

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 400, A BILL TO ESTABLISH THE SUSQUEHANNA NATIONAL HERITAGE AREA IN THE STATE OF PENNSYLVANIA, AND FOR OTHER PURPOSES.**

**February 14, 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 S. 400, a bill to establish the Susquehanna National Heritage Area in the State of Pennsylvania, and for other purposes.

The Department recognizes that the proposed Susquehanna National Heritage Area has been found to meet the National Park Service's interim criteria for designation as a national heritage area. However, in order to focus resources on reducing the National Park Service's \$11.6 billion deferred maintenance backlog and addressing other critical national park needs, funding for national heritage areas is not a priority in the Administration's FY 2018 or FY 2019 budget. Under these circumstances, we believe it would be unwise to designate a new national heritage area at this time.

Most of the language in S. 400 is standard for national heritage area designation legislation that Congress has enacted in the last decade. However, the bill's management plan requirements are missing some standard provisions.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 966, A BILL TO ESTABLISH A PROGRAM TO ACCURATELY DOCUMENT VEHICLES THAT WERE SIGNIFICANT IN THE HISTORY OF THE UNITED STATES, AND FOR OTHER PURPOSES.**

**February 14, 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 S. 966, a bill to establish a program to accurately document vehicles that are significant in the history of the United States, and for other purposes.

The Department opposes S. 966 because it would create an unnecessary new program that would place new financial obligations on the National Park Service (NPS) at a time when efforts to focus resources on addressing the NPS maintenance backlog are a top priority.

S. 966 would require the NPS to establish and maintain a register of historic vehicles which would include several specific types of information for each vehicle. It would require the NPS to coordinate with two historic vehicle organizations to invite owners of historic vehicles to participate in the register and to develop criteria for the inclusion of vehicles on the register. The bill would require the register to be archived in the Library of Congress.

The NPS already has a program that documents the country's historically significant vehicles. The Historic American Engineering Record (HAER) has recognized and documented 21 automobiles that are historically and culturally important in our collective national history even though a separate registry for national historic vehicles does not exist. We note that HAER has also documented numerous ships and boats without establishing a separate program for vessels.

HAER is part of the NPS's Heritage Documentation Programs (HDP). Documentation produced through these programs constitutes the nation's largest archive of historic architectural, engineering, and landscape documentation. These records, including photographs, measured drawings, and written historical reports, are maintained in a special collection at the Library of Congress and are available to the public, copyright-free, both at the Library and through the Library's website. It is the most heavily used collection at the Library of Congress' Division of Prints and Photographs.

HDP conducts this nationwide documentation program in partnership with state and local governments, private industry, professional societies, universities, preservation groups, and other Federal agencies. It has and will continue to partner with the Historic Vehicle Association to preserve records of unique examples of our nation's automotive story. The collection is unique in the strong support it enjoys from its institutional sponsors and the public, and is distinguished in its national scope, consistent format, archival stability, and continued growth.

S. 966 also raises issues of capacity and workload. Unlike the National Register of Historic Places (NRHP), the proposed National Historic Vehicle Register would not be supported by the system of Federal Preservation Officers, State Historic Preservation Offices, and Tribal Historic Preservation Offices, to review applications for the NRHP. Without that broad system of support, this new program would present a significant increase in the workload for the NPS.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1160, S. 1472, S. 2225 AND S. 2238, BILLS PROVIDING REVISED AUTHORITIES FOR THE LINCOLN NATIONAL HERITAGE AREA, THE TENNESSEE CIVIL WAR HERITAGE AREA, THE BLUE RIDGE NATIONAL HERITAGE AREA, AND THE OHIO AND ERIE NATIONAL HERITAGE CANALWAY.**

**February 14, 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 S. 1160, S. 1472, S. 2225 and S. 2238, bills providing revised authorities for the Lincoln National Heritage Area, the Tennessee Civil War Heritage Area, the Blue Ridge National Heritage Area, and the Ohio and Erie National Heritage Canalway, respectively.

The Department recognizes that each of these entities serves an important role in preserving, interpreting, and promoting the unique natural and cultural characteristics that led to their designation as national heritage areas by Congress. However, in order to focus resources on reducing the National Park Service's \$11.6 billion deferred maintenance backlog and addressing other critical national park needs, funding for national heritage areas is not a priority in the Administration's FY 2018 or FY 2019 budget. Under these circumstances, we believe it would be unwise to extend the authorization of funding, remove funding limitations, or expand the boundaries of national heritage areas at this time.

S. 1160 would add Livingston County, the city Jonesboro in Union County and the city Freeport in Stephenson County to the Lincoln National Heritage Area, which was established in 2008 in the State of Illinois. These areas help tell the stories of the places that President Abraham Lincoln lived for almost 30 years.

S. 1472 would extend the authorization for funding for the Tennessee Civil War Heritage Area for fiscal years 2018 to 2021. This national heritage area tells the story of how warfare, occupation, emancipation, and Reconstruction impacted the State of Tennessee.

S. 2225 would extend the authorization for funding for the Blue Ridge National Heritage Area for fiscal years 2019 to 2022. The national heritage area consists of 25 counties in Western North Carolina encompassing cultural and natural assets.

S. 2238 would eliminate the \$17 million funding ceiling for the Ohio & Erie National Heritage Canalway. This heritage area includes the 110-mile long Ohio & Erie Canal, from Cleveland to New Philadelphia, Ohio.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING H.R. 2615 AND S. 1260, BILLS TO AUTHORIZE A LAND EXCHANGE BETWEEN GULF ISLANDS NATIONAL SEASHORE AND THE VETERANS OF FOREIGN WARS POST 5699.**

**February 14, 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. 2615 and S. 1260, bills to authorize a land exchange between Gulf Islands National Seashore and the Veterans of Foreign Wars Post 5699.

The Department supports H.R. 2615 and S. 1260. The two bills, which would resolve an access issue at Gulf Islands National Seashore in Mississippi, are drafted differently but contain substantially the same provisions. Either version is acceptable to the Department.

The Veterans of Foreign Wars (VFW) Post 5699 owns a parcel that is bordered on two sides by land that is under the administrative jurisdiction of the National Park Service (NPS) and managed as part of Gulf Islands National Seashore. The VFW property is not connected to a public road, and its only access is across NPS lands.

Under a previous informal agreement with the National Seashore, the VFW created and maintained a one-lane dirt access road across NPS property from the public road to its building. The VFW also removed vegetation and mowed NPS property adjacent to that access road. No right-of-way or special use permit was ever issued.

In 2015, the VFW approached the National Seashore with a proposal to exchange 2.16 acres of undeveloped land, adjacent to NPS land, at the south end of its property for 1.54 acres of NPS land in order to connect its property to the public road. This land exchange would formalize the existing land use, providing the VFW with ownership and permanent access, and providing the National Seashore undeveloped acreage adjacent to other undeveloped, NPS-managed lands. These parcels are delineated on the map referenced in both bills.

H.R. 2615 and S. 1260 would authorize this land exchange. The bills would require the values of the parcels to be exchanged to be determined through an appraisal conducted by a qualified and independent appraiser and in accordance with nationally recognized appraisal standards. If the values are not equal, they would be required to be equalized through cash payments or adjustments to the acreage of the parcels. In addition, the bills would require the VFW to pay for the costs associated with the exchange, including any required costs for environmental compliance. Finally, the bills would modify the boundary of the National Seashore to reflect the land exchange upon its completion.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1335, A BILL TO ESTABLISH THE STE. GENEVIEVE NATIONAL HISTORIC SITE IN THE STATE OF MISSOURI, AND FOR OTHER PURPOSES.**

**February 14, 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 S. 1335, a bill to authorize the Secretary of the Interior to establish the Ste. Genevieve National Historic Site in the State of Missouri, and for other purposes.

The Department supports the goals of the legislation which would establish the Ste. Genevieve National Historical Park as a unit of the National Park System to preserve, protect, and interpret the themes of French settlement, vernacular architecture, and community form and farming on the frontier associated with Ste. Genevieve, a city along the Mississippi River with a nationally significant history.

However, the National Park Service has a deferred maintenance backlog of over \$11 billion. The Administration's focus is to reduce this backlog and to address other critical national park needs. For this reason, funding for new units to the national park system is not a priority in the Administration's FY2019 budget.

Establishment of the park would be conditioned on the Secretary of the Interior acquiring sufficient land to constitute a manageable park unit and entering into an agreement providing that land owned by the state, the city of Ste. Genevieve or other entities within the Ste. Genevieve Historic District would be managed consistent with the purposes of the act. The national historical park would consist of a select portion of the larger historic district.

S. 1335 authorizes the Secretary to provide interpretive tours and education programs within the historic district. It also allows the Secretary to provide technical assistance and to enter into cooperative agreements to preserve significant sites related to the purposes of the park.

The Ste. Genevieve Historic District National Historic Landmark (NHL), established on October 9, 1960, is one of the oldest NHL districts in the country. This designation initially recognized the unique concentration of French vertical log architecture. Subsequent research identified the national significance of contemporaneous examples of British-American and German-American architecture that contribute to the compelling historical associations with French exploration and settlement of the United States' interior in the late 18th and early 19th centuries and with the American territory that was settled following the Louisiana Purchase.

Ste. Genevieve offers an unparalleled opportunity to provide public understanding and appreciation of the themes of French settlement, vernacular architecture, and farming on the

frontier. Ste. Genevieve is unique in terms of the character, quality, quantity, and rarity of its resources. There is no comparably protected or managed area interpreting these themes.

The proposed national historical park consists of approximately 13 acres of publicly and privately owned historic properties encompassed within the Ste. Genevieve Historic District NHL.

The Ste. Genevieve special resource study, completed in May 2016, estimated the annual cost of operation of the site to be \$800,000 to \$1.2 million per year. This estimate included funding for NPS staffing of 6-12 FTE, for interpretive and educational programs, and for outreach. Any additional facilities and properties would increase park operational and maintenance costs. Additional funds for maintenance, repairs and capital improvements would be awarded through the National Park Service's competitive process, subject to service-wide priorities and the availability of appropriations.

Finally, as this legislation has evolved over the last two years, a consensus has emerged that, if established, the Ste. Genevieve unit would be designated as a national historical park rather than a national historic site. If this is the intent, we recommend that the title be amended to refer to the establishment of the "Ste. Genevieve National Historical Park", rather than the "Ste. Genevieve National Historic Site".

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



**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1446 AND H.R. 1135, A BILL TO REAUTHORIZE THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM.**

**February 14, 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 S. 1446 and H.R. 1135, bills to reauthorize the Historically Black Colleges and Universities historic preservation program.

The Department supports S. 1446 and H.R. 1135. This bill would reauthorize funding for the preservation and restoration of historic buildings and structures on the campuses of Historically Black Colleges and Universities (HBCUs) for fiscal years 2018 through 2024, at a level of \$10 million annually. This program provides infrastructure support for these important institutions.

The funding authorized by S. 1446 and H.R. 1135 would support public-private partnership efforts to revitalize historic HBCU buildings. Repairs would improve safety and functionality, including stabilizing structures, repairing damaged masonry, abating environmental hazards such as lead paint and asbestos, replacing antiquated electrical and plumbing systems, fixing leaking roofs, repairing termite damage, and providing handicapped accessibility. The historic buildings on these campuses have specialized repair needs, requiring highly skilled trades and quality materials, the costs of which may strain a limited college budget.

Between 1998 and 2009, almost \$60 million of Historic Preservation Fund (HPF) grants were awarded to HBCUs. These HPF apportionments supported over 60 institutions, funding 131 infrastructure projects. While the prior annual authorization (P.L. 104-333, as amended by P.L. 108-7) expired at the end of 2008, in some subsequent years, Congress has appropriated funding for historic preservation grants to HBCUs under the broader authority of the National Historic Preservation Act (54 USC 302906). HBCUs continue to proudly provide opportunities for higher education, show us that education can serve as a path to prosperity, and preserve an important part of the American story.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1573, A BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR AND THE SECRETARY OF AGRICULTURE TO PLACE SIGNAGE ON FEDERAL LAND ALONG THE TRAIL KNOWN AS THE “AMERICAN DISCOVERY TRAIL,” AND FOR OTHER PURPOSES.**

**February 14, 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 S. 1573, a bill to authorize the Secretary of the Interior and the Secretary of Agriculture to place signage on Federal land along the trail known as the “American Discovery Trail,” and for other purposes.

The Department does not support S. 1573. We believe it would be unwise to mandate that Federal trail managers place a private organization’s signage on Federal land.

S. 1573 would require the Secretary of the Interior and the Secretary of Agriculture to place signage denoting the American Discovery Trail on Federal land at points along the trail, as soon as practicable after signage acceptable to the respective Secretary is donated. The American Discovery Trail is not a Federally designated trail, but rather a trail coordinated and promoted by the non-profit organization named American Discovery Trail. The organization has done commendable work in bringing public awareness to many of America’s special places, including some lesser known sites.

The American Discovery Trail was proposed in 1990 as a continuous mid-continent, coast-to-coast trail to link metropolitan areas to the nation's major long-distance trails, as well as to shorter local and regional trails. In 1992, through P.L. 102-461, Congress directed the Secretary of the Interior to study the feasibility and desirability of adding the American Discovery Trail to the National Trails System. This study was submitted to Congress in 1998. The over 6,000-mile route of the trail, as mapped in the feasibility study, extends from Cape Henlopen State Park in Delaware to Point Reyes National Seashore in California.

The study found that the American Discovery Trail could be appropriate for designation within a new class of national trails – National Discovery Trails – separate from National Scenic Trails or National Historic Trails. Congress has not taken action to authorize this new category of national trails or to provide any sort of official designation for an American Discovery Trail.

Under current law, Federal land managers have the authority to determine the appropriateness of signage on Federal lands, and may allow the signage of non-Federal trails upon Federal lands, where appropriate, and in accordance with existing Federal laws, regulations, and policies. However, Federal land managers also may decline a request to allow signage of a non-Federal trail in instances where they believe the signage may have a detrimental impact upon visitor safety or resource protection. The Department believes that the managers of Federal trails

should retain this decision making authority. We think it would be highly unusual for Federal land managers to be required by law to allow a non-profit organization to place their organization's signage on Federal land.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1602, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONDUCT A STUDY TO ASSESS THE SUITABILITY AND FEASIBILITY OF DESIGNATING CERTAIN LAND AS THE FINGER LAKES NATIONAL HERITAGE AREA, AND FOR OTHER PURPOSES.**

**February 14, 2018**

---

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 1602, to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, and for other purposes.

The Department recognizes that the Finger Lakes region possesses the kind of natural and cultural characteristics that would make it an appropriate area to study for its potential as a national heritage area. However, in order to focus resources on reducing the National Park Service's \$11.6 billion deferred maintenance backlog and addressing other critical national park needs, funding for national heritage areas is not a priority in the Administration's FY 2018 or FY 2019 budget. In addition, currently, the National Park Service is conducting 22 previously authorized studies to determine if areas have potential for inclusion in the National Park System as new units, national heritage areas, national trails, or wild and scenic rivers. Under these circumstances, we believe it would be unwise to authorize the study of additional national heritage areas at this time.

S. 1602 would authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating an area in the State of New York as the Finger Lakes National Heritage Area. The study area would include the counties of Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates.

State parks and private organizations within the study area provide public recreational and educational opportunities for similar resources not recognized through federal programs. Opportunities for the sharing of cultural heritage and folkways are available throughout the year through a variety of established organizations and the Federally recognized tribes within the region.

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

**STATEMENT OF P. DANIEL SMITHH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1645, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONDUCT A SPECIAL RESOURCE STUDY OF P.S. 103 IN WEST BALTIMORE, MARYLAND, AND FOR OTHER PURPOSES.**

**February 14, 2018**

---

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 1645, to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland, and for other purposes.

The Department recognizes that P.S. 103, the elementary school that Supreme Court Justice Thurgood Marshall attended, would be an appropriate subject for a National Park Service special resource study. However, we do not support enactment of S. 1645 at this time. In order to focus resources on reducing the National Park Service's \$11.6 billion deferred maintenance backlog and addressing other critical national park needs, no increase in funding is requested for special resource studies in the Administration's FY 2019 budget. Currently, the National Park Service is conducting 22 previously authorized studies to determine if areas have potential for inclusion in the National Park System as new units, national heritage areas, national trails, or wild and scenic rivers. Under these circumstances, we believe it would be unwise to authorize a new special resource study.

P.S. 103 was originally built in 1877 for West Baltimore's white immigrant population but, in 1911, it became a segregated African-American school serving the Upton community of West Baltimore. The school is significant for its role in the education of Thurgood Marshall, who is best known as the lead counsel for the landmark school desegregation case, *Brown v. Board of Education* (1954) and as the first African-American Supreme Court Justice. Thurgood Marshall attended P.S. 103 from 1<sup>st</sup> through 8<sup>th</sup> grade (1914 to 1921).

Marshall's accomplishments in systematically dismantling the legal framework for Jim Crow segregation are the foundation upon which the success of the Civil Rights Movement was built. P.S. 103 is owned by the City of Baltimore and is included in the Baltimore National Heritage Area.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1446 AND H.R. 1135, A BILL TO REAUTHORIZE THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM.**

**February 14, 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 S. 1446 and H.R. 1135, bills to reauthorize the Historically Black Colleges and Universities historic preservation program.

The Department supports S. 1446 and H.R. 1135. This bill would reauthorize funding for the preservation and restoration of historic buildings and structures on the campuses of Historically Black Colleges and Universities (HBCUs) for fiscal years 2018 through 2024, at a level of \$10 million annually. This program provides infrastructure support for these important institutions.

The funding authorized by S. 1446 and H.R. 1135 would support public-private partnership efforts to revitalize historic HBCU buildings. Repairs would improve safety and functionality, including stabilizing structures, repairing damaged masonry, abating environmental hazards such as lead paint and asbestos, replacing antiquated electrical and plumbing systems, fixing leaking roofs, repairing termite damage, and providing handicapped accessibility. The historic buildings on these campuses have specialized repair needs, requiring highly skilled trades and quality materials, the costs of which may strain a limited college budget.

Between 1998 and 2009, almost \$60 million of Historic Preservation Fund (HPF) grants were awarded to HBCUs. These HPF apportionments supported over 60 institutions, funding 131 infrastructure projects. While the prior annual authorization (P.L. 104-333, as amended by P.L. 108-7) expired at the end of 2008, in some subsequent years, Congress has appropriated funding for historic preservation grants to HBCUs under the broader authority of the National Historic Preservation Act (54 USC 302906). HBCUs continue to proudly provide opportunities for higher education, show us that education can serve as a path to prosperity, and preserve an important part of the American story.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 1692, A BILL TO AUTHORIZE THE NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL FOUNDATION TO ESTABLISH A COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS, AND FOR OTHER PURPOSES.**

**February 14, 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 S. 1692, a bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

The Department supports S. 1692. The memorial authorized by this legislation would commemorate the commitment and service of the Emergency Medical Services profession. S. 1692 prohibits federal funds from being used to establish the memorial.

The Commemorative Works Act (CWA), 40 U.S.C. Chapter 89, precludes establishing a memorial to members of the Emergency Medical Services profession as a group because the memorialization of members of a group may not be authorized until after the 25<sup>th</sup> anniversary of the death of the last surviving member. Therefore, our support for this proposal is based upon our understanding that this memorial will recognize the "commitment and service" of the Emergency Medical Services profession, not the organization's members.

A memorial to honor the commitment and service of a profession is not a concept that is explicitly described in the CWA, and it does not fit the typical mold for commemoration under the CWA. However, there is a precedent for this type of memorial: the National Peace Corps Memorial, which Congress authorized in 2014. That memorial was authorized not to commemorate Peace Corps participants explicitly, which would be inconsistent with the CWA, but rather to commemorate the "mission of the Peace Corps and the ideals on which the Peace Corps was founded."

At the September 14, 2015, meeting of the National Capital Memorial Advisory Commission, the Commission reviewed H.R. 2274, a bill nearly identical to S. 1692. It was the consensus of the Commission that the language was clear that the memorial authorized by the bill would not commemorate individuals or a group of individuals, and therefore was not inconsistent with the CWA. We agree with the Commission's interpretation.

Finally, we note that S. 1692 provides that unspent funds raised for the construction of the memorial be provided to the National Park Foundation for deposit in an interest-bearing account as stated in 40 U.S.C. Section 8906(b)(3). This is a provision we strongly support including in all legislation authorizing memorials under the CWA.

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



**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING H.R. 2897 AND S. 1956, BILLS TO AUTHORIZE THE MAYOR OF THE DISTRICT OF COLUMBIA AND THE DIRECTOR OF THE NATIONAL PARK SERVICE TO ENTER INTO COOPERATIVE MANAGEMENT AGREEMENTS FOR THE OPERATION, MAINTENANCE, AND MANAGEMENT OF UNITS OF THE NATIONAL PARK SYSTEM IN THE DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES.**

**February 14, 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. 2897 and S. 1956, bills to authorize the Mayor of the District of Columbia and the Director of the National Park Service to enter into cooperative management agreements for the operation, maintenance, and management of units of the National Park System in the District of Columbia, and for other purposes.

The Department supports the goal of both H.R. 2897 and S. 1956, which are substantially identical. However, we would like to work with the bill sponsors and the committee to ensure that these bills achieve this goal and would not affect other existing authorities. These bills would clarify that the National Park Service (NPS) and the Mayor of the District of Columbia (District) may enter into cooperative management agreements (CMA) to more efficiently and effectively manage NPS land in the District.

Cooperative management agreement authority, codified at 54 U.S.C. 101703, authorizes the NPS to enter into CMAs to jointly manage land where a unit of the NPS is located adjacent to or near a State or local park area, and cooperative management between the NPS and a State or local government agency will allow for better management of the parks. For example, CMAs may allow for sharing goods and services or authorize employees to work on lands owned by agencies participating in such agreements.

The CMA authority in the statute does not expressly state that the authority applies to the District. For purposes of Title 54 of the U.S. Code, the NPS generally interprets the term "State or local government" to include the District of Columbia, and in our view, the term "State or local government" in Section 101703 does include the District of Columbia. However, we understand that the District has questioned its own authority to enter into binding CMAs with the National Park Service.

In 2012, the NPS, the District, and the DowntownDC Business Improvement District (BID) began a potential partnership through a CMA with the aim of rehabilitating Franklin Park, a federally-owned, NPS-administered square in downtown D.C. Under this partnership, the District would rehabilitate and operate the park, with the NPS retaining all other jurisdiction. The NPS and the District would partner with a new park management entity to provide maintenance and sustained programming. The District has budgeted \$13.8 million to complete

design work and construction associated with the rehabilitation. The BID will dedicate funding to pay for the management entity.

The Commission of Fine Arts and the National Capital Planning Commission have both approved the concept plan for the CMA, and the NPS has completed necessary environmental and historic preservation compliance. Also, the NPS and the District have negotiated the terms of the CMA and a related construction agreement for the rehabilitation and long-term operation of the park. However, the agreement has not been finalized because of the District's uncertainty about whether the District has the authority to enter into a CMA with the NPS.

H.R. 2897 and S. 1956 seek to assure that the District does have that authority, in order to help expedite the rehabilitation of Franklin Park. We recommend that both bills be revised to state that they are clarifying the District's authority, rather than that they are granting the District new authority, and to otherwise meet the goals of the legislation. We would be happy to provide suggested language for that purpose.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING S. 2102, TO CLARIFY THE BOUNDARY OF ACADIA NATIONAL PARK, AND FOR OTHER PURPOSES.**

**February 14, 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 S. 2102, to clarify the boundary of Acadia National Park, and for other purposes.

The Department supports this legislation. S. 2102 contains changes that address the Department's concerns about the original version's (S. 257) provisions on park boundary authority and traditional harvesting authority in Acadia National Park. We appreciate the willingness of the bill sponsor, Ranking Member King, and the other members of the Maine delegation, to work with us to resolve these concerns.

Section 2 of S. 2102 would confirm in statute that the boundary of Acadia National Park now also includes the approximately 1,441-acre Schoodic Woods property that was donated to the National Park Service (NPS) in 2015.

The NPS accepted the donation of the Schoodic Woods property and added it to the boundary of the park under the authority of 16 U.S.C. 342(a), which was enacted as part of the Act of January 19, 1929, and which authorizes the NPS to accept donations of lands, easements, and buildings within Hancock County, Maine, the county in which most of Acadia is located. The NPS published the notice of the boundary adjustment reflecting the imminent acceptance of fee title to the Schoodic Woods property in the Federal Register of November 17, 2015.

We understand the concerns that have been raised about the use of this authority given that Congress passed legislation in 1986 establishing a "permanent boundary" for the park (Section 102 of P.L. 99-420). Section 2 would allay those concerns and we support this section.

Section 3 provides that, although generic minor boundary adjustment authority could not be used at Acadia, the NPS would have a park-specific authority to make technical boundary revisions and other limited boundary revisions involving up to 10 acres of land. The legislation additionally provides that all such revisions taken together may not increase the size of the park by more than a total of 100 acres over the size of the park on the date of enactment of this bill.

This provision will allow the NPS to address encroachments due to mistaken surveys, rationalize boundary lines, and otherwise resolve real-world land ownership dilemmas that have an impact on neighboring landowners. We understand the desire of the Maine delegation and the communities around Acadia to limit changes to the park boundaries established in 1986 and we appreciate the sponsor's pragmatic approach to this issue.

Section 4 would authorize the Secretary, subject to the availability of prior appropriations, to contribute \$350,000 to a regional consortium of local governments, on or near Mount Desert Island, that is established to improve the management of the disposal and recycling of solid waste. The 1986 law required the Secretary to contribute the lesser of \$350,000 or 50% of the cost of the construction of a waste transfer facility that would benefit the park as well as the local towns. This funding was never appropriated and construction of a facility is no longer needed, but there is local interest in converting the \$350,000 authorization for construction into a federal payment for municipal waste disposal. We support section 4.

Section 5 would permanently authorize the Acadia National Park Advisory Commission. The Department recognizes the important work of the Acadia National Park Advisory Commission (Commission). The Commission advises the Secretary of the Interior on matters relating to the management and development of the park. The Commission is composed of 16 members, ten of whom are appointed based on recommendations from the park's host communities including the four towns of Mount Desert Island, three Hancock County mainland towns, and three island towns.

Section 6 would prohibit the use of the 1929 authority, and authority under section 3 of the Act of February 26, 1919, to acquire land by donation outside of the "permanent boundary" established in 1986. The intent of this section is to ensure that the boundaries of the park cannot be enlarged beyond the lines drawn in 1986 through a donation of land, except for limited boundary revisions that are authorized through Section 3 of this Act. We support section 6.

Section 7 provides that specified lands that were part of Acadia and that were conveyed by the NPS to the town of Tremont, on Mt. Desert Island, for school purposes shall no longer be required to be used exclusively and perpetually for school purposes if the land is being used for public purposes, subject to the condition that use of the land shall not degrade or adversely impact the resources or values of Acadia National Park and that the lands shall remain in public ownership for recreational, educational, or similar public purposes.

Public Law 81-629 permitted the NPS to convey a parcel identified as NPS Tract 06-126 to the town to locate a new school. The town is now consolidating schools with a neighboring town and thus will no longer use this property exclusively for school purposes, but would like to retain ownership and continue to use the developed property for community purposes. This legislation would allow it to do so and we support this section.

Section 8 provides that the Secretary shall allow the traditional harvesting of marine species in Acadia and outside of the park where the NPS has a property interest. The provision would allow for the harvesting of marine worms, shellfish, and other marine species (as defined by Maine Revised Statutes in effect on the date of enactment of this Act). The Department supports this provision to allow traditional harvesting of clams and worms in the intertidal areas of the park to continue.

Finally, Section 9 would require the Secretary to convey to the Town of Bar Harbor a 0.29-acre parcel of land for the construction of a solid waste transfer facility. The Department supports this section and the overall intent of the legislation.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING H.R. 4300 AND S. 2213, BILLS TO AUTHORIZE PACIFIC HISTORIC PARKS TO ESTABLISH A COMMEMORATIVE DISPLAY TO HONOR MEMBERS OF THE UNITED STATES ARMED FORCES WHO SERVED IN THE PACIFIC THEATER OF WORLD WAR II, AND FOR OTHER PURPOSES.**

**February 14, 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. 4300 and S. 2213, bills to authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II, and for other purposes.

The Department supports this legislation and recommends a technical amendment. The two bills, which are virtually identical, would allow the organization named Pacific Historic Parks to establish and maintain a commemorative display at the Pearl Harbor site of the World War II Valor in the Pacific National Monument. The display would honor the members of the United States Armed Forces and allies who served in the Pacific Theater during World War II.

The legislation prohibits the use of federal funds to design, procure, prepare, install, and maintain the commemorative display, but allows the National Park Service to accept and expend contributions of non-federal funds and resources for such purposes. It also prohibits the establishment of the commemorative display on National Park Service-managed property until the National Park Service determines that there is an assured source of non-federal funding for the design, procurement, installation, and maintenance of the display.

The World War II Valor in the Pacific National Monument, home of the *USS Arizona* Memorial, receives nearly two million visitors each year who come to learn about and to pay their respects to those who gave their lives in the attack on the island of Oahu. The monument interprets not only the events of December 7, 1941, but also the world events leading up to the attack and events that followed, including the many battles across the Pacific Theatre that occurred after the United States entered World War II. The National Park Service believes that the commemorative display authorized in this legislation would be consistent with the mission and interpretive themes explored at the monument.

The Department recommends that the language in Section 4 be clarified to reflect the fact that authority is needed for the Pacific Historic Parks organization to establish a commemorative display on National Park Service-managed property, not for establishing the display itself. We would like to work with the sponsor and the committee on clarifying language.

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

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING H.R. 1397, A BILL TO AUTHORIZE, DIRECT, FACILITATE, AND EXPEDITE THE TRANSFER OF ADMINISTRATIVE JURISDICTION OF CERTAIN FEDERAL LANDS, AND FOR OTHER PURPOSES.**

**February 14, 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. 1397, to authorize, direct, facilitate, and expedite the transfer of administrative jurisdiction of certain Federal land, and for other purposes.

The Department supports H.R. 1397 as this bill would resolve a long-standing access issue on the George Washington Memorial Parkway.

The Claude Moore Colonial Farm (Farm) is a 68.5-acre working colonial farm in Virginia, part of the 235-acre Langley Tract property that was transferred to the George Washington Memorial Parkway in 1971 to provide public recreation and open space. The greenhouses, administrative offices, staff parking, a storage area for farm equipment, and animal pens, are located in the administration and maintenance area of the Farm.

Colonial Farm Road forms the eastern boundary between the Langley Tract and the Farm and provides the main public access to the Farm from Georgetown Pike. In addition to providing Farm access, Colonial Farm Road serves as an entrance road to the Federal Highway Administration's (FHWA) Turner-Fairbank Highway Research Center (Research Center) and the George Bush Center for Intelligence (CIA).

The three Federal agencies involved--the National Park Service, the CIA and the FHWA--entered into an agreement on September 11, 2002, to have uninterrupted access to their properties in a manner that does not involve crossing property boundaries, and that addresses the need to improve security through better visibility near perimeter fencing of the Research Center. Through this agreement, the agencies identified properties suitable for exchange that would provide access to the Farm's administrative and maintenance area and would also improve security outside the fencing of the Research Center and CIA. The agreement has since expired but the agencies continue to abide by the terms of the agreement.

H.R. 1397 would effect the transfers of administrative jurisdiction called for in the September 11, 2002, agreement and require the agencies to implement other terms of the agreement. The administrative jurisdiction transfers between the NPS and the FHWA, which involve less than one acre of land in total, will provide the NPS with a separate access road in the administration and maintenance area for the Farm that will not go through the Research Center. The NPS would also place use restrictions on 0.139 acres of park land adjacent to part of the perimeter

fence of the Research Center to improve security of the Research Center. These parcels are delineated on the map referenced in H.R. 1397.

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



**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING H.R. 1500, A BILL TO REDESIGNATE THE SMALL TRIANGULAR PROPERTY LOCATED IN WASHINGTON, DC, AND DESIGNED BY THE NATIONAL PARK SERVICE AS RESERVATION 302 AS “ROBERT EMMET PARK,” AND FOR OTHER PURPOSES.**

**February 14, 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. 1500, a bill to redesignate the small triangular property located in Washington, D.C., and designated by the National Park Service as reservation 302 as “Robert Emmet Park,” and for other purposes.

The Department does not object to H.R. 1500. The bill would rename a site in the District of Columbia under the jurisdiction of the National Park Service (NPS), and known as Reservation 302, as “Robert Emmet Park.” The site contains the statue of Irish patriot Robert Emmet. The bill would also authorize the NPS to produce signage related to the history of Robert Emmet and the statue. The cost of the redesignation and signage would be a minimal amount that would be absorbed within existing budgets.

At the October 4, 2016, meeting of the National Capital Memorial Advisory Commission, the Commission reviewed H.R. 4564, a bill introduced in the 114<sup>th</sup> Congress which is identical to H.R. 1500, to consider whether the bill adhered to the Commemorative Works Act (CWA). The Commission did not reach consensus on a position on the renaming. They were also not clear if the CWA applied to the naming of parks within the area covered by the CWA.

Although the Department does not object to naming Reservation 302 for Robert Emmet, we note that the statue is still owned by the Smithsonian American Art Museum, which could move it to another location at any time. If that happened, the park would lose the symbol for which it was named, yet it would continue to retain the designation “Robert Emmet Park.”

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