains a threshold requirement for non-competitive hiring consistent with OPM regulations.

5) Department-wide authorities

On page 7, lines 19, strike “eligible service lands”, insert “public land service corps activities.”

On page 9, line 5, strike “National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service in the case of”, insert “agencies within”.

Explanation: These technical amendments clarify that each agency within the Department of the Interior that engages in PLSC activities has assigned a coordinator and that each of these agencies develops specific training guidelines.

6) Agreements with Partners on Training and Employing Corps Members

On page 12, strike the entire section from line 2 to 11, and strike “(B)” on line 12.

Explanation: This would strike the provision in H.R. 1612 that would allow PLSC members to receive federally funded stipends and other PLSC benefits while working directly for non-Federal third parties. The need for this language is unclear, since agencies already have flexibility in how they coordinate work with cooperating associations, educational institutes, friends groups, or similar non-profit partnership organizations. Yet, the language could raise unanticipated concerns over accountability, liability, and conflicts of interest. For example, this language could allow an individual to receive a federally funded stipend under a PLSC agreement, and then perform work for a different non-federal group (such as a cooperating association) that is subject to agency oversight under different agreements. This language could blur the lines of responsibility that have been established in response to IG concerns over the management of cooperating associations and friends groups.



United States Department of the Interior

NATIONAL PARK SERVICE

National Capital Region

1100 Ohio Drive, S.W.

Washington, D.C. 20242

IN REPLY REFER TO:

S72 (NCR-ACC)

JUN 18 2009

The Honorable Robert C. Byrd
United States Senate
Washington, D.C. 20510-6025

Dear Senator Byrd:

Thank you for your letter dated May 18, 2009, regarding your constituent, Lynn Walker, Director, Eastern Panhandle Transit Authority, concerning that the contract for providing bus drivers and mechanics for Harpers Ferry National Historical Park is no longer a sole source contract and that the Transit Authority may not be exempt from the federal wage scale.

The contract for providing transportation services to the park has been performed by Eastern Panhandle Transit Authority for a number of years. In February 2008, the Department of the Interior, Office of the Inspector General, issued a report on sole source contracting in the Department of the Interior where they question the legitimacy of this contract being awarded on a sole source basis. A review by the National Park Service revealed that the authority utilized as justification for this procurement is no longer valid. Therefore, this contract was solicited as a best-value competitive negotiation using full and open competition.

A contract for providing bus drivers and mechanics meets the definition of a service contract and the provisions of the Service Contract Act and associated Service Contract Act wage determination were included in the solicitation. Ms. Walker's firm submitted a proposal for this solicitation, but took exception to the incorporation of the Service Contract Act wage rates. The National Park Service was unable to make an award based on the proposals received in response to this solicitation, so the solicitation has been cancelled and a new solicitation will be issued. Eastern Panhandle Transit Authority is encouraged to offer a responsive proposal to the new solicitation.

In the interim, the current contract has been extended until September 30, 2009. If we may provide any additional information, please contact me or Tom McConnell, Chief, Acquisition Management at (202) 619-6366.

Sincerely,

Regional Director, National Capital Region

ROBERT C. BYRD, WEST VIRGINIA
PATRICK J. LEAHY, VERMONT
TOM HARKINS, IOWA
BARBARA A. MIKULSKI, MARYLAND
HERB KOHL, WISCONSIN
PATTY MURRAY, WASHINGTON
BYRON D. DORGAN, NORTH DAKOTA
DAANNE FEINSTEIN, CALIFORNIA
RICHARD J. DURBIN, ILLINOIS
TIM JOHNSON, SOUTH DAKOTA
MARY L. LANDRIEU, LOUISIANA
JACK REED, RHODE ISLAND
FRANK R. LAUTENBERG, NEW JERSEY
BEN NELSON, NEBRASKA
MARK PAYTON, ARKANSAS
JON TESTER, MONTANA

THAD COCHRAN, MISSISSIPPI
ARLEN SPECTER, PENNSYLVANIA
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LISA MURKOVSKI, ALASKA

United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

CHARLES J. HOIVY, STAFF DIRECTOR
MILCE CYANG, MINORITY STAFF DIRECTOR

May 18, 2009

Mr. Don Hellmann
Acting Director
Legislative and Congressional Affairs
National Park Service
U.S. Department of the Interior
1849 C Street, NW, Room 7256
Washington, D.C. 20240

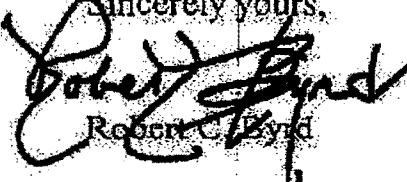
Dear Mr. Hellmann:

I have been contacted by Ms. Lynn Walker, Director, Eastern Panhandle Transit Authority, regarding her concerns that the contract for providing bus drivers and mechanics for Harpers Ferry National Historical Park is no longer a sole source contract, and that the Transit Authority may not be exempt from the federal wage scale.

I would appreciate your looking into these matters, and providing me with a report that I might share with my constituent.

Thanking you in advance for your assistance, I am

Sincerely yours,


Robert C. Byrd

RCB:bwb

JUN 22 2009

H32(2280)

The Honorable Kathy Castor
United States House of Representatives
Washington, DC 20515

Dear Ms. Castor:

We are in receipt of your letter concerning the demolition of a historic property located on Egmont Key in Hillborough County, Florida, in which you request a 30-day halt to the demolition of historic building.

Egmont Key is listed as a historic district in the National Register of Historic Places and the building in question contributes to the significance of the district. However, the National Park Service has neither statutory nor regulatory authority over the property. Egmont Key is a Florida state park and the building in question is owned by a private organization. Listing in the National Register does not preclude the demolition of a privately owned property. Eligibility for or listing in the National Register only has an effect on Federal undertakings, such as the use of Federal grants, licenses, or permits. There is no known Federal involvement in the proposed demolition. Protections or restrictions, such as the demolition stay that you seek, come at the state or local level. You may wish to address your concerns to the superintendent of the park. The address is:

Egmont Key State Park
4905 34th Street, South #5000
St. Petersburg, Florida 33711

If you have any questions, please feel free to contact J. Paul Loether, Chief, National Register of Historic Places and National Historic Landmarks Program, by phone at (202) 354-2003, or via e-mail at paul_loether@nps.gov.

Sincerely,

/s/ Janet Snyder Matthews

Janet Snyder Matthews, Ph.D.
Associate Director for Cultural Resources

cc: Florida SHPO

bcc: 2201
2285
7256 Office of Congressional & Legislative Affairs
Basic File Retained In 2280

FNP:JGabbert:OP:6-17-09
354-2275
S//Honorable Kathy Castor Letter

KATHY CASTOR
11TH DISTRICT, FLORIDA

COMMITTEE ON
ENERGY AND COMMERCE
SUBCOMMITTEE ON HEALTH

SUBCOMMITTEE ON COMMERCE, TRADE, AND
CONSUMER PROTECTION

SUBCOMMITTEE ON COMMUNICATIONS
TECHNOLOGY AND THE INTERNET

COMMITTEE ON
STANDARDS OF OFFICIAL CONDUCT

DEMOCRATIC STEERING AND
POLICY COMMITTEE

REGIONAL WHIP

May 29, 2009

Ken Salazar
Secretary
United States Department of the Interior
1849 C St. NW
Washington, DC 20240

Re: Historic Site on Egmont Key

Dear Secretary Salazar:

It has come to my attention that an historic site on Egmont Key in my district in Florida is scheduled to be demolished next Monday, June 1st. The structure in question is a house built before 1890 that, as I understand it, served as the headquarters for the construction of Fort Dade.

I request a 30 day halt to the demolition so that the community can consider other alternatives that may be available to save this historical structure.

Sincerely,

Kathy Castor

Kathy Castor
United States Representative
Florida District 11



Congress of the United States
House of Representatives
Washington, DC 20515-0911

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317 CANNON BUILDING
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www.castor.house.gov

KATHY CASTOR
11TH DISTRICT, FLORIDA

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEE ON HEALTH

SUBCOMMITTEE ON COMMERCE, TRADE, AND
CONSUMER PROTECTION

SUBCOMMITTEE ON COMMUNICATIONS
TECHNOLOGY, AND THE INTERNET

COMMITTEE ON
STANDARDS OF OFFICIAL CONDUCT

DEMOCRATIC STEERING AND
POLICY COMMITTEE

REGIONAL WHIP

May 29, 2009

Rowan Gould
Acting Director
United States Fish and Wildlife Service
1849 C St. NW
Washington, DC 20240

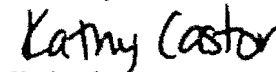
Dear Dr. Gould:

Re: Historic Site on Egmont Key

It has come to my attention that an historic site on Egmont Key in my district in Florida is scheduled to be demolished next Monday, June 1st. The structure in question is a house built before 1890 that, as I understand it, served as the headquarters for the construction of Fort Dade.

I request a 30 day halt to the demolition so that the community can consider other alternatives that may be available to save this historical structure.

Sincerely,



Kathy Castor
United States Representative
Florida District 11



Congress of the United States
House of Representatives
Washington, DC 20515-0911

WASHINGTON OFFICE

317 CANNON BUILDING
WASHINGTON, DC 20515
(202) 225-3374

DISTRICT OFFICE

4144 NORTH ARMENTA AVENUE
SUITE 300
TAMPA, FL 33607
(813) 871-7817

www.castor.house.gov



Letter from Rep. Castor re: Egmont Key historic structure
Taylor, Nathan to: Leslie_Gray
Cc: Eric_sanders, "Christian, Courtney", "Phillips, Clay"

05/29/2009 06:08 PM

Attached, please find a letter to Secretary Salazar and FWS Acting Director Gould regarding a demolition of a historic landmark in Rep. Castor's district. This demolition is scheduled for Monday, so the matter is extremely time sensitive. Thank you very much for your attention to this issue.

<<egmont key demo ltr.pdf>>

Nathan Taylor

Legislative Assistant

Representative Kathy Castor

317 Cannon House Office Building

Washington DC, 20515

(202) 225-3376



Click [here](#) to sign up for Congresswoman Castor's Email Updates egmont key demo ltr.pdf

RECEIVED

2009 JUN -2 AM 9:42

459588



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

JUL 9 2009

L58 (0120)

The Honorable Rob Bishop
Committee on Natural Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Bishop:

We recently received your letter regarding the National Park Service's position on H.R. 1061, the Hoh Indian Tribe Safe Homelands Act. Upon receiving your letter, our legislative staff contacted your committee staff and informed them that the Department of the Interior supported H.R. 1061, as stated in the department's testimony of June 3, 2009.

We subsequently learned that you were interested in knowing whether the Park Service had any input into the testimony for the June 3 hearing. We advised your staff that we were responsible for the initial draft of the testimony in consultation with the Bureau of Indian Affairs.

The National Park Service appreciates the dire situation that the Hoh Indian Tribe faces living in a community that is within a flood and tsunami zone. The Tribe has purchased and acquired lands that are outside of the flood and tsunami zones, and the small parcel of land administered by Olympic National Park that separates their two parcels of land would allow the Tribe to have a contiguous parcel of land. The legislation also seeks to protect the natural resources of the land removed from the park and to encourage cooperation between the National Park Service and the Tribe on matters related to the land. The National Park Service and the Tribe have worked diligently to address these issues and both parties fully support the legislation.

Thank you for your interest and please contact me with any additional questions or comments.

Sincerely,

Dan Wenk
Acting Director

NICK J. RAHALL II, WV
CHAIRMAN
DALE E. KILBRE, MI
ENI F.H. FALCOMA-VAEGA, AS
NEIL ABERCROMBIE, HI
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FRANK KRATOVL, JR., MD
PEDRO R. PIERLUISI, PR

JAMES H. ZOIA
CHIEF OF STAFF

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

FRANKING REPUBLICAN MEMBER
DON YOUNG, AK
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TOM McCLINTOCK, CA
BILL CASSIDY, LA

TODD YOUNG
REPUBLICAN CHIEF OF STAFF

Dan Wenk, Acting Director
The National Park Service
1849 C Street, NW
Washington, DC 20240

Dear Director Wenk:

The House Natural Resources Committee may soon take up H.R. 1061, a bill to transfer a parcel of land from the Olympic National Park to the Hoh Indian Tribe and I would like to know the position of the National Park Service on this bill. Because Committee consideration could take place as early as July 9, 2009, I would appreciate a reply prior to that date.

Sincerely,



Rob Bishop
Subcommittee on National Parks,
Forests, and Public Lands

•
•
HR 1061 IH

111th CONGRESS
1st Session
H. R. 1061

To transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 13, 2009

Mr. DICKS introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Hoh Indian Tribe Safe Homelands Act'.

SEC. 2. FINDINGS.

(a) Findings- Congress finds the following:

- (1) The Hoh Indian Reservation, located along the Hoh River and the Pacific Ocean in a remote section of Jefferson County, Washington, is the homeland of the Hoh Indian Tribe, a federally recognized Indian tribe.
- (2) Established by Executive Order in 1893, the Reservation is approximately one square mile, but its habitable acreage has been reduced over time due to storm surges, repeated flooding and erosion, and lack of river dredging.
- (3) Due to its location along the river and ocean and frequent torrential rains, 90 percent of the Reservation is located within a flood zone and, in fact, has flooded

repeatedly over the last five years. In addition, 100 percent of the Reservation is within a tsunami zone, leaving most of the Reservation unfit for safe occupation.

(4) The Tribe has repeatedly suffered from serious flood and wind damage to homes, tribal buildings, and utility infrastructure that have caused significant damage and resulted in critical safety and environmental hazards.

(5) Federal agencies such as the Bureau of Indian Affairs, the Department of Housing and Urban Development, and the Federal Emergency Management Agency have limited authority to assist the Tribe with housing and other improvements and services due to the dangerous and unsustainable location of the Reservation.

(6) The Tribe has purchased from private owners near the Reservation approximately 260 acres of land in order to move key infrastructure out of the flood zone.

(7) In addition, the State of Washington's Department of Natural Resources has transferred ownership of 160 acres of land to the Tribe.

(8) An approximately 37 acre parcel of logged land, administered by the National Park Service, lies between the current Reservation land and those lands acquired by the Tribe, and the only road accessing the Reservation crosses this parcel.

(9) Together, the lands described in paragraphs 6, 7, and 8 would constitute a contiguous parcel for the Reservation and would create a safe area for members of the Tribe to live and rebuild their community.

SEC. 3. DEFINITIONS.

For the purposes of this Act--

- (1) the term 'Federal land' mean the Federal lands described in section 4(c)(2);
- (2) the term 'Reservation' means the reservation of the Hoh Indian Tribe;
- (3) the term 'Secretary' means the Secretary of the Interior; and
- (4) the term 'Tribe' means the Hoh Indian Tribe, a federally recognized Indian tribe.

SEC. 4. TRANSFER OF LANDS TO BE HELD IN TRUST AS PART OF THE TRIBE'S RESERVATION; PLACEMENT OF OTHER LAND INTO TRUST.

(a) In General- The Secretary shall transfer to the Tribe all right, title, and interest of the United States in and to the Federal land. Such land shall be held in trust by the United States for the benefit of the Tribe. Such land shall be excluded from the boundaries of Olympic National Park. At the request of the Tribe, at the time of transfer of the Federal land, the Secretary shall also place into trust for the benefit of the Tribe the non-Federal land owned by the Tribe and described in subsection (c)(1).

(b) Reservation- Land taken into trust for the Tribe pursuant to subsection (a) shall be part of the Reservation

(c) Description of Lands- The land to be transferred and held in trust under subsection (a) is the land generally depicted on the map titled 'H.R. XXX Hoh Indian Tribe Safe Homelands Act', and dated XXXXXXXXXX and further described as--

- (1) the non-Federal land owned by the Hoh Tribe; and

- (2) the Federal land administered by the National Park Service, located in Section 20, Township 26N, Range 13W, W.M. South of the Hoh River.
- (d) Availability of Map- Not later than 120 days after the completion of the land transfer of Federal land under this section, the Secretary shall make the map available to the appropriate agency officials and congressional committees. The map shall be available for public inspection in the appropriate offices of the Secretary.
- (e) Congressional Intent- It is the intent of Congress that--
 - (1) the condition of the Federal land at the time of the transfer under this section should be preserved and protected;
 - (2) that the natural environment existing on the Federal land at the time of the transfer under this section should not be altered, except as described in this Act; and
 - (3) the Tribe and the National Park Service shall work cooperatively on issues of mutual concern related to this Act.

SEC. 5. PRESERVATION OF EXISTING CONDITION OF FEDERAL LAND; TERMS OF CONSERVATION AND USE IN CONNECTION WITH LAND TRANSFER.

- (a) Restrictions on Use- The use of the Federal land transferred pursuant to section 4 is subject to the following conditions:
 - (1) No commercial, residential, industrial, or other buildings or structures shall be placed on the Federal land being transferred and placed into trust. The existing road may be maintained or improved, but no major improvements or road construction shall occur on the lands.
 - (2) In order to maintain its use as a natural wildlife corridor and to provide for protection of existing resources, no logging or hunting shall be allowed on the land.
 - (3) The Tribe may authorize tribal members to engage in ceremonial and other treaty uses of these lands and existing tribal treaty rights are not diminished by this Act.
 - (4) The Tribe shall survey the boundaries of the Federal land and submit the survey to the National Park Service for review and concurrence.
- (b) Cooperative Efforts- Congress urges the Secretary and the Tribe to enter into written agreements on the following:
 - (1) Upon completion of the Tribe's proposed emergency fire response building, Congress urges the parties to work toward mutual aid agreements.
 - (2) The National Park Service and the Tribe shall work collaboratively to provide opportunities for the public to learn more about the culture and traditions of the Tribe.
 - (3) The land may be used for the development of a multi-purpose, non-motorized trail from Highway 101 to the Pacific Ocean. The parties agree to work cooperatively in the development and placement of such trail.

SEC. 6. HOH INDIAN RESERVATION.

All lands taken into trust by the United States under this Act shall be a part of the Hoh Indian Reservation.

SEC. 7. GAMING PROHIBITION.

No land taken into trust for the benefit of the Hoh Indian Tribe under this Act shall be considered Indian lands for the purpose of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

END



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

JUL 10 2009

The Honorable Rob Bishop
Ranking Member
Subcommittee on National Parks, Forests and
Public Lands
Committee on Natural Resources
House of Representatives

Dear Mr. Bishop:

Pursuant to your April 2009 request for information presented at a 2004 meeting of the Border Land Manager's group on the effects of illegal immigration, drug smuggling, and criminal activities at Cabeza Prieta National Wildlife Refuge and Organ Pipe National Monument, and after subsequent communications with your staff to clarify that response, I am forwarding a copy of the 2004 powerpoint presentation titled "Border-related impacts to Sonoran desert wilderness in SW Arizona." I understand that this presentation was developed by the Resources Management Staff at Organ Pipe Cactus National Monument, and was given by Fred Patton. We have been informed that no underlying report was created.

Because of the size of the document, in lieu of e-mailing it to your staff I have enclosed a CD-R containing an electronic copy of the presentation.

In addition, your staff also asked for copies of any public lands-related threat assessments for fiscal years 2003-2008 developed by the Department. The Department's Office of Law Enforcement has indicated that the only threat assessment produced by the Department was the 2002 version, which your staff is in possession of. However, the Office of Law Enforcement is determining whether any additional drafts may have been developed during those years, and I will keep your staff informed of this progress.

Finally, at the April 2009 Subcommittee hearing you asked that any documents withheld under the Freedom of Information Act from a response, forwarded to you by the NPS on April 22, 2009, to a previous request for information, be provided. I am advised by the NPS that no documents in that package were withheld or redacted and that you were provided with all documents that were received in response to the applicable search.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Salotti", written over the printed name.

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs



"Knox, Jason"
<Jason.Knox@mail.house.gov>
v>

04/24/2009 06:46 PM

To <Craig_Sheldon@nps.gov>

cc "Hammond, Casey" <Casey.Hammond@mail.house.gov>

bcc

Subject Second question

This was Rep. Bishop's other request from the hearing:

Yesterday I received a few documents in response to a request I made in February for copies of recent communications between certain officials of the Park Service and an organization that lobbies for parks. The NPS cover letter said that only documents exempt from the Freedom of information Act were provided.

I will not now raise the issue of whether FOIA limits what information being sought by a member of Congress in connection with his official duties may be withheld by an agency. But even under FOIA everyone has a right to demand a copy of each withheld document with only the purportedly exempt portion redacted and each redaction correlated to a specific FOIA exemption.

I make that request right now.



"Knox, Jason"
<Jason.Knox@mail.house.gov>

04/24/2009 04:37 PM

To <Craig_Sheldon@nps.gov>

cc "Hammond, Casey" <Casey.Hammond@mail.house.gov>

bcc

Subject What Bishop asked for

Craig,

The request Rep. Bishop made was for the studies presented in 2004 at a meeting in Arizona with the Border Land Manager's group on the effects of environmental devastation from illegal immigration, drug smuggling and criminal activities on the Cabasa Prieta National Wildlife Reserve and Organ Pipe National Monument. Rep. Bishop would like the presentations that were given at the meeting and all the reports, materials and findings that the presentations were drawn from.

Thanks,
Jason

Jason Knox
House Committee on Natural Resources
Legislative Staff, Republican
Phone: (202) 226-2311
Fax: (202) 225-4273



Office of the Director

United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

APR 22 2009

The Honorable Rob Bishop
House of Representatives
Ranking Member, Subcommittee on National Parks, Forests, and Public Lands
Washington, D.C. 20515

Dear Mr. Bishop:

Secretary Salazar forwarded your February 23, 2009 letter to me for response. Per your request, enclosed are copies of all documents and communications within the requested timeframe between the following NPS staff and NPCA employees:

NPS

Communications and Public Affairs
Legislative and Congressional Affairs
Deputy Director Support Services
Comptroller
Associate Director of Partnerships and Visitor Experience

NPCA

Thomas Kiernan
Craig Obey
Laura Loomis
Dennis Galvin
Tom Martin

Consistent with guidance provided by the Department of Justice on document requests from Members of Congress, you have been provided all the information you would be entitled to receive under the Freedom of Information Act. In this regard, the Department of the Interior has released in full all the responsive documents. If you have any questions or require additional information, please feel free to contact me.

Sincerely,

Daniel N. Wenk
Acting Director

Don Hellmann
04/17/2008 03:53 PM
EDT

To: cobey@npca.org
cc:
Subject: Thanks

Craig:

Just wanted to say thanks for including me in last night's dinner. As usual, it was great to see everyone and to honor such good supporters of the parks. Particularly enjoyed the dessert time in which we were able to speak with the people we had missed earlier in the evening. A nice touch to the event.

Don

Don Hellmann
Office of Legislative and Congressional Affairs
National Park Service
1849 C Street, N.W., Room 7257
Washington, D.C. 20240

Phone 202-208-5656
Fax: 202-208-5683
E-mail: Don_Hellmann@nps.gov



IN REPLY REFER TO

United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

August 15, 2007

A3415(2450)

Ms. Laura Loomis
National Parks Conservation Association
1300 19th Street, N.W.
Suite 300
Washington, D.C. 20036

Dear Laura:

Enclosed are the seven regional nominations for the 2007 Freeman Tilden Award. The nomination forms must clearly emphasize how the nominee's work:

- ◆ created an opportunity for the public to form their own intellectual or emotional connections with the park;
- ◆ was creative, original and significantly advanced the practice of interpretation and education;
- ◆ helped move the audience toward higher level concepts, such as: resource protection, stewardship and regional and global issues and
- ◆ was a significant effort beyond the normal day-to-day operations.

The nominations are due in my office by September 7th. I will FedEx the seven nominations to you as soon as possible after that date. I would like to choose the National Freeman Tilden Award recipient on September 18th. If possible, I would like to schedule a conference call on September 18th between the three national judges. This year's judges are Tracy Bowen of the Alice Ferguson Foundation, Laura Loomis of the National Parks Conservation Association and me. Please email me your top three candidates by September 17th.

The national award will be presented at the National Association for Interpretation Workshop in the Wichita, Kansas on November 8th from 2:30 p.m. until 5:00 p.m. Should you have any questions regarding these matters please contact me at 202-513-7137.

I look forward to working with you.

Sincerely,

/s/ **Charles W. Mayo**

Charles W. Mayo
Program Manager
Interpretation and Education



Frank Dean

03/06/2009 04:59 PM
EST

To: "Dorothy Howard" <Dorothy_Howard@nps.gov>
CC:
Subject: Fw: NPCA email

Dorothy,

I found one more email- to Craig Obey- in a seperate archived folder from November 2008. It was about potential conservation corps expansion. I had to leave for a doctor appt now, but will send it to you first thing Monday.

Thanks,

Frank

Frank Dean
Chief, NPS Centennial Program
1849 C Street, Room 2016
Washington, DC 20240
202 208-4679
Cellular phone 518 810-1846

Frank Dean

----- Original Message -----

From: Frank Dean
Sent: 03/06/2009 12:47 PM EST
To: Dorothy Howard
Subject: Fw: NPCA email

Dorothy,

Here is an email I found to NPCA. We never had a meeting after this email other than a quick conversation or two at a few public events.

Thanks,

Frank Dean
Chief, National Park Service Centennial Program
Phone (202) 208-4679
Fax (202) 565-1022

National Park Service
Room 2016
1849 C Street NW
Washington, DC 20240

----- Forwarded by Frank Dean/WASO/NPS on 03/06/2009 12:38 PM -----



Frank Dean

04/11/2008 05:48 PM
EDT

To: "Tom Kiernan" <TKIERNAN@NPCA.ORG>
cc: "Craig Obey" <COBEY@NPCA.ORG>, "Ron Tipton"
<rtpion@NPCA.ORG>, "Tom Martin" <TMARTIN@NPCA.ORG>
Subject: Re: Congratulations [1]

Tom,

Thanks for your kind note. It has been a whirlwind since they informed me about this great opportunity and I have already plunged in to prepare for the roll out of the 2008 projects which will be very soon. I would welcome your

team's insight and appreciate all the work NPCA has done to move this along.

I will be at the Friends Alliance meeting next week in Cleveland and may see you there. If not, let's try and connect in the next few weeks in DC.

I look forward to working with you all!

Frank

Frank Dean
Chief, NPS Centennial Program
Cellular phone 518 810-1846

----- Original Message -----

From: "Tom Kiernan" [TKIERNAN@NPCA.ORG]

Sent: 03/27/2008 01:52 PM AST

To: Frank Dean

Cc: "Craig Obey" <COBEY@NPCA.ORG>; "Ron Tipton" <rtipton@NPCA.ORG>; "Tom Martin" <TMARTIN@NPCA.ORG>

Subject: Congratulations

Frank

Congratulations on your new assignment working on the Centennial. Huge opportunity here, though we still have a bunch of legislative work to make this thing permanent. Would love to reconnect when time allows. Perhaps a few NPCA folks can come over and we can compare notes. Let us know what works for you.

Tom



Frank Dean

03/09/2009 12:11 PM
EDT

To: Dorothy Howard/WASO/NPS@NPS
CC:
Subject: Fw: NPCA email

Dorothy,

Here is the other email. I had seen Craig Obey of NPCA speak at a National Park Foundation meeting that morning with some superintendents here in Washington DC and he had mentioned the possibility of additional conservation or youth corps programs under an economic stimulus proposal. Afterwards, I suggested he contact the Corps Network to learn more about how the programs operate around the country. I did not meet or speak again with them as Marty O'Brien suggests in his note.

Thanks,

Frank Dean
Chief, National Park Service Centennial Program
Phone (202) 208-4679
Fax (202) 565-1022

National Park Service
Room 2016
1849 C Street NW
Washington, DC 20240

----- Forwarded by Frank Dean/WASO/NPS on 03/09/2009 12:02 PM -----



"Marty O'Brien"
<mobrien@corpsnetwork.org>

11/24/2008 11:32 AM
EST

To: <Frank_Dean@nps.gov>, <cobey@npca.org>
cc:
Subject: RE: Conservation Corps contact

Hello Frank and Craig,

I appreciate the introduction to Craig and would love to talk about Corps nationally and our thoughts and hopes about what the transition means for us. I am around through Weds this week and all of next week.

Marty

Martin J. O'Brien
Vice President and Chief Operating Officer
The Corps Network
666 11th Street, NW, Suite 1000
Washington, DC 20001
(P) 202-737-6272
(F) 202-737-6277

The Corps Network: Strengthening America Through Service and
Conservation
www.corpsnetwork.org

-----Original Message-----

From: Frank_Dean@nps.gov [mailto:Frank_Dean@nps.gov]
Sent: Friday, November 21, 2008 1:34 PM
To: cobey@npca.org

Subject: Conservation Corps contact

Craig,

The Corps Network organization is the advocacy and umbrella group for all the conservation corps in the nation. They would likely be involved if the programs receive a large funding boost and could assist you up front on some of your capability questions. Their VP and COO here in DC is:

Martin O'Brien
666 11th Street NW Suite 1000
Washington, DC 20001
(202) 737-6272
mobrien@corpsnetwork.org

Good to talk with you today! Thanks for all your work on behalf of the parks.

Frank Dean
Chief, National Park Service Centennial Program
Phone (202) 208-4679
Fax (202) 565-1022

National Park Service
Room 2016
1849 C Street NW
Washington, DC 20240



<TMARTIN@NPCA.ORG>

cc: (bcc: Bruce Sheaffer/AOC/NPS)
Subject: Change

01/22/2009 03:29 PM
EST

As you probably know I am leaving NPCA at the end of the month after 5+ terrific years here. This is a time of real change for the country and its parks. It's clear that the National Parks are set up to have a wonderful year with the stimulus package in process and the upcoming Ken Burns series this fall on the Park system. NPCA has never been stronger, filled with outstanding professionals and with a clear vision for the future.

I am enjoying my person "discovery" phase -- there are so many meaningful things to do out there! In my transition I want to make sure that I keep in touch with you. My personal e-mail is tmartin923@yahoo.com and my cell phone number will remain 202-714-8001.

Tom Martin
Executive Vice President

National Parks Conservation Association
Protecting Our National Parks for Future Generations
1300 19th St. NW, Suite 300
Washington, DC 20036
(202) 454-3383
www.npca.org



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

L58 (0120)

The Honorable Rob Bishop
Ranking Minority Member
Subcommittee on National Parks, Forests and
Public Lands
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Bishop:

Enclosed is the information you requested in your April 21, 2009 letter to Secretary of the Interior Ken Salazar regarding H.R. 1078, the Harriet Tubman National Historical Park and Harriet Tubman Underground Railroad National Historical Park Act following the March 24, 2009 hearing before the subcommittee. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Raúl M. Grijalva, Chairman,
Subcommittee on National Parks, Forests and Public Lands

**Follow up Questions Submitted by Ranking Minority Member Rob Bishop
House Natural Resources Committee
Subcommittee on National Parks, Forests and Public Lands
Hearing date: March 24, 2009**

H.R. 1078, Harriet Tubman National Historical Park and Harriet Tubman Underground Railroad National Historical Park Act

1) Is the purpose of the proposed unit in Maryland landscape preservation?

Answer: The purpose of the proposed Harriet Tubman Underground Railroad National Historical Park in Maryland is to preserve the resources associated with Harriet Tubman and to provide for public understanding and appreciation of these resources and her contributions to the nation's history through research, education and interpretation. Landscape preservation is only one element of the proposed park's purpose.

2) Isn't landscape preservation something that can and has been accomplished locally?

Answer: During the course of the Harriet Tubman Special Resource Study, it became evident that local funding, alone, would not be adequate to preserve and protect resources within the proposed boundaries of the park, nor would they fulfill the other necessary objectives of the proposed park's mission. H.R. 1078 leverages local financial resources, through matching federal funding, to accomplish the proposed park's resource protection objectives.

3) What do you estimate the total cost to be for each park in the first five years?

Answer: The Harriet Tubman Special Resource Study and the Department's testimony on H.R. 1078 provide estimates of the annual costs of operations and maintenance for each park. Recognizing that it may take up to two to three years for the park to be fully operational, based on available funding, these estimates would be correspondingly less during the first five years. Once fully operational, the combined operating cost of both parks over any five-year period is estimated to be approximately \$5,000,000 to \$6,500,000. The costs of grants authorized by H.R. 1078 over the first five-year period would be dependent on congressional appropriations and cannot be calculated with certainty at this time.

4) The Park Service will have the authority to acquire land and expand its own boundaries in the Maryland park after consultation with State and local officials. How does the park service define "consultation?"

Answer: During the course of the Special Resource Study, the National Park Service consulted frequently with State and local officials to ascertain the level of support for the establishment of the unit in Maryland and to solicit comments and suggestions regarding

the proposed park boundaries and the potential of congressional designation. Consultation by the National Park Service is an inclusive process that provides opportunities for collaborative working relationships with State and local governments and the public; solicitation of ideas, concerns, and suggestions; and participation in resource protection and park-partnership endeavors. The National Park Service fully considers the results of consultation in its decision-making process. Consultation with other Federal agencies, and with State and local governments usually concludes with a written expression of understanding, support or agreement.

5) What is the total acreage of private land that will be included within the boundaries of the Maryland unit?

Answer: The total acreage of land that would be within the boundaries of the proposed Harriet Tubman Underground Railroad National Historical Park in Maryland would be 6,752 acres plus or minus, with all the land being privately owned. Out of the 6,752 acres, approximately 1,980 have existing easements.

ROB BISHOP
1ST DISTRICT, UTAH

123 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-0453

324 25TH STREET
SUITE 1017
OGDEN, UT 84401
(801) 625-0107

6 NORTH MAIN STREET
BRIGHAM CITY, UT 84302
(435) 734-2270

125 SOUTH STATE STREET
SUITE 5420
SALT LAKE CITY, UT 84138
(801) 532-3244



Congress of the United States
House of Representatives
Washington, DC 20515-4401

COMMITTEE ON
ARMED SERVICES

COMMITTEE ON
EDUCATION AND LABOR

COMMITTEE ON
NATURAL RESOURCES

CHAIRMAN, CONGRESSIONAL
WESTERN CAUCUS

April 21, 2009

The Honorable Ken Salazar
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Mr. Secretary:

Currently, the Subcommittee on National Parks, Forests and Public Lands is considering H.R. 1078, the Harriet Tubman National Historical Park and Harriet Tubman Underground Railroad National Historical Park Act. While a hearing was held on March 24, 2009, my staff has been unable to obtain answers from the National Park Service on the following questions:

- 1) Is the purpose of the proposed unit in Maryland landscape preservation?
- 2) Isn't landscape preservation something that can and has been accomplished locally?
- 3) What do you estimate the total cost to be for each park in the first five years?
- 4) The Park Service will have the authority to acquire land and expand its own boundaries in the Maryland unit after consultation with State and local officials. How does the National Park Service define "consultation?"
- 5) What is the total acreage of private land that will be included within the boundaries of the Maryland unit?

Be aware that this legislation is scheduled to be considered by the Natural Resources Committee in the next week. Therefore, responses will be needed before the end of this week. Please respond to these questions as soon as answers are available.

Please avoid withholding responses because one or more questions are not yet ready to be transmitted. This will eliminate the need for unnecessary delay.

Finally, as you may be aware, I made a request for certain communications of the National Park Service on February 23, 2009. Unfortunately, these documents are still being withheld by the National Park Service. I request your personal attention to direct that these documents be provided to Congress so that we may fulfill our oversight responsibilities and the Administration may meet its commitment to be transparent and accountable.

Thank you for your help with this matter.

Sincerely,

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

Rob Bishop

Ranking Member,
Subcommittee on National Parks,
Forest and Public Lands



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:
D18(2510)

AUG 05 2009

The Honorable Phil Hare
House of Representatives
Washington, D.C. 20515

Dear Mr. Hare:

Thank you for your letter of July 6, 2009, to Acting Director Dan Wenk, requesting that the National Park Service (NPS) conduct a reconnaissance study of the Hero Street U.S.A., located in Silvis, Illinois. I have been asked to reply on behalf of the Acting Director.

The purpose of a reconnaissance study is to determine if the property is of sufficient interest to merit further consideration as a potential unit of the National Park System through a Congressionally authorized Special Resource Study. The National Park Service is authorized to undertake reconnaissance studies in an amount not to exceed \$25,000. The study period often takes nine months to a year from the time it is initiated, depending on the complexity of the resource and available staff capacity. Priorities for reconnaissance studies are established chronologically, and are based on the date of approval of the funding request.

By this letter, I am approving your request. The NPS Midwest Regional Office of Planning and Compliance will be responsible for overall direction of the project. Unfortunately, the Special Resource Study account, which also supports reconnaissance studies, is fully committed in Fiscal Year 2009. We will begin the study as funds and staff become available in Fiscal Year 2010.

To complete the study, we propose to conduct an assessment of existing conditions and to consult with local, state, and federal entities. We would then prepare a report indicating whether or not the resources justify preparing a full Special Resource Study. We will also coordinate with the NPS Office of Legislative and Congressional Affairs, and participate in periodic consultations with your office as needed.

The work will be accomplished under the direction of Sandra Washington, Chief, Planning and Compliance Division, Midwest Regional Office. Should you have any questions, please contact Ms. Washington, at 402/661-1840.

Sincerely,

Stephen B. Whitesell

Associate Director, Park Planning, Facilities, and Lands

cc: Chief, Park Planning and Special Studies, WASO
Associate Director, Legislative and Congressional Affairs, WASO
Chief, Planning and Compliance Division, MWRO

COPY

PHIL HARE
17TH DISTRICT, ILLINOIS

428 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-1317

PHONE: (202) 225-5905
FAX: (202) 225-5396

<http://hare.house.gov>
(Email through Website)

REGIONAL WHIP



Congress of the United States
House of Representatives
Washington, DC 20515-1317

**EDUCATION AND LABOR
COMMITTEE**

**SUBCOMMITTEE ON HEALTH,
EMPLOYMENT, LABOR, AND PENSIONS**

**SUBCOMMITTEE ON WORKFORCE
PROTECTIONS**

**TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE**
SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

**SUBCOMMITTEE ON
WATER RESOURCES AND ENVIRONMENT**

July 6, 2009

Mr. Daniel N. Wenk
Acting Director
National Park Service
1849 C Street, NW
Room 3113
Washington, DC 20240

Re: Request Reconnaissance Study for Hero Street U.S.A. in Silvis, IL

Dear Director Wenk:

I am writing to request the National Park Service (NPS) conduct a reconnaissance study of Hero Street U.S.A. located in Silvis, Illinois, to evaluate its qualifications for designation of a national monument, national memorial, or national historic site. Over the last century this street has been home to 80 Mexican-American immigrants who bravely fought for the United States in World War II and the Korean War. The Department of Defense has noted that no other street of comparable size in the entire nation has contributed as many military veterans as Hero Street U.S.A. The site is significant because of the tremendous contributions made to our nation over the last century by the young men from a street only one-and-a-half blocks long. It is currently operated and maintained by the City of Silvis, but I – and a number of other government officials – strongly believe that this location merits national recognition due to the historical significance of this small area to our nation and to Western Illinois.

Formerly 2nd Street, Hero Street U.S.A. was renamed in 1971 to honor the heroism of its residents. The young Mexican-American men who lived there exhibited unparalleled selflessness and patriotism as they volunteered to serve as soldiers during America's time of greatest need. Hero Street U.S.A. and the bronze monument erected at the street's entrance point tell the story of the 80 men from three dozen homes who volunteered to fight for the U.S. in World War II and Korea—and of the eight souls who never came back. The exceptional courage of these men should be memorialized in the NPS ranks as a way to never forget the sacrifices made by those who loved this country enough to die for it. Not surprisingly, the Department of Defense has noted that no other street of comparable size in the entire nation has contributed as many military veterans as Hero Street U.S.A.

PLEASE REPLY TO:

☐ 2001 52ND AVENUE, #5
MOLINE, IL 61265
(309) 793-5760

☐ 261 NORTH BROAD, #5
GALESBURG, IL 61401
(309) 342-4411

☐ 236 NORTH WATER STREET, #765
DECATUR, IL 62523
(217) 422-9150

☐ 210 NORTH BROAD
CARLINVILLE, IL 62626
(217) 854-2290

DISTRICT TOLL FREE: 800-322-6210

PRINTED ON RECYCLED PAPER

A number of other government officials, including President Barack Obama, Senator Dick Durbin, former Congressmen Tom Railsback and Lane Evans, and many other Illinois state and local leaders have publicly stated that this location merits national recognition in the National Park Service.

Thank you for considering my request for a reconnaissance study of Hero Street U.S.A. If you have any questions, please do not hesitate to contact me or my staffers Michael Ramos in my Washington, DC office, at (202) 225-5905; or, Andy Rowe in my Moline office Illinois, at (309) 793-5760.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Hare". The signature is fluid and cursive, with the first name "Phil" being more prominent than the last name "Hare".

PHIL HARE
Member of Congress



United States Department of the Interior

NATIONAL PARK SERVICE

National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

A76 (NCR-NACE)

AUG 27 2009

The Honorable Benjamin Cardin
United States Senate
Washington, D.C. 20510

Dear Senator Cardin:

Thank you for your correspondence on behalf of Van Caldwell, Special Assistant to the Director for Prince George's County Government, Department of Public Works and Transportation, regarding cleanup of an illegal dump site at Old Marlboro Pike and the historic Suitland Parkway.

The park is aware of the illegal dumping site and its condition and has been working closely with the United States Park Police (USPP), the lead investigative agency, along with assistance from the Prince George's County Police Department's Environmental Crimes Unit to target what has become a chronic dump site. The USPP have initiated 12 dumping case numbers and have cited one individual for illegal dumping at the site with a court date pending. In addition, the USPP, along with the Prince George's County Police Department have linking cases involving multiple targets that, when completed, will be presented to the Maryland State Attorney's Office for prosecution. If approved by the investigating agency, the debris will be removed within the next two weeks. We are also arranging for temporary fencing to limit access to the chronic dump site.

In closing, Superintendent Gayle Hazelwood, National Capital Parks-East, has spoken with Mr. Caldwell, explaining the details of the continuing investigation and both agreed to work together in resolving this issue.

If you have any further questions or concerns regarding this matter, please do not hesitate to contact me or Superintendent Hazelwood, National Capital Parks-East at (202) 690-5127.

Sincerely,

Margaret V. Delf
Regional Director, National Capital Region

cc:
Van Caldwell, Special Assistant to the Director
Prince George's County Government
Department of Public Works and Transportation

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages 1

To <i>Beverly</i>	From <i>Judy</i>
Dept./Agency	Phone # <i>202 619-7000</i>
Fax # <i>202-5683</i>	Fax #
NSN 7510-01 517-7380	5089 101 GENERAL SERVICES ADMINISTRATION



Jack B. Johnson
County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT



Department of Public Works and Transportation
Office of the Director

09 JUL 28 AM 10:23



MMLE B.

July 15, 2009

The Honorable Benjamin Cardin
United States Senate
509 Hart Senate Office Building
Washington, DC 20510

Re: Suitland Parkway/Old Marlboro Pike

Dear Senator Cardin:

I am writing to request your assistance in cleaning up an illegal dump site on land owned by the United States Department of the Interior at the intersection of Old Marlboro Pike and Suitland Parkway.

The site is several months old and we would appreciate your assistance in ensuring a quick resolution and cleanup. I just returned from a visit and, as expected, the site has grown. Unfortunately, illegal dump sites attract illegal dumpers. There was also a stagnant pool of brackish water which could breed mosquitoes/West Nile virus.

The Department of the Interior was notified several months ago but no action has been taken. This area must be cleaned up and a fence erected to prevent further dumping. Pictures of this site taken today were emailed to Carleton Atkinson on your staff.

In advance, thank you for your assistance in this matter. If you have any questions or need additional information, please feel free to contact me at 301.883.5600 or email vcaldwell@co.pg.md.us.

Sincerely,

Van Caldwell

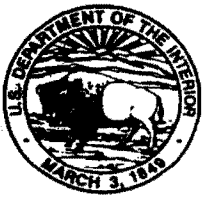
Special Assistant to the Director

cc: Haitham A. Hijazi, Director, DPW&T
Byran McReynolds, Special Assistant to the Director

Inglewood Centre 3
(301) 883-5600

9400 Peppercorn Place, Suite 300
FAX (301) 883-5709

Largo, Maryland 20774
TDD (301) 985-3894



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

SEP 17 2009

L58 (0120)

The Honorable Mark Udall
Chairman
Subcommittee on National Parks
Committee on Energy and Natural Resources
U.S. Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed are responses to follow-up questions from the hearing on the President's proposed Fiscal Year 2010 budget for the National Park Service held by the Subcommittee on National Parks on June 16, 2009. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional
and Legislative Affairs

Enclosure

cc: Honorable Richard Burr, Ranking Minority Member

Questions for the Record
Subcommittee on National Parks
Senate Committee on Energy and Natural Resources
Hearing Date: June 16, 2009

Questions from Senator Murkowski:

1. How much of the stimulus spending for the National Park Service is going to be for projects not on Park Service lands?

Response: Of the \$750 million appropriated under the American Recovery and Reinvestment Act for the National Park Service (NPS), \$15 million is designated for grants to Historically Black Colleges and Universities, which are not NPS properties. Of the remaining \$735 million funded for work in NPS units, \$363,000 is targeted for work on two affiliated properties which are not owned by the NPS but for which the NPS has authority and responsibilities to perform capital improvement work. These two merit-based, high-priority projects are at the Ice Age National Scenic Trail in Wisconsin and the Thomas Cole National Historic Site in New York.

2. Earlier this year Director Wenk sent out notice that lead ammunition and fishing tackle would be prohibited in park units. The statement was later modified to indicate that the ban only applied to park employees. However, this clarification does not clarify your earlier statement that you will "eliminate" the use of lead "by the end of 2010." How do you reconcile these conflicting statements and what should sportsmen expect from the park service in the future?

Response: On March 4 2009, Acting Director Dan Wenk issued an internal memo regarding the NPS intent to remove lead from a variety of natural resource-related activities within NPS units. The memo stated that the NPS will first work towards cessation of lead use for in-house activities by (1) implementing non-lead ammunition use in NPS wildlife culling operations so that meat can be safely donated, (2) dispatching sick or wounded wildlife in parks with non-lead ammunition where carcasses are left in the field for scavengers, and (3) continuing to clean up firing ranges within NPS boundaries. These reduction efforts are currently underway.

A clarifying statement was released on March 18, shortly after the original press release. It stated that the NPS will look at the potential for transition to non-lead ammunition and fishing tackle by working with our policy office and appropriate stakeholders and other interested groups. This process will require public involvement, comment, and review. Currently, our staff is working on a careful analysis of the law and policy that addresses the use of lead and ways they may apply to activities in national parks. Once the analysis is finished, a strategy for completing the next steps in the process will be developed.

Current regulations pertaining to hunting or fishing in NPS units still apply and have not been changed. Some state wildlife management agencies and sportsmen's groups are concerned that this is a move to reduce hunting and fishing in national park units. It is not. It is a proactive initiative to ensure that the NPS is a leader in environmental conservation and that park units and

resources are preserved and managed to the high standards that the American public expects of the agency.

3. What plans are being made to facilitate the restoration of 2nd Amendment rights in National Parks? Have you considered consulting with the BLM or the Forest Service on this issue? Has Secretary Salazar given you any indication that he will seek to impede the clear will of the Senate on this matter?

Response: The National Park Service will follow Congress's directive and implement the new firearms law, which states that its provisions will take effect nine months from the date of enactment. On BLM land generally, state and local agencies enforce laws related to firearms. We consulted with the U.S. Forest Service during our attempts to find a comprehensive database of state firearms laws. Secretary Salazar directed the National Park Service to implement the firearms law.

RON WYDEN, Oregon
TIM JOHNSON, South Dakota
MARY L. LANDRIEU, Louisiana
MARIA GANTWELL, Washington
ROBERT MENENDEZ, New Jersey
BLANCHE L. LINCOLN, Arkansas
BERNARD SANDERS, Vermont
EVAN BAYH, Indiana
BIE STABENOW, Michigan
MARK UDALL, Colorado
JANNE SHAHEEN, New Hampshire

RICHARD BURR, North Carolina
JOHN BARRASSO, Wyoming
SAM BROWNBACK, Kansas
JAMES E. RISCH, Idaho
JOHN MCCAIN, Arizona
ROBERT F. BENNETT, Utah
JIM BUNNING, Kentucky
JEFF SESSIONS, Alabama
BOB CORKER, Tennessee

ROBERT M. SIMON, STAFF DIRECTOR
SAM E. FOWLER, CHIEF COUNSEL
McKIE CAMPBELL, REPUBLICAN STAFF DIRECTOR
KAREN K. BILLUPS, REPUBLICAN CHIEF COUNSEL

United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

ENERGY.SENATE.GOV

June 22, 2009

Daniel Wenk
Acting Director
National Park Service
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Mr. Wenk:

I would like to take this opportunity to thank you for testifying at the June 16, 2009 Senate Subcommittee on National Parks hearing on the President's proposed Fiscal Year 2010 budget for the National Park Service and proposed expenditures under the American Recovery and Reinvestment Act.

I am enclosing a list of questions which have been submitted for the record. Please respond to these questions by Monday, July 6, 2009. Thank you for your assistance. If you have any questions, please feel free to contact Anna Fox by phone at (202) 224-1219 or by email at anna_fox@energy.senate.gov.

Sincerely,



Mark Udall
Chairman
Subcommittee on National Parks

Questions for Daniel Wenk
Acting Director
National Parks
Department of the Interior
Subcommittee on National Parks Hearing - June 16, 2009

Questions from Senator Murkowski:

1. How much of the stimulus spending for the National Park Service is going to be for projects not on Park Service lands?
2. Earlier this year Director Wenk sent out notice that lead ammunition and fishing tackle would be prohibited in park units. The statement was later modified to indicate that the ban only applied to park employees. However, this clarification does not clarify your earlier statement that you will “eliminate” the use of lead “by the end of 2010.”
 - How do you reconcile these conflicting statements and what should sportsmen expect from the park service in the future?
3. What plans are being made to facilitate the restoration of 2nd Amendment rights in National Parks? Have you considered consulting with the BLM or the Forest Service on this issue? Has Secretary Salazar given you any indication that he will seek to impede the clear will of the Senate on this matter?



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 18 2009

The Honorable Raul M. Grijalva
Chairman
Subcommittee on National Parks, Forests and
Public Lands
Committee on Natural Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Enclosed are responses to follow-up questions from the field hearing on *the Impacts of Climate Change on America's National Parks*, held by the Subcommittee on National Parks, Forests, and Public Lands on April 7, 2009 at Joshua Tree National Park. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Rob Bishop, Ranking Minority Member
Subcommittee on National Parks, Forests and Public Lands

Questions for the Record
Subcommittee on National Parks, Forests and Public Lands
House Committee on Natural Resources
Field Hearing Date: April 7, 2009
Joshua Tree National Park

(1) In answer to a question from Representative Napolitano, you mentioned the need to reinvest in the education side of the National Park Service. Would you please expand on those comments and discuss the role of NPS in educating the public about climate change?

Response: The American public views the National Park Service (NPS) as a highly credible source of information. Climate change education in parks bridges the gap between the research community, which has understood the ramifications of climate change for decades, and the American people who are only now becoming aware of the magnitude of this issue. More than 275 million people visit national park units every year, affording us the opportunity to engage large numbers of Americans of all ages with these issues at a time when they are particularly receptive to learning about them. Park learning, because it is place-based, provides an effective opportunity for the public to understand how the Earth's systems are connected, the effects of climate change, and how changes in one place affect conditions in another. Many efforts are already underway to connect people with real examples of how climate change is impacting the places they care about - through exhibits, video and web-based tools, interpretive programs, and a range of other products.

NPS can lead by example in our parks that can serve as classrooms where the public can learn about what we do to mitigate the effects of climate change and to adapt to these changes by reducing our carbon footprint in our daily lives and restoring ecosystems so they are healthier and more resilient to climate change. For example, visitors can see how NPS uses photovoltaic cells for energy production in buildings, alternative-fuels in park vehicles, and reuses historic buildings instead of constructing new ones. They can also see how, by eliminating invasive species, we can decrease a major stressor to native ecosystems.

(2) Would you give us some further specific examples of ways the NPS could participate in a carbon cap-and-trade system, going into more detail than you had time for at the hearing, and also addressing any concerns you might have about such a system.

Response: The question of how the NPS can participate in a cap-and-trade system is more of a policy consideration than a scientific one. Many of the natural resources under the NPS's care are significant sinks for greenhouse gases. National parklands offer opportunities to enhance carbon sequestration through continued protection of natural

systems and processes and through additional management actions such as restoration. The goal of carbon sequestration programs in units of the National Park System would be the restoration of natural processes, as called for in *National Park Service Management Policies*, and that these efforts do not result in unintended consequences. Actions to increase the ability of natural landscapes to sequester carbon must be made within the context of protecting the resources that parks were established to preserve. Another potential way in which NPS could participate in cap-and-trade incentive programs would be through mobilizing our restoration teams to work with partners in restoring buffer zones, watersheds, disturbed lands, or wildlife corridors outside of park boundaries, including federal, state and local lands.

There are numerous national park units that are conducting carbon studies and have adaptation and restoration projects planned that would enhance carbon sequestration. Restoration of coastal marshes at Point Reyes National Seashore, wetlands restoration at Everglades National Park, watershed and old growth forest restoration at Redwood National and State Parks, controlling and restoring erosion sites and abandoned roads in a number of parks, and reclaiming abandoned mining lands at the Lincoln Cirque Mining Exploration Area in Great Basin National Park are some specific examples of such projects. Projects that enhance and restore biological processes on the landscape tend to enhance carbon sequestration over time.

Congress of the United States
Washington, DC 20515

April 23, 2009

Mr. Jonathan B. Jarvis
Regional Director
Pacific West Region
National Park Service
1111 Jackson Street, Suite 700
Oakland, CA 94607-4807

Dear Mr. Jarvis:

On April 7, 2009, the Subcommittee on National Parks, Forests and Public Lands held an oversight hearing on *The Impacts of Climate Change on America's National Parks*, at which you testified. Below are some follow-up questions for the record regarding the issues discussed at the hearing.

1.) In answer to a question from Representative Napolitano, you mentioned the need to reinvest in the education side of the National Park Service. Would you please expand on those comments and discuss the role of NPS in educating the public about climate change?

2.) Would you give us some further specific examples of ways the NPS could participate in a carbon cap-and-trade system, going into more detail than you had time for at the hearing, and also addressing any concerns you might have about such a system.

Please respond as quickly as possible via regular U.S. mail or e-mail to our subcommittee clerk at Domenick.Carroll@mail.house.gov. If you need further information please contact Leslie Duncan, Legislative Staff, at 202-226-7736.

Sincerely,



Raul Grijalva
Chairman
Subcommittee on National Parks,
Forests and Public Lands

cc: Don Hellmann
cc: Holly Bundock



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

SEP 21 2009

A3815(2605)

Senator Jeanne Shaheen
United States Senate
Washington, D.C. 20510

Dear Senator Shaheen:

Thank you for your letter of August 5, 2009 to National Park Service Director-nominee Jon Jarvis regarding the reorganization plan for the Northeast Region of the NPS. With Mr. Jarvis' confirmation still pending in the United States Senate, I am replying on behalf of the NPS. I have consulted with Northeast Regional Director Dennis Reidenbach on this matter and offer the following in response.

As you know, subsequent to your letter, on August 6, 2009, Regional Director Reidenbach briefed the members of the Massachusetts delegation as well as Trent Bauserman and Sara Dewey of your staff. He outlined the background and purpose of the reorganization and the measures we are taking to address employees affected by the plan.

The consolidation of the Northeast Regional Office, headquartered in Boston and the Mid-Atlantic Regional Office, located in Philadelphia, occurred during the first term of the Clinton Administration. This 1995 realignment resulted in a region responsible for 13 states from Maine to Virginia. While this consolidation attained some efficiencies, there remained overlap and redundancies.

In May 2006, the former regional director appointed an interdisciplinary team to undertake a thorough review of the structure, staffing and programs of the Northeast Regional Office to ensure its long-term fiscal viability and to position staff organizationally and geographically to provide services as effectively and efficiently as possible.

Over the next 21 months, the team conducted a comprehensive assessment of the Northeast Regional Office that included employee interviews, listening sessions, surveys, and reviews of previous reorganization plans. The final report was presented to the Department of the Interior on January 4, 2008. This plan results in a reduction of 14 positions and cost savings in excess of \$2.1M annually.

Our plan does consolidate a number of operations which have been performed in multiple locations. In some cases, staff from Philadelphia have been identified to relocate to Boston. In other cases, staff in Boston (or other locations) are identified to relocate to Philadelphia. Our plan calls for the elimination of redundancy and duplication between the Regional Office sites.

While the 15 State Street offices will close, 45 regional office positions will remain in the Boston area.

We also believe that our programs will be more efficient once staff performing these functions are centralized. This efficiency will result in more funds for the parks and programs we support throughout the region. I can assure you that geographic proximity has not and will not be a consideration in the support that the Regional Office provides to parks; whether these positions are located in Philadelphia or Boston, they exist to service all parks throughout the Region.

I certainly appreciate your concern regarding the impacts of the restructuring on National Park Service employees. This is not a decision that we made lightly, as it has implications for men and women who have devoted their careers to this agency, and we share that concern. However, our obligation to the taxpayers compels us to make these changes.

Any employee who is willing to relocate will be moved at government expense to their new duty location. We have developed a comprehensive implementation plan, with a strong outplacement component. We are also giving priority consideration to impacted employees for vacancies that occur in parks near their offices. Through these efforts, we have placed ten employees who otherwise would have been required to relocate. In addition, we have offered early-out and buy-out opportunities to all employees identified for relocation. Ten employees have taken advantage of those incentives: six in Boston, three in Philadelphia and one in Denver.

Changes to the Rivers, Trails and Conservation Assistance (RTCA) Program, while recommended by rightsizing, are required to stay within congressionally authorized budget allocations. The Northeast Region RTCA Program, with the largest staff in the National Park Service, has operated at a deficit offset by funds that would otherwise have been used at the park level.

With the adjustments proposed in the organization structure, we would ultimately have one supervisory position, one clerical position, and 10 field-based positions for the Northeast Region. We also project covering all of the non-personnel costs, plus have approximately \$300,000 annually for term or temporary employees to work on specific projects throughout the region. Should future budgets increase, we would also add term or temporary employees to manage the increased workload.

While some existing RTCA program staff could be placed in other program areas (Wild and Scenic Rivers, newly funded national trails, etc.), none of the existing staff are covered by the ongoing organizational shifts between our Philadelphia and Boston offices. They are considered field-based and will be handled through long-term relocation as vacancies occur.

Regional Director Reidenbach has also shared this information with your staff at the August 6 meeting, and believes that the questions raised by the delegation representatives were answered to their satisfaction.

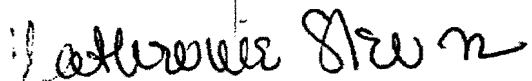
Senator Jeanne Shaheen

3

He is certainly available to discuss with you or your staff any further questions you may have, and can be reached at 215-597-7013.

Thank you for your interest in the National Park Service.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel N. Wenk". The signature is fluid and cursive, with the first name "Daniel" being more prominent and the last name "Wenk" following in a similar style.

for Daniel N. Wenk
Acting Director

United States Senate

WASHINGTON, DC 20510

August 5, 2009

Mr. Jonathan B. Jarvis
Director-Designate
National Park Service
1849 C Street, NW
Room 3113
Washington, DC 20240

Dear Mr. Jarvis,

I am writing to follow-up on our conversation during your confirmation hearing before the Senate Committee on Energy and Natural Resources.

As I noted during the hearing, I am particularly concerned by the fall 2008 Rightsizing Implementation Plan for the National Park Service's Northeast Region that would reorganize the way the National Park Service serves the New England region. The plan would cut Boston-area staff from 107 to 45 and close the office at 15 State Street in Boston. Most operations would be moved to Philadelphia, which is over 300 miles and more than six hours by car from Boston.

While I share your desire to find ways for federal agencies to become more efficient, I question the effect this move and reorganization will have on the quality of service available to the people and communities of New England.

I am also concerned about the plan to cut by 40% of the positions for the highly popular Rivers, Trails and Conservation Assistance Program for the Northeast region. This program's success in helping New Hampshire citizen groups and non-profits improve their communities is laudable. This year alone, this National Park Service program is helping with New Hampshire's Seacoast Greenway project, trail improvements to the Mink Brook Preserve in Hanover, the Mascoma River Greenway in Lebanon and the Androscoggin River Trail project. As we have seen with our experience in helping to preserve the historic Upper Connecticut River watershed, there is a greater need for the programs and assistance provided by the Rivers, Trails and Conservation Assistance Program; not less.

A number of my colleagues in the Northeast Congressional delegation share similar concerns and I would also call to your attention language that was included by the U.S. House of Representatives in the Committee report (House Report 110 – 180) accompanying the Interior & Environment Appropriations bill for FY 2010 (H.R. 2996).

Regional Reorganizations.—The Committee has recently become aware of a planned reorganization of the Northeast Regional Office of the Park Service. Prior to finalizing its plan, the Service is directed to report to the Committee on its plan for managing the current programs administered by the Boston Regional Office and how the Service proposes to change the staffing plan for that office.

Given the significance of this reorganization to the Northeast as well as the inclusion of the report language in the House Committee report, I respectfully request that you suspend implementation of the Rightsizing Implementation Plan until you, the Secretary of Interior and other members of your team have had time to fully review the plan implemented by the previous Administration. I think additional time is needed to fully examine this plan the potential ramifications for the Northeast Region.

I appreciate your commitment to take a very close look at what has been proposed for the Northeast Region by the Rightsizing Implementation Plan. I look forward to working with you and your staff to find a solution to this important issue affecting the Northeast region.

Sincerely,

A handwritten signature in black ink, reading "Jeanne Shaheen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jeanne Shaheen
United States Senate



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 22 2009

The Honorable Mark Udall
Chairman, Subcommittee on National Parks
Committee on Senate Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed are responses prepared by the National Park Service to the follow-up questions submitted following the Subcommittee on National Parks Wednesday, July 15, 2009, hearing on ***"S. 853: White-Clay Creek Wild and Scenic River Additions, and S. 1168: Revolutionary War and the War of 1812 Battlefield Protection Program, and Virgin Islands National Park Caneel Bay Lease."***

Thank you for the opportunity to provide this material to the Subcommittee on National Parks, of the Committee on Senate Energy and Natural Resources.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Legislative and Congressional Affairs

Enclosure

cc: The Honorable Richard Burr
Ranking Minority Member
Subcommittee on National Parks

Questions for the Record
Subcommittee on National Parks
Senate Energy and Natural Resources Committee
Hearing on: July 15, 2009

Questions from Senator Burr

1) S. 853 White Clay Creek Wild and Scenic River Additions

a) How much of the additions to the White Clay Creek Wild and Scenic River flow through public land? How much of the additions flow through private land?

Answer: Approximately 15% of the additions flow through public lands. Approximately 85% of the additions flow through private lands.

b) How would the designation as a wild and scenic river affect current or proposed uses of the river, the water, and the surrounding land?

Answer: Wild and Scenic River designation would affect only those uses that curtail the free flowing nature of the river or that have direct or adverse impacts to identified outstandingly remarkable resources.

c) What specific benefits does the 9.9 mile addition to the White Clay Creek Wild and Scenic River provide to the local area?

Answer: The 9.9 mile additions had previously been proposed as water supply reservoirs. Local elected officials, the Delaware River Basin Commission and residents of the affected river areas recently abandoned plans for water supply reservoirs and now support wild and scenic river designation. The additions will ensure that the free flowing nature of these river areas will be maintained. Designation would result in protection for fish and wildlife habitat including that of the federally listed Bog Turtle, continued maintenance of river water quality, and recreational benefits for the region.

2) S. 1168 Revolutionary War and the War of 1812 Battlefield Protection Program

a) Does the National Park Service have any specific battlefields that it hopes to acquire through this program? Of those battlefields being considered by the National Park Service how many of them are located on private property?

Answer: The National Park Service has no plans, intent, or ability to acquire any specific battlefield through this proposed program. The bill authorizes a matching grant program to assist States and local communities in acquiring Revolutionary War and the War of 1812 properties for protective ownership at the State or local level. Such State and local acquisitions must be from willing sellers. NPS will administer that grant program and will evaluate grant proposals on their merit, but NPS cannot use the

program to acquire lands for itself.

3) Virgin Islands National Park Caneel Bay Lease

a) Does the National Park Service foresee any potential negatives to having the management and operation of Caneel Bay Resort convert to a long-term lease arrangement rather than by continuing the current retained use estate? What benefits does the National Park Service foresee by converting the current arrangement to a long-term lease?

Answer: The National Park Service views a long-term lease as the appropriate arrangement for long-term management of the Caneel Bay resort, given the unique circumstances of that property. We have not identified any specific potential negatives associated with a long-term lease at that site. Leasing property within a national park to a private entity always carries some risk that the terms of the lease will not be met, but we do not believe that there is any greater risk in this case than anywhere else.

There would be several benefits to Virgin Islands National Park of converting the current arrangement to a long-term lease:

- The park would have the ability to ensure that the grounds and buildings are maintained in a manner that is consistent with national park preservation values, that the size and use of the property is defined, and that the resort is operated appropriately for its location in a national park;
- The park would receive fair market value rental proceeds, which could be used for visitor services and resource protection at the park; and
- The park would likely have as a tenant a resort operator with sufficient financing for the business, including the financial assistance of local tax incentives.

b) H.R. 714 proposes the establishment of a long-term lease for a period not to exceed 40 years. Why is there no competitive process for this long-term lease?

Answer: The authorization of a lease solely for the current operator of the resort would require the operator, as condition of receiving of receiving the lease, to terminate the retained use estate. If other entities were able to compete for the lease, the operator would not have the incentive to terminate the existing retained use estate which expires by its terms in 2023.

As mentioned in our testimony, the Caneel Bay resort is an exceptional case. In general, where leasing has been determined to be appropriate in a national park unit, we support leasing through the usual competitive process, consistent with existing law and regulations.

JEFF BINGAMAN, New Mexico, Chairman

EYRON L. DORGAN, North Dakota
RON WYDEN, Oregon
TIM JOHNSON, South Dakota
MARY L. LANDRIEU, Louisiana
MARIA CANTWELL, Washington
ROBERT MENENDEZ, New Jersey
BLANCHE L. LINCOLN, Arkansas
BERNARD SANDERS, Vermont
TAN BAYH, Indiana
SIE STABENOW, Michigan
K UDALL, Colorado
ANNE SHAHEEN, New Hampshire

LISA MURKOWSKI, Alaska
RICHARD BURR, North Carolina
JOHN BARRASSO, Wyoming
SAM BROWNBACK, Kansas
JAMES E. RISCH, Idaho
JOHN MCCAIN, Arizona
ROBERT F. BENNETT, Utah
JIM BUNNING, Kentucky
JEFF SESSIONS, Alabama
BOB CORKER, Tennessee

ROBERT M. SIMON, STAFF DIRECTOR
SAM E. FOWLER, CHIEF COUNSEL
MCKIE CAMPBELL, REPUBLICAN STAFF DIRECTOR
KAREN K. BILLUPS, REPUBLICAN CHIEF COUNSEL

United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

ENERGY.SENATE.GOV

July 28, 2009

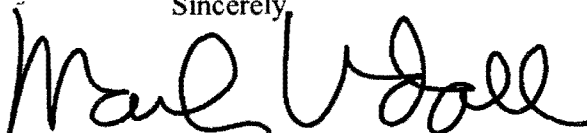
Katherine H. Stevenson
Acting Deputy Director
National Park Service
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Ms. Stevenson:

I would like to take this opportunity to thank you for testifying at the July 15, 2009 Subcommittee on National Parks hearing to consider several bills, including S. 227, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; S. 625, to authorize the Secretary of the Interior to establish the Waco Mammoth National Monument in the State of Texas; S. 853, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; S. 1053, to amend the National Law Enforcement Museum Act to extend the termination date; S. 1117, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont; S. 1168 and H.R. 1694, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; and H.R. 714, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

I am enclosing a list of questions which have been submitted for the record. If possible, please respond to these questions by Tuesday, August 11, 2009. Thank you for your assistance. If you have any questions, please have your staff contact David Brooks by phone at (202) 224-9863 or by email at david_brooks@energy.senate.gov.

Sincerely,



Mark Udall
Chairman
Subcommittee on National Parks

**Questions for the Record
For Katherine H. Stevenson, NPS
Subcommittee on National Parks
2:30 PM July 15, 2009**

Questions from Senator Burr

- 1) S. 853 White Clay Creek Wild and Scenic River Additions
 - a) How much of the additions to the White Clay Creek Wild and Scenic River flow through public land? How much of the additions flow through private land?
 - b) How would the designation as a wild and scenic river affect current or proposed uses of the river, the water, and the surrounding land?
 - c) What specific benefits does the 9.9 mile addition to the White Clay Creek Wild and Scenic River provide to the local area?

- 2) S. 1168 Revolutionary War and the War of 1812 Battlefield Protection Program
 - a) Does the National Park Service have any specific battlefields that it hopes to acquire through this program? Of those battlefields being considered by the National Park Service how many of them are located on private property?

- 3) Virgin Islands National Park Caneel Bay Lease
 - a) Does the National Park Service foresee any potential negatives to having the management and operation of Caneel Bay Resort convert to a long-term lease arrangement rather than by continuing the current retained use estate? What benefits does the National Park Service foresee by converting the current arrangement to a long-term lease?
 - b) H.R. 714 proposes the establishment of a long-term lease for a period not to exceed 40 years. Why is there no competitive process for this long-term lease?



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

IN REPLY REFER TO:

L58 (0120)

SEP 28 2009

The Honorable Raúl M. Grijalva
Chairman
Subcommittee on National Parks, Forests and
Public Lands
Committee on Natural Resources
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

At the July 30, 2009 hearing of the Subcommittee on National Parks, Forests and Public Lands, I testified on H.R. 2806, regarding rebuilding a road in North Cascades National Park. Our testimony said that the Department's opposition to the bill was based on, among other things, "our position of not rebuilding roads in parks in the Cascades after natural disasters where no visitor facilities are found along or at the end of the road."

In response to questioning by the bill's sponsor, Representative Doc Hastings, I offered to provide him with a citation of the specific policy to which that statement referred. The information below was conveyed verbally and by email to Mr. Hastings' staff on July 31, 2009.

The "position" mentioned in the testimony is a reflection of NPS decisions not to rebuild sections of the Upper Stehekin River Road in North Cascades National Park or the Carbon River Road in Mt. Rainier National Park that were severely damaged by natural disasters—two areas in the Cascades Mountain Range in similar circumstances. These decisions, which were made following the NEPA process with public involvement, were based on NPS management policies that discourage rebuilding in hazardous areas.

Specifically:

NPS Management Policy 9.1.1.5, *Siting Facilities to Avoid Natural Hazards*, states in part: "Park development that is damaged or destroyed by a hazardous or catastrophic natural event will be thoroughly evaluated for relocation or replacement by new construction at a different location."

NPS Management Policy 4.8.1.3, *Geologic Hazards*, states in part: "The Service will try to avoid placing new visitor and other facilities in geologically hazardous areas. Superintendents will examine the feasibility of phasing out, relocating, or providing alternative facilities for park developments subject to hazardous processes, consistent

with other sections of the Management Policies.”

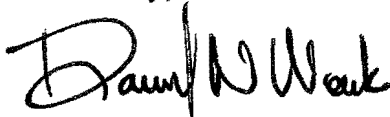
NPS Management Policy 4.6.4, *Floodplains*, states in part: “In managing floodplains on park lands, the National Park Service will (1) manage for the preservation of floodplain values; (2) minimize potentially hazardous conditions associated with flooding; and (3) comply with the NPS Organic Act and all other federal laws and Executive orders related to the management of activities in flood-prone areas...”.

This management policy is further articulated through Director’s Order #77-2, *Floodplain Management*, which states in part: “Specifically, the Service will:

- Protect and preserve the natural resources and functions of floodplains;
- Avoid the long- and short-term environmental effects associated with the occupancy and modification of floodplains;
- Avoid direct and indirect support of floodplain development and actions that could adversely affect the natural resources and functions of floodplains or increase flood risks;
- Restore, when practicable, natural floodplain values previously affected by land use activities within floodplains.”

This response was prepared by the National Park Service. We appreciate having the opportunity to respond to the committee on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan N Wenk", written in a cursive style.

Daniel N. Wenk
Acting Director

cc: The Honorable Rob Bishop, Ranking Member
Subcommittee on National Parks, Forests and Public Lands

The Honorable Doc Hastings, Ranking Member
Committee on Natural Resources



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

OCT 13 2009

L58 (0120)

The Honorable Raúl M. Grijalva
Chairman
Subcommittee on National Parks, Forests and
Public Lands
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Enclosed are responses to follow-up questions from the oversight hearing on the restoration of the federal public lands workforce held by the Subcommittee on National Parks, Forests, and Public Lands on March 19, 2009. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher R. Salotti
Legislative Counsel
Office of Congressional
and Legislative Affairs

Enclosure

cc: Honorable Rob Bishop, Ranking Minority Member

Questions for the Record
Subcommittee on National Parks, Forests and Public Lands
House Committee on Natural Resources
Hearing Date: March 19, 2009

1. Please provide a summary of annual costs incurred by your agency undertaking law enforcement activities related to homeland security along the Southwest border. In your analysis, please identify areas in which your agency is supplanting or subsidizing other federal law enforcement agencies along the border, and what non-border law enforcement activities are not getting done as a result.

Response: The mission of the National Park Service (NPS) requires law enforcement activities for the purpose of protecting resources, visitors, and staff within the parks. Along the Southwest border, the activities that protect resources, visitors and staff, may also contribute to DHS' homeland security mission. For example, NPS law enforcement activities may include apprehending undocumented aliens, participating in multi-agency law enforcement operations targeting drug/alien smugglers, backing-up Border Patrol agents, and ensuring that visitors/employees are safe from border-related violence on park lands. These activities add to the scope and complexity of the traditional NPS ranger protection responsibilities. The NPS does not track these law enforcement costs separately from agency-wide law enforcement costs.

2. In its 2004 report, Federal Law Enforcement Pay and Issues, the Office of Personnel Management states "...over the years, the definition of LEO in the retirement laws has been muddled by piecemeal litigation and legislation, leading to numerous inconsistencies." The testimony we received during the hearing indicated that these inconsistencies seriously impact the morale of agency employees. What efforts are you making—or will you make in the future—to identify employees impacted by this issue and help them with resolution of their retirement claims?

Response: The NPS has a strong interest in its employees' career satisfaction, morale, and other workplace concerns. The NPS is acutely aware of the Federal law enforcement retirement issues referenced in OPM's 2004 report. Of particular note are the retirement issues raised regarding enhanced law enforcement retirement coverage. The NPS continues to diligently act to ensure that positions meeting the statutory requirements are covered, and that individual determinations are made in appropriate cases.

With respect to employees who filed claims prior to 1996, the Firefighter and Law Enforcement Retirement Team (FLERT) announced in 2008 that it had adjudicated the final unresolved claim. Of those claims, only two remain pending before the Merit Services Protection Board (MSPB). Following a denial of coverage appeal decision by MSPB, no further administrative appeal avenue is available to these employees.

Today, as a result of our experience with the law enforcement retirement issues, the NPS, through our Law Enforcement, Security, and Emergency Services Division and our Human

Resources Office, provides guidance and policy for NPS' law enforcement program and assistance to park managers. We remain committed to appropriately addressing issues regarding law enforcement pay and service coverage for our employees.

3. How much money does the Department of the Interior spend annually, in dollars and FTE, to operate the Firefighter and Law Enforcement Retirement Team (FLERT)?

Response: As FLERT completes its task of adjudicating unresolved retirement claims, the cost of the team decreases. The total annual costs (actual and expected) for FLERT are:

Fiscal Year	FLERT expenditures	FLERT FTE
2008	\$1.324 mil	4 FTE
2009	\$.604 mil	4 FTE
2010	\$.365 mil	2 FTE

4. How much does the Department of the Interior spend annually on the review, arbitration, and litigation of enhanced annuity retirement claims and appeals over and above the expenditures for the FLERT team, such as work by the Office of the Solicitor, agency administrators, etc.?

Response: The Department of the Interior does not have an internal tracking system for those costs.

5. How much does the Department of the Interior spend annually on the review, arbitration, and litigation of enhanced annuity retirement claims and appeals involving U.S. Park Police officers?

Response: The Department of the Interior spends nothing on enhanced annuity retirement claims for U.S. Park Police officers since they are already designated for the enhanced annuity retirement.

6. Public Law 100-238 specifically designated U.S. Park Police officers as eligible for enhanced annuity retirement (see 5 U.S.C. 8401 (17) (B)). Rangers and other officers in your agency fall under the more general, and subjective, definition of a law enforcement officer found in 5 U.S.C. 8401(17)(A). Do you recommend maintaining the status quo, or is there a preferred regulatory or legislative approach to resolving this issue on behalf of your employees?

Response: With regard to U.S. Park Police officers, we recommend maintaining the status quo with our sworn officers in the 083 Police Officer series that was achieved through the referenced law.

With regard to our protection rangers and other law enforcement-commissioned positions in the NPS, these employees perform a broad range of duties including law enforcement, search and rescue, other duties. Having multi-function park rangers is critical to how we organize and manage the public safety and resource protection work within our parks. Retirement issues, in general, should be considered on a government-wide basis.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

OCT 20 2009

The Honorable Mark Udall
Chairman
Subcommittee on National Parks
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed is the National Park Service's Comprehensive Federal Land Acquisition Table for FY 2010 as requested at the hearing on the President's proposed Fiscal Year 2010 budget for the National Park Service held by the Subcommittee on National Parks on June 16, 2009. This report was prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional
and Legislative Affairs

Enclosure

cc: Honorable Richard Burr, Ranking Minority Member

NPS FY 2010 COMPREHENSIVE FEDERAL LAND ACQUISITION TABLE

Program or Park (in priority order)	State(s)	Estimated Purchased Thru FY 2009		Budget Request FY 2010		% to be Protected by 09/30/2010	Balance to be Protected after FY 2010		Benefits	Remarks
		\$ Amt	Acres	\$ Amt	Acres		\$ Amt	Acres		
Acquisition Administration (Servicewide)	Various	n/a	n/a	9,473	n/a	n/a	n/a	n/a	Management	To staff acquisition program.
Subtotal, General/Administrative		0	0	9,473	0	0	0	0		
Emergency, Hardship, Relocation	Various	n/a	n/a	3,000	n/a	n/a	n/a	n/a	Protection	Emergency/hardship cases
Inholdings and Exchanges	Various	n/a	n/a	8,000	n/a	n/a	n/a	n/a	Protection	Inholding areas authorized before FY 1980
Civil War Battlefield Sites (Grants)	Various	n/a	n/a	4,000	n/a	n/a	n/a	n/a	Protection	Grants for battlefield acquisitions
1 Prince William Forest Park	Virginia	8,195	241	425	8	14.73%	29,575	1,442	Safety	Reconfigure park access road
2 Petrified Forest NP	Arizona	1,032	11,497	4,575	28,308	45.25%	11,825	48,165	Protection	Archeological resources; riparian habitat
3 San Juan Island NHP	Washington	3,175	1,808	8,000	312	100.00%	0	0	Protection	Mitchell Hill; ecological/cultural resources
4 Big Thicket NP	Texas	115,720	83,911	5,000	2,803	100.00%	0	0	Protection	Acquisition from timber companies
5 Virgin Islands NP	Virgin Islands	19,502	2,052	4,500	93	59.78%	43,100	1,443	Protection	Maho Bay Estate and Hawks Nest
6 Guilford Courthouse NMP	North Carolina	3,347	92	880	4	100.00%	0	0	Protection	Core battlefield and trail system lands
7 Harry S Truman NHS	Missouri	188	1	1,300	1	100.00%	0	0	Administrative	Administrative/maintenance site
8 Congaree National Park	South Carolina	91,245	25,724	1,320	410	98.89%	4,480	839	Protection	Phased acquisition of Riverstone property
9 Chattahoochee River NRA	Georgia	115,803	3,978	3,100	21	84.24%	55,900	748	Protection	Hyde Farm acquisition
10 Natchez NHP	Mississippi	7,370	86	264	1	83.85%	738	17	Protection	Archeological site at Fort Rosalie
11 Fort Smith NHS	Arkansas	2,398	17	362	3	76.92%	838	8	Protection	Historic stage crossing and burial ground
12 Golden Gate NRA	California	103,584	25,813	5,000	1,500	87.44%	48,000	3,922	Protection	Phased bargain acquisition, Rancho Corral
13 Minidoka NHS	Idaho	360	128	350	17	100.00%	0	0	Protection	Historic internment camp structures
14 Olympic NP	Washington	79,653	49,831	3,000	2	99.28%	15,000	383	Protection	Willing sellers at Lake Crescent
15 Mount Rainier NP	Washington	4,102	957	2,150	184	74.73%	1,543	379	Protection	Marsh/CLC lands in Carbon River Valley
16 Alaska Region	Alaska	0	0	1,478	12	100.00%	0	0	Administrative	Visitor/administrative facilities
17 Palo Alto Battlefield NHS	Texas	2,578	1,340	4,120	1,354	78.50%	2,250	738	Protection	Core battlefield area
18 Blue Ridge Parkway	North Carolina/									
Subtotal, Acquisitions	Virginia	20,815	20,243	1,703	223	68.10%	26,287	9,587	Protection	Willing sellers in prime development area
		577,027	237,515	58,527	35,236		237,354	67,649		
Total, NPS Federal Land Acquisition		\$577,027	237,515	\$58,000	35,236		\$237,354	57,649		



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

NOV 17 2009

The Honorable Grace F. Napolitano
Chairwoman
Subcommittee on Water and Power
House Committee on Natural Resources
House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

Enclosed are responses to follow-up questions and information for the record from the oversight hearing on Mountain Pine Beetles, held jointly by the Subcommittee on National Parks, Forests, and Public Lands and the Subcommittee on Water and Power on June 16, 2009. These responses have been prepared by the National Park Service, in conjunction with the other relevant Department of the Interior bureaus.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Tom McClintock
Ranking Member



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

NOV 17 2009

The Honorable Raul M. Grijalva
Chairman
Subcommittee on National Parks, Forests and
Public Lands
House Committee on Natural Resources
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Enclosed are responses to follow-up questions and information for the record from the oversight hearing on Mountain Pine Beetles, held jointly by the Subcommittee on National Parks, Forests, and Public Lands and the Subcommittee on Water and Power on June 16, 2009. These responses have been prepared by the National Park Service, in conjunction with the other relevant Department of the Interior bureaus.

Thank you for giving us the opportunity to respond to you on these matters.

Sincerely,

Christopher P. Salotti
Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Rob Bishop
Ranking Member

Oversight hearing on Mountain Pine Beetles—Strategies for Protecting the West

Hearing Date: June 16, 2009

Chairwoman Grace F. Napolitano, Subcommittee on Water and Power

**Chairman Raul M. Grijalva, Subcommittee on National Parks, Forests and Public Lands
House Committee on Natural Resources**

INFORMATION FOR THE RECORD

Ranking Member, Subcommittee on Water and Power, Cathy McMorris Rodgers (R-WA) asked the Department of the Interior witness, Dr. Bert Frost, how many commercial biomass facilities are located on Interior lands.

Answer: The National Park Service, the U.S. Fish and Wildlife Service, and the Bureau of Land Management do not have any commercial biomass facilities located on their lands. Some of the facilities located on these lands do contain small-scale, biomass renewable energy systems used by agencies to heat buildings and facilities, but these are not commercial operations. In addition, many biomass facilities located outside of federal lands receive a portion or all of their operational feedstock fiber from Bureau of Land Management lands.

One such commercial biomass facility is located on tribal lands held in trust by the United States. Based on data provided in a recent survey initiated by the Intertribal Timber Council (ITC), the Bureau of Indian Affairs, and the Yale School of Forestry and Environmental Studies entitled *Marketing and Utilization of Timber from Tribal Forest Lands: Survey Results 2008* (Milakovsky, 2008), there are currently at least 16 tribes with primary forest product processing facilities of varying scale. The survey indicated that tribal interest in biomass heat and energy is high and at least nineteen tribes are currently assessing biomass utilization options for local energy needs as well as to support fire hazard reduction programs.

The Warm Springs Tribe of Oregon is currently the only Tribe with an operating facility for converting biomass to energy. The Colville Tribe of Washington previously had a facility with a 9 megawatt capacity which was taken out of production by a fire.

QUESTIONS SUBMITTED FOR THE RECORD

Submitted by Chairwoman Grace Napolitano for Written Response

Question 1: Dr. Frost, how are the various land management agencies within the Department of the Interior coordinating to ensure that federal transmission lines are protected? What actions have been taken? Have you worked with WAPA to protect transmission infrastructure?

Answer: Transmission lines, and their clearance and protection from tree hazards, are managed under a Memorandum Of Understanding (MOU) between the Edison Electric Institute and the U.S. Department of Agriculture (Forest Service), Department of the Interior (Bureau of Land Management, U.S. Fish and Wildlife Service, National Park Service) and the U.S. Environmental Protection Agency. The MOU, signed in 2006, provides guidance on management of vegetation in and around transmission lines that traverse lands managed by the agencies listed in the MOU. The Edison Electric Institute is a national association of U.S. shareholder-owned electric utilities and industry affiliates and associates worldwide, which includes all transmission lines on federal lands. Each transmission line has a right-of-way permit to further guide management of the vegetation based on local conditions in accordance with the bureaus' mission. Compliance efforts, including programmatic categorical exclusions, enable this MOU to address common concerns.

Vegetation is managed according to the standards cited in Appendix A of the MOU. This includes standards associated with increased fire risks such as removal of slash, snags, and vegetation that come in contact with electrical lines and removal or thinning of ground or ladder fuels and dead trees. For the National Park Service and Fish and Wildlife Service, the transmission lines and their care are the responsibility of the individual power companies, however NPS and FWS will work with those companies to develop and execute strategies that will protect the supply of power while also not adversely impacting special status species and other wildlife species and habitats.

BLM-managed forestlands in Colorado, Wyoming, Montana, and Idaho have a relatively small number of acres of energy corridors impacted by the bark beetle outbreak. BLM is working cooperatively with its sister land management agencies, including the U.S. Forest Service, as well as utility providers and other partners to assess potential threats to transmission lines on federal lands impacted by the bark beetle epidemic. Working with cooperators, BLM is in the process of mapping and conducting a more in-depth assessment of the impact of the recent pine beetle mortality and its potential effect on all infrastructure and environments. The BLM is implementing current policy which requires prioritization of hazardous fuels management and vegetation management treatments in areas of high risk.

In Colorado where the impact is greatest, the BLM is working cooperatively with the Western Area Power Administration (WAPA) and Excel Energy to assess potential threats to power lines, watersheds, etc. on BLM lands in northwestern Colorado. As a member of the Colorado Bark Beetle Cooperative, BLM Colorado has maintained active communication lines with these entities making sure that it is addressing their priorities in land management strategies. Furthermore, BLM Colorado has continued to work with utility providers and other landowners to assess where the most critical areas of treatment are to make sure that infrastructure and communities adjacent to BLM lands are protected.

Question 2: Dr. Frost, please provide more detail about specific actions the Department of the Interior is taking to protect isolated Tribal lands and communities from the effects of the beetle

epidemic. Please provide a list of each tribe the Department has worked with and the actions that have been taken to help protect their lands.

Answer: The Tribal Forest Protection Act (TFPA) establishes a process for Tribes to work with federal agencies to perform hazardous fuel reduction and forest health projects on federal lands adjacent to tribal lands to prevent catastrophic wildfire.

According to the Bureau of Indian Affairs, the Department of the Interior has worked with the following tribes:

- Confederated Tribes of Warm Springs Reservation, Oregon--Timber salvage harvesting of mortality.
- Yakama Indian Nation, Washington--Timber salvage harvesting of mortality.
- Northern Arapaho and Eastern Shoshone Tribes, Wyoming--Timber salvage harvesting of mortality.
- Chippewa Cree, Montana--Timber salvage harvesting of mortality, and pheromone traps.
- Fort Belknap Indian Community, Montana--Pheromone traps.
- Confederated Tribes of the Colville Reservation, Washington--Timber regeneration harvesting and conversion to different tree species, mostly western larch.

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U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

July 31, 2009

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Honorable Ken Salazar
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Salazar,

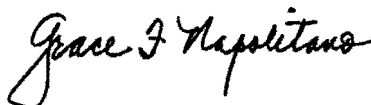
I am writing to thank you for having your designee, Dr. Herbert Frost, appear before the Subcommittee on Water and Power and Subcommittee on the National Parks, Forests and Public Lands on the June 16th oversight joint hearing to present testimony concerning the Pine Beetle epidemic, *"Mountain Pine Beetle: Strategies for Protecting the West."*

The Subcommittees intends to continue its inquiry on how to protect our forests from this invasive species. Dr. Herbert Frost's testimony was extremely helpful in defining the Subcommittee's understanding of this issue. I appreciate the effort Dr. Frost took to prepare and present his testimony.

While many questions were asked during the hearing, the Subcommittee has additional questions, attached, for their reply. Please forward his response to the attention of Jennifer Castillo, Clerk, at the Water and Power Subcommittee and Domenick Carroll, Clerk, at the Subcommittee on National Parks, Forests and Public Lands offices, no later than Friday, August 13th, 2009.

Once again, thank you for your extensive effort in making this a valuable hearing.

Sincerely,



Grace F. Napolitano
Chairwoman
Subcommittee on Water and Power

**Written Questions for the Record for the
U.S. House Committee on Natural Resources
Subcommittee on Water and Power
Subcommittee on National Parks, Forests & Public Lands
Joint Oversight Hearing on
“Mountain Pine Beetle: Strategies for Protecting the West”
Tuesday, June 16, 2009
10:00 a.m.
1324 Longworth HOB**

Submitted by Chairwoman Grace Napolitano for Written Response

Question 1:

Dr. Frost, how are the various land management agencies within the Department of the Interior coordinating to ensure that federal transmission lines are protected? What actions have been taken? Have you worked with WAPA to protect transmission infrastructure?

Question 2:

Dr. Frost, please provide more detail about specific actions the Department of the Interior is taking to protect isolated Tribal lands and communities from the effects of the beetle epidemic. Please provide a list of each tribe the Department has worked with and the actions that have been taken to help protect their lands.