

## ACT CREATING NATIONAL PARK SERVICE EXAMINED

December 16, 2005 - On Wednesday, December 14th, the House of Representatives Committee on Resources, Subcommittee on National Parks held an oversight hearing entitled "The National Park Service Organic Act and its Implementation through Daily Park Management". The hearing considered park use versus conservation with an eye toward possible amendments to the 1916 law creating the National Park Service.

The hearing focused on how the National Park Service (NPS) implements the mandate of the 1916 Organic Act through its General Authorities Act, management policies, director orders, and individual NPS unit management plans. The basic mandate of the NPS Organic Act is "...to conserve the scenery and the national historic objects and the wildlife therein and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations". Much of the hearing concentrated on what exactly constitutes "impairment" versus "impact".

Although there has been recent attention and controversy surrounding the release of draft revisions to NPS Management Policies, Subcommittee Chair Steven Pearce (R-NM) stated that the December 14th hearing would be a more narrow discussion of the Organic Act, and a separate hearing to examine the NPS Management Policies would be scheduled at the beginning of the New Year. The draft revisions to NPS Management Policies were released on October 18, 2005 and are open for a 120 day public review and comment period. The policies were last revised in 2001.

In her opening statement, Ranking Member Donna Christensen (D-VI) expressed her concern with potential updates to the Organic Act. She stated that of possible outcomes of the proceedings "...one is a positive hearing designed to celebrate the remarkable foresight and durability of the founding statute of our National Park System. The other is a more ominous scenario in which the oversight hearing is a pretext for future amendments to the Act designed to undermine its effectiveness. We would welcome the former but we fear this may be the latter".

Stephen Martin, Deputy Director of the NPS testified before the Subcommittee that even with advancements in technology and expanding recreational interests, the Organic Act is still relevant to national park management, and re-affirmed the Administration's support of the Act. When questioned by Representative Christensen, Mr. Martin Stephens indicated that amendments to the Organic Act were not necessary.

A second panel of witnesses included William Horn, former Assistant Secretary of Fish and Wildlife and Parks; Chuck Cushman, Executive Director of American Land Rights Association; Jerry Fruth of the American Horse Council; John "Bill" Wade, Chair, Executive Council for Coalition of National Park Service Retirees; and Dennis Galvin, former Deputy Director, National Park Service. Following the testimonies, questions regarding the interpretation of the "non-impairment standard" as well as debate of the intent of the mandate, whether singular or dual, to conserve park resources while also providing for continued use and enjoyment took place.

Copies of written testimony are available at the National Parks Subcommittee website: <http://resourcescommittee.house.gov/archives/109/nprpl/121405.htm>.