

STATEMENT OF MARY A. BOMAR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 2959 AND H.R. 3094, BILLS TO ESTABLISH A FUND FOR THE CENTENNIAL OF THE NATIONAL PARK SERVICE

August 2, 2007

Mr. Chairman, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 2959 and H.R. 3094, bills that would establish a fund for the centennial of the National Park Service.

The Department strongly supports establishing a special fund to provide \$100 million a year for the next ten years to support National Park Service projects and programs, as both H.R. 2959 and H.R. 3094 would do. Establishing a fund to prepare for the National Park Service's centennial in 2016 is one of Secretary Kempthorne's top priorities, and we appreciate the time and interest that you, Mr. Chairman, and Mr. Bishop, and others have already devoted to this effort. We are grateful to Mr. Bishop and Mr. Young for introducing H.R. 2959, the Administration's legislative proposal for establishing the National Park Centennial Challenge Fund.

Secretary Kempthorne and I are very excited about partnering with the American people on innovative projects and programs that will capture the imagination of the public and that will welcome and inspire the generations who will inherit the great national treasures under our stewardship.

We also appreciate the alternative approach, H.R. 3094, that you, Mr. Chairman, and Mr. Rahall have introduced. The emphasis that H.R. 3094 places on diversity programs, professional development, and education is consistent with my own goals as Director of the National Park Service. Those goals are to:

- Re-engage the support of the American people for the National Parks and rejuvenate their pride in “the best idea America ever had,” in the famous words of a British diplomat;
- Increase the capacity of the National Park System, through increased funding, to meet the needs of a changing population; and
- Recruit, retain, train, and prepare a new generation of leadership for the National Park Service.

While we have serious concerns about the funding mechanisms and certain other provisions contained in H.R. 3094, we look forward to working with this subcommittee to reach agreement on the best means of securing the funding necessary to achieve our shared goal of preparing our national parks for the next century of stewardship by the National Park Service.

The legislative proposal that the Department transmitted to you this past spring began with a directive which was announced on August 25, 2006, the 90th anniversary of the National Park Service. The day before, the President issued a memorandum directing Secretary Kempthorne to “enhance our national parks during the decade leading up to the 2016 centennial celebration...[and] prepare them for another century of conservation, preservation and enjoyment.” From that bold directive, the Department developed the

multi-year Centennial Initiative, which was presented in February as part of the President's FY 2008 Budget.

The Centennial Initiative proposes \$3 billion in new funds for the National Park Service over the next ten years. Of that amount, \$1 billion is the "Centennial Commitment"—\$100 million in additional annual appropriations for each of the next ten years. The other \$2 billion would come from the "Centennial Challenge" – the challenge to individuals, foundations, and businesses to contribute at least \$100 million annually to support signature programs and projects. Each year, \$100 million in donations would be matched by \$100 million of Federal funding from the National Park Centennial Challenge Fund, the mandatory spending fund that would be established under H.R. 2959.

We greatly appreciate the support Congress has already shown for the Centennial Commitment portion of the Initiative. Both the House-passed and the Senate committee-approved versions of the FY 2008 Interior appropriations bill contain the \$100 million in additional operations funding identified in the President's Budget as Centennial Initiative funding. Including the centennial funding, total operations funding for FY 2008 would increase by \$199 million under the House-passed version over the FY 2007 level, and by \$196 million under the Senate committee-reported version. Enactment of operations funding in that range would mean that all parks would receive enough funding to cover fixed costs in FY 2008, and many would also receive more seasonal rangers, more maintenance funding, and more resource protection funding, all of which would better enable parks to provide visitors with safe, enjoyable, and educational experiences.

The President asked for a report on implementation of his August 24, 2006 directive by May 31, 2007. To begin the process of determining signature programs and projects, Secretary Kempthorne led the Department and the National Park Service in an unprecedented effort to reach out to the American public to listen to their ideas for future goals for the national parks as we move toward the 100th anniversary. During March and April, after planning 12 listening sessions, we expanded to more than 40 sessions throughout the nation after the initial sessions generated such excitement among the American people as well as National Park Service staff. Some of them were led by the Secretary and me personally. We also took comments through our website and by mail; in total, we heard from more than 4,500 people, including many National Park Service employees. From these sessions, and from further discussion among park managers and staff, five overarching goals emerged. They are articulated in the Secretary's May 31 report, *The Future of America's National Parks*, as follows:

- ***Stewardship***: The National Park Service will lead America and the world in preserving and restoring treasured resources;
- ***Environmental Leadership***: The National Park Service will demonstrate environmental leadership to the nation;
- ***Recreational Experience***: National parks will be superior recreational destinations where visitors have fun, explore nature and history, find inspiration, and improve health and wellness;
- ***Education***: The National Park Service will foster exceptional learning opportunities that connect people to parks; and

- ***Professional Excellence***: The National Park Service will demonstrate management excellence worthy of the treasures entrusted to our care.

The report established these goals not only as the foundation for decisions about specific projects and programs, but also to guide the work of the National Park Service as we work toward our centennial in 2016. The report also identified specific performance goals within each overarching goal, and gave examples of actions that would fulfill those goals.

Our efforts at the present time are focused on two fronts: First, each park superintendent and program manager has been asked to complete an implementation strategy this summer that describes their vision and desired accomplishments for their individual areas to support the five overarching goals. Second, across the Service, park employees and their enthusiastic partners are working together to propose centennial projects and programs for 2008 and 2009. The projects and programs proposed for 2008 are being evaluated in terms of the criteria that were finalized in June. At the Secretary's request, the Inspector General is engaged in conducting critical point evaluations of how we intend to implement the Centennial Challenge. In particular, he has highlighted the issues of transparency in the project and program selection process and financial accountability.

Secretary Kempthorne and I plan to report on the individual park and program centennial implementation strategies, and announce centennial projects and programs approved for funding consideration for 2008 at the end of August.

The criteria adopted in June require that all proposed projects and programs:

- provide for authorized activities in existing units;
- contribute toward at least one of the five centennial goals;
- be consistent with our management policies and planning and compliance documents;
- require little or no additional National Park Service operating funds to be sustainable; and
- have partners willing to contribute at least 50 percent of the project cost in cash from non-Federal sources.

Beyond those basic requirements, projects and programs are being evaluated by National Park Service interdisciplinary review teams. Projects approved for 2008 will be analyzed to ensure that the programs and projects represent a mix of different emphasis areas—the five centennial goals, different- sized parks, different-sized projects, multiple park projects, national initiatives, and a mix of projects and programs. We have been very clear in our quest for a diversity of centennial undertakings; this is by no means strictly about “bricks and mortar” construction projects. There will be opportunities to consider additional bold and innovative projects and programs in future years, as parks and their partners rise to the challenge. Over time, the list will be updated to add new projects and programs and remove completed ones. We look forward to working with you to identify such projects and programs.

Turning to the legislation, H.R. 3094 diverges from H.R. 2959, the Administration's proposal, in four fundamental ways, and it is these differences that we have concerns with:

First, H.R. 2959 establishes a partnership program: it makes funding from the Centennial Challenge Fund available only upon the receipt of funds from non-Federal partners for specific signature projects and programs. H.R. 3094 makes funding available from the Centennial Fund regardless of how much, or whether any, non-Federal funding has been received.

We believe in the Challenge Fund approach—the idea that if obtaining Federal funding for projects depends on first obtaining private contributions, we will stimulate more private donations and involve more Americans in the future of their national parks. The challenge component was first developed in collaboration with philanthropic, non-profit, and private groups, and we found broad support for the idea of a public-private match in the public listening sessions we conducted this past spring. We found the “challenge” approach to fundraising to be a familiar and accepted concept. The possibility of matching funds has excited our partners and enticed new donors, and we have every indication that we will readily raise more than \$100 million a year necessary for a \$100 million annual Federal match.

Many of the private contributions are likely to come from small cooperating associations and small friends' groups, who are more likely to fund innovative educational programs

than large, expensive capital projects. The Challenge Fund approach makes it possible for these small groups to make a vital contribution to the centennial goals.

Second, H.R. 2959 gives the National Park Service, working with its partners, the responsibility for determining which programs and projects are eligible for funding, while H.R. 3094 would allocate certain percentages of funding for certain types of projects, and have decisions on individual projects made by Congress as part of the annual appropriations process. We agree that it is desirable to devote centennial funding to projects in all of the categories listed in H.R. 3094: education, diversity, supporting park professionals, environmental leadership, natural resource protection, and line-item construction. We would add to that list “enhancing the recreational experience” and “cultural resource protection” and then these categories would cover most, if not all, of the same types of activities and projects that our five overarching goals cover. However, we believe that there should be more flexibility in determining how much funding is allocated to various types of projects than is possible if the spending formula is established by law.

By having this flexibility, the process for determining signature programs and projects will be more responsive to changing needs and conditions over the next ten years. Also, we cannot anticipate the categories of projects and programs that will be available year to year through our selection process. We would not want to miss an opportunity to fund a critical program or resource management project because of the limitations of the categories.

Third, while we understand the subcommittee's need to provide offsetting funding to meet "pay-as-you-go" requirements, we would prefer that any offsets included in the bill come from one or more of the proposed mandatory savings proposals listed in the President's FY 2008 Budget. H.R. 2959 does not include any offsets for the mandatory spending for the Centennial Challenge Fund, because the Administration's proposal was offset by mandatory savings within the President's Budget. In contrast, H.R. 3094 proposes to offset funding for the Centennial Fund through new or higher fees on commercial activities on Federal lands.

This offset provision would be unacceptable to the Administration and difficult for the Department to implement. An across-the-board increase in fees would have no correlation to the purposes of those fees, while selective increases could result in litigation. Fees are not royalties, bonus bids, or rents. The Department charges many different cost-recovery fees, and the fee levels are based on the costs related to the activity at issue. The Department also charges other fees for specific purposes. For example, the National Park Service sets franchise fees for concession contracts at levels based upon a detailed statutory standard. Such fees are contractual, and changes to existing fees require renegotiation of the contracts or referral to binding arbitration when agreement cannot be reached, as provided under statute. Diverting such fees would be detrimental to these important programs; raising the fees could result in contractual disputes and litigation and make those activities cost-prohibitive for the users.

Fourth, H.R. 2959 would provide up to \$100 million annually in mandatory funds that would supplement annual appropriations. Yet, while H.R. 3094 provides that “unobligated amounts in the Fund shall be available without further appropriation,” the bill would make funds available “only for Projects approved in Acts of appropriation for the Department of the Interior.” Since availability would be contingent upon a subsequent act of appropriations, these amounts would be scored against that appropriation action and thus counted against the discretionary cap. In effect, the Centennial Challenge funds would have to compete for funding within annual appropriations, rather than be in addition to annual appropriations.

Despite these differences, the two bills are similar in fundamental respects:

- Both bills provide for an infusion of \$100 million a year in Federal funding for Fiscal Years 2008 through 2017 to pay for National Park Service projects and programs that would fulfill certain purposes or goals;
- Both bills use the mechanism of a separate Treasury account in an effort to supplement annual discretionary appropriations;
- Both bills allow for donations from private entities to help pay for projects while retaining current rules pertaining to the solicitation and receipt of donations by National Park Service employees; and
- Both bills require annual reports to Congress on signature programs and projects, ensuring a flow of information between Congress and the Department on the use of funds provided in the Centennial account.

Given our shared goals, we hope that we will have the opportunity for further discussions that will enable us to move forward together on legislation with language we all agree on.

As Secretary Kempthorne said in his report to the President, “the golden years for the national parks have not passed, but are ahead.” Again, we thank you for the time and effort you are devoting to the effort to prepare our national parks for another century of conservation, preservation and enjoyment.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions you or other members of the subcommittee may have.