



Statement of John Garder,  
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Before the House Committee on Natural Resources, Federal Land Subcommittee  
Hearing on the Federal Lands Recreation Enhancement Modernization Act  
October 28, 2015

Chairman McClintock, Ranking Member Tsongas and members of the subcommittee, I am John Garder, Director of Budget and Appropriations at the National Parks Conservation Association (NPCA). Founded in 1919, NPCA is the leading, independent, private citizen voice in support of promoting, protecting and enhancing America's national parks for present and future generations. On behalf of our more than one million members and supporters across the country, I thank you for inviting me to testify at this important hearing.

We greatly appreciate your attention to ensuring the continuation of the Federal Lands Recreation Enhancement Act (FLREA), and hope that we can work with this subcommittee, along with our park partners, to identify improvements to this legislation.

NPCA views the continuation of fee collection as a critical component of funding national parks, but only as an important means of supplementing the appropriations and transportation funding that are fundamental federal responsibilities for the stewardship of our nation's treasures and their service to American families.

We are grateful that many members of Congress, including many members on this subcommittee, have expressed deep concern about the fiscal challenges facing the National Park Service, particularly ahead of the Service's Centennial Year. Years of underfunding have led to significant annual funding shortfalls to operate the National Park System and to the \$11.5 billion deferred maintenance backlog. Fee revenue is critical to supplement federal funding sources by enhancing recreational and interpretive opportunities for visitors at managed sites.

NPCA is therefore thankful that Congress has extended FLREA several times to ensure that parks and other federal lands can continue to collect fees to benefit visitors. After the last short-term extension, the program is now scheduled to expire again in October 2017. However, reauthorization must actually occur a year prior, by October 2016, if the park service is to be able to sell the annual America the Beautiful pass during that time. If authorization does not occur before October 2017, our national parks would lose all the entrance and recreation fee revenues they currently collect. This loss would be roughly equivalent to the size of the damaging

sequester cut in Fiscal Year 2013, and more than the Park Service's annual construction budget in recent years.

As this subcommittee knows, FLREA allows national parks and other federal lands to retain the fees they collect in order to repair, maintain, and improve facilities, and to offer educational materials and services for visitors. Examples of benefits include:

- Entrance fee revenue collected at Zion National Park has provided funding for over 24 major projects since 2010. All of the projects improved visitor services, facilities, or visitor safety. A majority of the fee revenue helps operate the shuttle bus system in the park and the town of Springdale. The bus system improves park operations and the visitor experience by decreasing vehicle congestion in the park, improving air quality, and providing visitors safe and easy access to popular park locations.
- Recreation fee revenue helps provide boat tours through Lowell National Park's historic canal system. The ranger-led boat tours include trolley rides and demonstrations of the historic locks system, providing an enjoyable educational opportunity for visitors.
- Recreation fee revenue will provide for the design and construction of an overlook at Dantes View in Death Valley National Park that will increase visitor safety and accessibility to those with limited mobility.

Therefore, NPCA is pleased that the Natural Resources Federal Lands Subcommittee is holding this important hearing on a longer-term reauthorization bill, building on the efforts of the committee in the 113<sup>th</sup> Congress. NPCA and our partners wholeheartedly support this effort. However, NPCA also recommends several modifications to this draft legislation that could improve visitor experiences and enhance fee revenue.

### **Supported Provisions**

#### **Technological improvements:**

NPCA is grateful for the provision allowing for use of technology to the extent practicable to increase accountability, efficiency, and the convenience of paying recreation fees. We understand congestion is already a significant challenge in many national parks, and that increased visitation during the National Park System Centennial in 2016 and beyond could compound this challenge in some locations. We recognize that technology, if implemented carefully, has the potential to increase the level of fee collection, enhance efficiencies, reduce waiting times at park entrances, and even allow for the collection of visitor data that would help understand patterns in park visitation and lead to improvements in management decisions. We know that the National Park Service is already conducting some pilot projects in parks like Acadia to investigate efficient, visitor-friendly pass sales and collection, and look forward to seeing the result of these efforts.

### Inflation-adjustments:

We also support the bill's language to adjust the price of the America the Beautiful National Parks and Federal Recreational Lands Annual Pass (America the Beautiful) every three years to reflect the Consumer Price Index (CPI). The price of the America the Beautiful pass for national parks has not been adjusted since it was established in 2007. With the pass, a family can enter all fee-collecting national parks and other federal lands for only \$80 for a full year—quite a deal when compared with other privately-operated recreational amenities such as amusement parks and ski areas.

To provide perspective on what this adjustment would mean, consider that \$80 in 2007, when the American the Beautiful pass was launched, would be equivalent to \$91 in today's dollars. NPCA views this proposed inflation adjustment as a common-sense approach to automatically modifying fees to account for the shifting value of the dollar.

Accordingly, we strongly encourage the committee to consider the same mechanism for other fees across the system, as the actual consumer cost in relation to the economy would not change, if we assume CPI to be an accurate and fair index. This would not replace opportunities to consider other fee increases or new fees, but would allow for a simple process that automatically adjusts fees every three years. Such an arrangement would likely obviate the need for many additional fee increases, except in cases of significant increases in infrastructure and/or visitation that require additional resources that could be funded or augmented with fee revenue. In the event the subcommittee ultimately elects to make this important adjustment to the current bill language, we would also encourage a provision that allows for park superintendents to decline this opportunity in extenuating circumstances that may present challenges to this adjustment.

### Length of reauthorization:

NPCA supports the bill's proposal to extend the program until December 31, 2022 and encourages any final bill to include, at a minimum, this length of extension. A longer-term reauthorization can provide greater certainty of fee revenue as a means to enhance visitor experiences.

### Transparency:

We appreciate the inclusion of provisions that can allow for more transparency in fee collection, but respectfully ask the committee to be mindful in doing so of the potential for added administrative burden to the agencies. Transparency is critical for taxpayer-funded agencies and programs. However, because the National Park Service already must fulfill significant legal and reporting requirements and already has staff who are overstretched due to funding shortages, we urge the subcommittee, prior to drafting final legislation, to consult with the agencies to consider adapting these important transparency proposals to reduce administrative costs and staff time to the extent practicable while enhancing efficiencies at the same time. For instance, rather than drafting a separate annual report, agencies could provide a more detailed report contained in the annual budget request every year as part of each agency's Budget Justifications document.

### **Provisions of Concern**

While we are supportive of the above efforts, we are also concerned about several provisions in the bill. As the subcommittee considers this legislation, NPCA strongly encourages the removal or amendment of several provisions in the draft bill that could negatively impact visitor experiences at national parks, park resources or operational capacity.

#### **Congressional approval for fee changes:**

We are deeply concerned about the proposed requirement for congressional approval of new or increased fees and respectfully urge that this requirement be altered. We encourage the committee to consider alternative opportunities for providing congressional fee oversight without burdening a congressional schedule that is already challenged by extensive legislative needs. One option is to replace this requirement for congressional approval with a notice requirement and grace period prior to the effective date of any fee changes. Under this arrangement, the agencies would inform Congress of a proposed fee change, thereby providing an opportunity for congressional oversight; however, absent congressional action, the fee change after a specified grace period would be implemented as proposed.

NPCA concurs with the sentiment that parks and other federal lands should not be able to increase fees without some process. Therefore, we were grateful that before the recent fee increases, the National Park Service's Washington Office directed parks to both engage in a public process that included public meetings and consider those comments prior to instituting proposed fee increases. We understand that in several instances where significant stakeholder concerns were expressed, the park service either delayed fee implementation or reduced the level of the increase. However, this process is not required by the current legislative framework. Therefore, requiring public engagement could be another option for ensuring congressional oversight and careful agency consideration of fee changes.

#### **Funding formula change from 80-20 to 90-10:**

We are also concerned about the provision to alter the minimum of 80% of collected fees to be retained by the collecting parks to a minimum of 90%. This proposed shift in the funding formula would likely benefit fee-collecting parks, but at the expense of the competitive account that benefits parks that cannot collect fees. Since less than half of park sites collect fees, we fear this formula change would reduce opportunities to enhance recreation and visitor programs and improve infrastructure in the over 200 parks that do not currently collect fees.

Well-visited park units that do not collect fees include Rainbow Bridge National Monument (UT), Valley Forge National Historic Site (PA), Mount Rushmore (SD), Glacier Bay National Park and Preserve (AK), and the Great Smoky Mountains National Park (TN). A few recent examples of projects that have benefitted from the 20% allocation are assistive listening devices at Golden Spike National Historic Site, restoration of encampments at Valley Forge National Historic Site, and maintenance of trails at Lewis and Clark National Historical Park and John Day Fossil Beds National Monument.

### Senior pass:

We believe the bill misses an important opportunity to address the cost of the senior pass, which has for nearly two decades been set at \$10 for a lifetime pass beginning at age 62. The cost and structure of the senior pass should be revisited. We sense that NPCA is not alone in feeling that while a benefit to our nation's seniors is entirely appropriate, this arrangement is likely too much of a bargain that undermines the potential for additional, needed fee revenue, and that a modest adjustment to this arrangement would not be prohibitively burdensome to pass-holders.

A modest adjustment to this fee has the potential to leverage important revenue. Today, approximately 400,000 to 500,000 Senior Passes are sold every year at national parks. The US Census Bureau projects the nation's 65-and-older population to reach 83.7 million in the year 2050, nearly doubling the size of that population from 2012; this growth would likely lead to a growth in seniors visiting parks. A modest modification of the Senior Pass would foster additional fee revenue that could provide additional recreation benefits to seniors, among other park visitors. Those benefits to seniors could include additional educational programs and technology, enhanced audio-visual capabilities, and improved accessibility, to name a few.

NPCA is proud to be a partner in the National Parks Second Century Action Coalition, a large and diverse coalition of conservation, tourism, business, and others seeking to enhance funding for the National Park System as it enters its second century of service to the American people. Our coalition has been discussing several options for supplementing, but not supplanting, appropriated funding for parks. The coalition suggests an adjustment to the cost of the Senior Pass through one of the following ways: 1) discount the America the Beautiful (ATB) Pass by 50% annually; 2) increase the cost of the pass to \$20 annually; or 3) maintain the current price, \$10, but make it an annual pass instead of a lifetime pass, and adjust the cost every three years according to the Consumer Price Index. There are certainly other options to consider, such as charging the price of the America the Beautiful pass, but continuing to make it a one-time fee.

### Concessions policy:

NPCA is concerned with some of the provisions regarding concessions policy. Foremost, we are concerned about the provision authorizing extension of concessioner operating seasons at the discretion of concessioners. We recognize that concessioners play an important role in visitor services and are important employers that contribute to national and local economies. We also continue to champion the importance of better connecting American families to their national parklands; extending concessions seasons may indeed be one way to do that. However, such actions may inevitably pose a risk of unforeseen negative impacts to under-resourced park staff and/or to park resources. Therefore, we urge the committee to alter this language to shift the discretion for such a change from the concessioner to the federal land agencies that are ultimately the most appropriate parties for ensuring the integrity of park resources and operations. Ensuring consultation with concessioners could provide an opportunity for concessioner input without relinquishing final discretion.

Additionally, we are concerned about the provision requiring land management agencies to reimburse concessioner-operated campground and day use facilities for waived fees. Such a

provision would likely reduce revenue to the agencies. We recognize that there may be certain circumstances wherein agencies should have the discretion for such an arrangement; however, discretion should ultimately reside with the agencies.

More generally, we urge the subcommittee in drafting final legislation on concessions changes to consult with relevant agency staff in order to ensure that legislative language does not undermine agency discretion that better provides for the integrity of park operations and resources. We look forward to continuing our discussions to ensure that these and other concession provisions under consideration carefully consider the potential impacts of legislative language to park resources and operations.

**Coalition views:**

Like NPCA, the National Parks Second Century Action Coalition views fee legislation as critically important to the funding of park projects and services, but only as a supplement to Congress' fundamental responsibility to provide adequate funding for our nation's parks through appropriations and transportation funding.

The National Parks Second Century Coalition supports these additional opportunities:

1. Require the Secretary of the Interior to investigate and experiment with differential pricing to encourage non-peak visitation to parks. This could help address the challenges of crowding in parks while motivating visitors to explore parks during nontraditional, but equally inspiring, seasons.
2. Encourage the Secretary of the Interior to investigate the use of new technologies and marketing partnerships, including international pass sales, by consulting with technology and marketing industry leaders. For instance, agencies should investigate the electronic purchase of entrance and recreation passes beyond the America the Beautiful annual pass. Electronic purchase of applicable passes should also be available for purchase by international visitors.
3. Encourage federal agencies that participate in FLREA to expand opportunities for sale of passes and reservations through tourism and recreation-related outlets. Some coalition partners feel that there are currently some provisions that now significantly inhibit partner sales, particularly small businesses, of passes. Expanding the point of sales for passes to local businesses would make the purchase more convenient and decrease waiting times to get into some of the more popular parks and other federal lands.
4. Require the National Park Service to reevaluate and consider an increase to the commercial tour pricing structure. Announcement of a new pricing structure should be made no less than one year prior to implementation. Rates have remained unchanged since 1998, and additional revenue from parks with high commercial traffic could generate additional revenue for the National Park System.

### Additional Opportunities:

NPCA and our coalition look forward to continuing our work with this subcommittee to identify and pursue opportunities and innovative ideas to better address the fiscal needs of our national parks. This past July, we were grateful this subcommittee held a hearing, *New and Innovative Ideas for the Next Century of Our National Parks*. The hearing provided for the consideration of concepts and suggestions from a diverse panel of witnesses, all with the interest of our Park System's success in the next century and for generations to come. As the Centennial approaches in 2016, we urge the subcommittee to act on some of those recommendations and work in a bipartisan fashion to support "America's best idea." By authorizing the provisions that have bipartisan support in the recently-introduced Centennial bill by Ranking Member Grijalva and Tsongas, Congress could position America's national parks in better fiscal health for their centennial year and beyond. 2016 is an historic opportunity to reinvest in our national parks, through both traditional and creative new approaches.

The coalition is particularly interested in those supplemental funding options that have the potential to provide significant additional resources for our national parks, including those that leverage expenditures of federal dollars in order to maximize the potential for partnerships with non-federal sources of funds. NPCA and our partners are invested in the Centennial Challenge that matches private and public dollars for centennial projects, establishing a national parks endowment, enhancing the use of volunteer service and stipend-supported community service work in the parks, securing care for our historic building through historic leasing, establishing a backlog fund to address critical maintenance projects, and authorizing the use of emergency funds to pay for severe wildfires.

Again, NPCA thanks you for pursuing reauthorization of this important fee legislation, for investigating opportunities for improvement, and for inviting us to testify. On behalf of our one million members and supporters, we invite you to continue this conversation and hope to work with you in the coming months to support the National Park System.