

STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING H.R. 5585 AND S. 3527, BILLS TO EXTEND THE AUTHORIZATION FOR THE CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION.

December 12, 2018

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 5585 and S. 3527, bills to extend the authorization for the Cape Cod National Seashore Advisory Commission (Commission).

The Department does not support H.R. 5585 and S. 3527. Both bills would reauthorize the Commission until September 26, 2028, retroactive to September 26, 2018, the date that the Commission's authority to operate terminated.

The retroactive extension included in both bills would enable the Commission to function with the same charter and membership it had previously. The Commission was originally authorized in 1961 as a part of Public Law 87-126, the Cape Cod National Seashore's enabling legislation, and began operation in 1966. It has been reauthorized by Congress several times even though the enabling legislation called for the Commission to be terminated ten years after the Seashore was established.

The Department does not see a compelling reason to extend authorization of the Commission, especially at a time when we are focusing resources on reducing the \$11.6 billion backlog of deferred maintenance in national park units and addressing other critical park needs. However, if the Subcommittee takes action on these bills, the Department recommends one change to the Commission's statutory role. Currently, the law that established the Commission [16 U.S.C. 459b-7(g)] states that no permit for the commercial or industrial use of property located within the seashore shall be issued, nor shall any public use area for recreational activity be established within the seashore, without the advice of the Commission, if such advice is submitted within a reasonable time after it is sought. We recommend this provision be deleted as it is unusual for an advisory commission to have this kind of statutory role in park management decisions.

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