



To: House Committee on Natural Resources Republican Members
From: House Committee on Natural Resources Republican Staff; Aniela Butler (Aniela@mail.house.gov) and Terry Camp (Terry.Camp@mail.house.gov)
Date: June 13, 2022
Subject: Hybrid Legislative Hearing on Eight Bills

The Subcommittee on National Parks, Forests, and Public Lands will hold a hybrid legislative hearing on H.R. 1548 (Cartwright), the *Native Plant Species Pilot Program Act of 2021*; H.R. 4658 (Lieu), the *Beilenson Trailhead Designation Act*; H.R. 6364 (Cartwright), *to amend the Delaware Water Gap National Recreation Area Improvement Act to extend the exception to the closure of certain roads within the Recreation Area for local businesses, and for other purposes*; H.R. 6442 (Fulcher), the *PACTS Act*; H.R. 7496 (Plaskett), *to direct the Secretary of the Interior to install a plaque at the peak of Ram Head in the Virgin Islands National Park on St. John, United States Virgin Islands, to commemorate the slave rebellion that began on St. John in 1733*; H.R. 7615 (Moore), the *LODGE Act*; H.R. 7693 (Westerman), the *National Park Foundation Reauthorization Act of 2022*; and H.R. 7952, (Dean), the *Valley Forge Park Realignment Permit and Promise Act* on **Tuesday, June 14, 2022, at 10:00 a.m., EDT** in 1324 Longworth House Office Building and via Cisco WebEx.

Republican Members are encouraged to take advantage of the opportunity to participate in person from the hearing room.

Member offices are requested to notify Terry Camp (Terry.Camp@mail.house.gov) **no later than Monday, June 13, at 4:30 p.m., EDT** if their Member intends to participate in person in the hearing room or remotely via his/her laptop from another location. Submissions for the hearing record must be submitted through the Committee's electronic repository at HNRCDOcs@mail.house.gov. Please contact David DeMarco (David.DeMarco@mail.house.gov) or Everett Winnick (Everett.Winnick@mail.house.gov) should any technical difficulties arise.

I. KEY MESSAGES

- While our national parks were once an affordable, fun destination for family vacations and road trips, the Biden administration's self-inflicted gas prices and inflation crises will prevent millions of Americans from being able to visit these iconic landscapes this year. Holding a hearing on national parks while ignoring the reality that millions of families across the country simply cannot afford to travel to these once-economical destinations shows how out of touch Committee Democrats truly are.

- Hypocritically, Committee Democrats are expected to support a Democrat-led bill to provide a right-of-way for a natural gas pipeline to cross through Valley Forge National Historical Park. This comes after years of Democrat opposition to the Keystone XL Pipeline, which would have enhanced American energy security.
- The three Republican bills, the *PACTS Act*, the *LODGE Act*, and the *National Park Foundation Reauthorization Act of 2022*, all focus on addressing the main issues facing our national parks: deferred maintenance and overcrowding. Each Republican bill addresses these issues by focusing on innovative partnerships, rather than simply throwing money at the problem.
- While Republican bills on this hearing address the serious challenges facing the National Park System, Committee Democrats are focused issues like renaming a trailhead in California for a former Democratic Congressman.

II. WITNESSES

Panel I:

- **Representative Matt Cartwright**, Pennsylvania, 8th Congressional District
- **Representative Madeleine Dean**, Pennsylvania, 4th Congressional District
- **Representative Ted Lieu**, California, 33rd Congressional District
- **Representative Blake Moore**, Utah, 1st Congressional District
- **Delegate Stacey Plaskett**, U.S. Virgin Islands, At-Large

Panel II:

- **Ms. Lena McDowall**, Deputy Director, Management and Administration, National Park Service, U.S. Department of the Interior

Panel III:

- **Ms. Margaret Everson**, Executive Director, Oak Grove Initiative (H.R. 6442 & H.R. 7615) [*Republican witness*]
- **Ms. Patrice Horstman**, Chair, Board of Supervisors, Coconino County, Arizona (H.R. 6442 & H.R. 7615) [*Republican witness*]
- **Mr. Will Shafroth**, President & CEO, National Park Foundation (H.R. 7693) [*Republican witness*]
- **Ms. Karen Gihuly**, Chair, National Affairs and Legislation Committee, The Garden Club of America (H.R. 1548)
- **Dr. Hadiya Sewer**, President & Co-Founder, The St. John Heritage Collective (H.R. 7496)

III. BACKGROUND

[H.R. 1548 \(Cartwright\)](#)

Healthy native plant populations are critically important to maintaining diverse and resilient ecosystems.¹ Alarming, many of our federal lands have become infested with invasive plant species, which pose a serious threat to ecosystems, native wildlife and plant populations, grazing, water security, and even economic growth.² For instance, citrus greening or Huanglongbing, a plant disease from Asia, is threatening the U.S. citrus industry.³ Another example is leafy spurge, which reduces the forage value of grazing land.⁴ More than 1.4 million acres of National Park System lands and water are infested by exotic, invasive plants.⁵ Of these, only 43,000 acres have been managed to a level that can be controlled by National Park Service (NPS) staff.⁶

H.R. 1548 would establish an NPS pilot program to promote the use of locally adapted plant materials and eradicate the spread of existing invasive species. The bill would direct NPS to establish these pilot programs in two or more NPS regions and would require coordination with the National Seedling Strategy of the Bureau of Land Management (BLM), the Plant Conservation Alliance, and the Plant Materials Centers of the Natural Resources Conservation Service. The bill would also require NPS to conduct a study to review the cost-effectiveness of using native plant materials on federal lands. H.R. 1548 is co-led by Representative Elise Stefanik and a Senate companion bill was introduced by Senator Susan Collins as S. 557.

Staff contact: Terry Camp (x6-9722)

[H.R. 4658 \(Lieu\)](#)

H.R. 4658 would designate the Encinal Trailhead on the Backbone Trail in the Santa Monica Mountains National Recreation Area (SMMNRA) in California as the “Anthony ‘Tony’ Beilenson Trailhead.” The Backbone Trail is a popular trail that stretches 67 miles through Southern California. The proposed renaming of the trailhead would honor former Congressman Beilenson, who passed away in 2017 at the age of 84. Congressman Beilenson, a Democrat, served for 10-terms in the House of Representatives and was a member of the House Committee on Rules and chair of the House Intelligence Committee. Congressman Beilenson was a staunch advocate for abortion rights and helped pass what was at the time the most permissive abortion rights legislation.⁷ He was also a strong advocate for gun control and supported the expansion of wilderness areas in California.⁸ Congressman Beilenson is personally connected with the SMMNRA, as he championed legislation in 1978 that established the SMMNRA as a unit of the

¹ National Park Service, “Native Plants, Non-native Plants, and Invasive Species”, Mar. 16, 2020, <https://www.nps.gov/depo/learn/nature/invasives.htm>.

² Congressional Research Service, “Invasive Species: A Brief Overview” R. Eliot Crafton and Sahar Angadjivand, Oct. 26, 2018, <https://crsreports.congress.gov/product/pdf/IF/IF11011>.

³ *Id.*

⁴ *Id.*

⁵ National Park Service, “Invasive Species, National Parks, and You” Jan. 10, 2021, <https://www.nps.gov/articles/invasive-species.htm>.

⁶ National Park Service, “Invasive Plants” May 11, 2021, <https://www.nps.gov/subjects/invasive/plants.htm>.

⁷ New York Times, “Anthony Beilenson, Congressman Who Fought for Abortion Rights, Dies at 84,” Sam Roberts, Mar. 10, 2017, <https://www.nytimes.com/2017/03/10/us/politics/anthony-beilenson-dead-california-congressman.html>.

⁸ *Id.*

National Park System. In 1998, Congress passed legislation naming the interagency visitor's center in the SMMNRA for Congressman Beilenson.⁹

Staff contact: Terry Camp (x6-9722)

H.R. 6364 (Cartwright)

H.R. 6364 would extend the use of U.S. Rt. 209, a federally owned road within the boundaries of the Delaware Water Gap National Recreation Area (NRA), for commercial vehicles that serve local businesses until September 30, 2026. U.S. Rt. 209 spans approximately 22 miles through the middle of the NRA between Pennsylvania and New Jersey. In 1981, the Commonwealth of Pennsylvania transferred State Road 209 to NPS.¹⁰ At the time of the transfer in 1981, highway 209 was a heavily travelled commercial vehicle route between Interstates 80 and 84. Two years later, in 1983, Congress closed an NPS-owned segment of U.S. Rt. 209 to commercial traffic, with an exemption for commercial vehicles serving businesses or persons located within or adjacent to the NRA. Congress also authorized NPS to collect and retain fees from commercial use of the road.¹¹ A 10-year transition period was established to accommodate impacts on the surrounding communities and 13 trucking companies operating in towns adjacent to the NRA at that time.¹²

Following the initial 10-year period, Congress enacted legislation in 1996 to extend the exemption for commercial vehicles that serve businesses located in the vicinity of the NRA. This exemption has since been extended legislatively several times. Most recently, in March 2022 Congress extended the exemption through September 30, 2022.¹³ In 2016, NPS testified that when Rt. 209 was transferred to NPS, there were many private properties along the 22-mile segment that needed this exemption. However, in the decades since the transfer, NPS acquired all of the properties except for one store that still allows commercial traffic.¹⁴ Therefore, it is believed this extension may impact only one business. H.R. 6364 would ensure that commercial vehicles serving local business(es) can continue using U.S. Rt. 209 and that NPS can collect fees for the management, operation, construction, and maintenance of US Rt. 209 within park boundaries.

Staff contact: Terry Camp (x6-9722)

⁹ Public Law 105-277.

¹⁰ Pocono Record, "Route 209: State highway to park road," David Pierce, Jan. 6, 2011, <https://www.poconorecord.com/story/news/2001/08/14/route-209-state-highway-to/51079026007/>.

¹¹ Public Law 98-63.

¹² National Park Service, "Statement of Dr. Stephanie Toothman, Associate Director, Cultural Resources, Partnerships, and Science, National Park Service, U.S. Department of the Interior, Before the Senate Subcommittee on National Parks, Committee on Energy and Natural Resources, Concerning H.R. 3620, To Amend the Delaware Water Gap National Recreation Area Improvement Act to Provide Access to Certain Vehicles Serving Residents of Municipalities Adjacent to the Delaware Water Gap National Recreation Area, and for Other Purposes," June 15, 2016, <https://www.energy.senate.gov/services/files/E7CDDFF68-8C7E-46D1-A5BF-9C09E2E09CB9>.

¹³ Public Law 117-103.

¹⁴ *Supra* note 12.

H.R. 6442 (Fulcher)

NPS administers 423 units across roughly 85 million acres.¹⁵ Despite historic investments in the National Park System in recent years, NPS continues to face considerable financial challenges. As NPS gradually took on new responsibilities and Congress and the President added new units to the National Park System, NPS fell behind on its core maintenance responsibilities. NPS recently announced that its deferred maintenance backlog increased by nearly \$10 billion over the past four years to \$21.8 billion, despite receiving billions of dollars to decrease the backlog through the *Great American Outdoors Act*.¹⁶ Incentivizing partnerships between NPS and state, local, tribal, or other government entities through cooperative management agreements is a cost-effective way to improve the maintenance of NPS units and save taxpayer money on deferred and regular maintenance costs.

H.R. 6442 would expand the Secretary of the Interior’s authority to enter into cooperative management agreements with Tribal governments and quasi-governmental entities, in addition to state and local government agencies currently authorized by law.¹⁷ Cooperative management agreements are written legal agreements between NPS and other non-federal government entities that provide for the cooperative management of federal and non-federal areas where an NPS unit is located that will allow for more effective and efficient management of the parks.¹⁸ Under these agreements, NPS may acquire from and provide to non-federal government entities agency goods and services for the cooperative management of land.¹⁹ These agreements also allow for the assignment of federal and non-federal employees for the cooperative management activity.²⁰

A recent example of a successful cooperative management agreement is the Franklin Square revitalization project in Washington, D.C. (pictured at right). Franklin Square is 5-acre park in the heart of Washington, D.C. For many years the park was in deep disrepair with poor lighting, crumbling infrastructure, non-ADA accessible sidewalks, and broken fountains. The park’s last major renovation project came in 1935 when a fountain was installed. In 2019, following years of frustration from the D.C. government about the maintenance of



Franklin Square Before (left) & After (right)
Source: DC Bike Blogger & The Washington Post

¹⁵ National Park Service, “Frequently Asked Questions,” Feb. 2022, https://www.nps.gov/aboutus/faqs.htm#CP_JUMP_5057993.

¹⁶ Compare National Park Service, “NPS Deferred Maintenance by State and Park,” Sep. 30, 2018, https://www.nps.gov/subjects/infrastructure/upload/NPS-Deferred-Maintenance-FY18-State_and_Park_2018.pdf (In 2018 the total deferred maintenance backlog was \$11.9 billion) with National Park Service, “Infrastructure, By the Numbers,” <https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm> (A current estimated backlog of \$21.8 billion).

¹⁷ 54 U.S.C. § 101703.

¹⁸ National Park Service, “Small Parks Management Strategies,” National Capital Parks East and Rock Creek Park, Apr. 2017, https://www.npcp.gov/docs/Small_Parks_Study_Final.pdf.

¹⁹ *Id.*

²⁰ *Id.*

Franklin Square, Congress provided the District of Columbia with authority to enter into cooperative management agreements for NPS parks throughout the city. Following changes to the law, the District of Columbia entered a cooperative management agreement with NPS and invested \$21 million to renovate Franklin Square including building modern fountains, installing new ADA-accessible walkways and modern lighting, and constructing a restaurant, pavilion, and a children's garden.²¹

In 2012, the National Park System Advisory Board, which advises the NPS Director and the Secretary of the Interior on NPS matters, recommended partnership management to address many of NPS's challenges, stating:

“The future should not be about doubling the amount of land owned by NPS; instead, it should look to increasing the impact of NPS by enabling the service to do much more through affiliations and partnerships. The “old think” is park units with strict boundaries within which NPS must own, manage, maintain and operate everything. New think is “park areas” in which NPS works collaboratively with other public, private and nonprofit organizations—each with a distinct role and complementary function.”²²

The *PACTS Act* would build on the success of examples like Franklin Square to help NPS reduce costs, share resources, and more efficiently and effectively tackle necessary maintenance through these cooperative management agreements. It would also set an innovative new model for NPS management, one that focuses on cost-effective ways to manage what is already owned, rather than acquire new land.

Staff contact: Terry Camp (x6-9722)

[H.R. 7496 \(Plaskett\)](#)

H.R. 7496 would authorize the Secretary of the Interior to install a plaque at the peak of Ram's Head in Virgin Islands National Park on the island of St. John, U.S. Virgin Islands, in commemoration of a slave rebellion that began on the island. In 1733, the island of St. John in the Danish West Indies was occupied by 209 European settlers and 1,087 African slaves, most of whom were starving following a major drought, devastating hurricane, and a plague of insects.²³ To quell disorder among slaves, strict mandates were imposed that inflicted severe punishments against rebelling slaves. On November 23, 1733, a group of slaves took possession of a Danish fort while another group overtook plantations, resulting in rebel control of most of the island. Danish troops could not manage the revolt and French troops came to aid, assisting in the capture and execution of the rebels. In total, 41 were captured alive, 18 were executed, and many other rebels committed collective suicide.²⁴ The suicide included eleven rebels whose bodies were

²¹ Washington Post, “D.C. Mayor Bowser cuts ribbon on newly renovated Franklin Square,” Fredrick Kunkle, Sep. 2021, <https://www.washingtonpost.com/dc-md-va/2021/09/24/dc-mayor-celebrates-franklin-square-reopening/>.

²² National Park System Advisory Board, “Notes on New Models for the National Park System,” Nov. 2012, <https://www.nps.gov/resources/upload/Task-1-NPSAB-Appendix-E-Planning-Committee-NPS-Models.pdf>.

²³ National Park Service, “St. John History Timeline,” Dec. 2021, <https://www.nps.gov/viis/learn/timeline.htm>.

²⁴ Danish National Archives, “The slaves rebel on St. John,” <https://www.virgin-islands-history.org/en/timeline/the-slaves-rebel-on-st-john/>.

found at Ram’s Head by several soldiers.²⁵ The plaque authorized by this legislation would include important facts about the rebellion, information about the suicide that occurred during the rebellion, and the significance of the slave rebellion to the history of the island.

Staff contact: Terry Camp (x6-9722)

[H.R. 7615 \(Moore\)](#)

Skyrocketing housing costs and overcrowding in the cities and towns adjacent to our parks, known as “gateway communities,” is causing a severe housing shortage for NPS employees, leaving many parks understaffed in peak seasons. In general, NPS relies on the private sector to provide housing for NPS employees and provides housing only when it is unavailable or unaffordable in the private sector. Unfortunately, housing costs in many gateway communities ballooned in recent years as residential property owners began utilizing short-term rental services to rent to vacationers instead of leasing to NPS employees and other service industry employees as they previously did.²⁶ The rapidly rising cost of housing is impacting recruitment and retention of both NPS and private sector service employees that rely on available and affordable housing. In some gateway communities, employees and volunteers are sleeping in cars because there are simply no other housing options.²⁷

The lack of available and affordable housing for employees has contributed to one of the most pressing issues facing our national parks, overcrowding of visitors. In 2021, 44 units of the National Park System set a record for recreation visits.²⁸ While increased visitation is beneficial to both NPS and local economies, surges in tourism also cause extreme overcrowding at many of our nation’s most iconic parks, diminishing visitor experiences through long wait times and congestion at popular destinations. The lack of affordable housing is exacerbating overcrowding, as NPS and private sector job openings are going unfilled for months due in large part to the lack of available and affordable housing.²⁹ This is leaving many key positions both in and outside of parks unstaffed, contributing to longer wait times and less flexibility within parks.

In 1996, Congress provided NPS with authority to enter into public-private partnerships to develop new housing and reduce the need for federal appropriations. Unfortunately, this authority is largely unutilized due to limitations in statute that make partnership opportunities unattractive to housing developers. For instance, to gain a return on investment, developers require market-based rents that NPS can’t statutorily charge. Current law also prohibits shared occupancy with non-NPS tenants to offset lower rents paid by NPS tenants. Additionally, current

²⁵ University of Copenhagen, “The 1733 Uprising on St. John,” Richelson, Larsen, Jun. 2020, <https://storymaps.arcgis.com/stories/a6759f73e6b74119ae60a8526e1e64f0>.

²⁶ National Parks Traveler, “In Search Of Reasonable Housing For National Park Service Employees Some Parks Are Losing Employees Due To Lack Of Affordable Housing,” Lori Sonken, <https://www.nationalparkstraveler.org/2021/11/search-reasonable-housing-national-park-service-employees>.

²⁷ The Spectrum, “Why the tourism boom at national parks is leaving local workers homeless,” K. Sophie Will, Oct. 2021, <https://www.thespectrum.com/story/news/2021/10/26/tourism-boom-national-parks-leaving-local-workers-homeless/6172541001/>.

²⁸ National Park Service, “Most famous national parks set visitation records in 2021,” Feb. 16, 2022, <https://www.nps.gov/orgs/1207/most-famous-national-parks-set-visitation-records-in-2021.htm>.

²⁹ Wall Street Journal, “Ketchum, Idaho, Has Plenty of Available Jobs, but Workers Can’t Afford Housing,” Dan Frosch, July 7, 2021, <https://www.wsj.com/articles/ketchum-idaho-has-plenty-of-available-jobs-but-workers-cant-afford-housing-11625659200>

law includes limitations on up-front NPS investment, which is often necessary to secure financing or reduce long-term costs to the developer.

H.R. 7615 would amend current law to provide NPS with improved authorities to enter into innovative partnerships with non-federal entities and other federal agencies for the development of employee housing. The *LODGE Act* was developed in consultation with NPS to increase the availability and affordability of housing in and adjacent to our nation's parks. The *LODGE Act* will reduce costs to the taxpayer, provide modern housing for both NPS employees and the private sector to rent, and improve NPS's ability to hire and retain employees by allowing 1) non-NPS staff and NPS staff to share housing; 2) NPS and developers to negotiate rental rates; 3) developers to directly collect rents from tenants; 4) NPS to enter into non-competitive housing agreements under certain conditions; and 5) upfront federal investment that reduces long-term costs to the developer.

Staff contact: Terry Camp (x6-9722)

[H.R. 7693 \(Westerman\)](#)

The *National Park Foundation Reauthorization Act of 2022* would reduce deferred maintenance at our national parks, advance innovative public-private partnerships, and address pressing issues such as park overcrowding. H.R. 7693 would extend the authorization of appropriations for the National Park Foundation (NPF) through 2030 and increase the authorization of appropriations to the NPF from \$5 million to \$15 million annually. NPF, the official charitable partner of the NPS, raises over \$100 million annually in private funds to support America's national parks.³⁰ Congress chartered NPF in 1967 to "further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans."³¹ NPF is the only national non-partisan, non-profit organization with a mission tied to directly supporting the success of the NPS through private funding and strategic partnerships.

In 2016, through the *National Park Service Centennial Act* (Public Law 114-289), Congress authorized NPF to receive up to \$5 million in annual appropriations, through Fiscal Year 2023. NPF uses this funding on projects that would otherwise be financed entirely by the taxpayer, such as deferred maintenance projects. The intent of this appropriation was to increase private donations to NPF by showing that there is "federal skin in the game" by matching private donations with federal investments. Under the Centennial Act, NPF appropriation requires at least a 1:1 match with private dollars and federal funds cannot be used by NPF for overhead, administrative expenses, or land acquisition.³² NPF works with local philanthropic park partners to further leverage federal dollars and achieve the greatest impact possible.

³⁰ National Park Foundation, "National Park Foundation Celebrates Passage of Senate Resolution Recognizing National Park Week 2022," NPF News, Apr. 7, 2022, <https://www.nationalparks.org/about-foundation/newsroom/national-park-foundation-celebrates-passage-senate-resolution-recognizing>.

³¹ National Park Foundation, "Congressional Charter of Incorporation," Dec. 1967, <https://www.nationalparks.org/about-foundation/mission-and-history/congressional-charter>.

³² Public Law 114-289.

A recent NPF appropriation success story can be seen in a project completed in Rocky Mountain National Park. NPF used \$25,000 in federal appropriations to match the same amount in private funds (\$50,000 total) and partner with Service Corps in Rocky Mountain National Park in Colorado to complete deferred maintenance on the Lake Irene and Lower Tonahutu Trails. The state of disrepair of these trails created numerous hazards to public safety and resulted in erosion and other resource degradation as hikers started hiking off the trail to avoid the hazards. The before and after pictures of one of the completed trail projects highlight the impact these funds had on improving the visitor experience in the park. NPF will use these new funds to build on success stories like these, by using an increased authorization of appropriations to encourage even more private philanthropy.

Staff contact: Terry Camp (x6-9722)



Lake Irene and Lower Tonahutu Trails Repair Project
Source: National Park Foundation

[H.R. 7952 \(Dean\)](#)

H.R. 7952 is a bipartisan bill that would authorize the Secretary of the Interior to issue a right-of-way permit to relocate a natural gas distribution pipeline segment in the Valley Forge National Historical Park located in King of Prussia, Pennsylvania. This iconic park is the location of a Revolutionary War encampment and contains numerous significant cultural and natural resources, including 40 historic monuments and memorials as well as several diverse habitats including deciduous forests, tall-grass meadows, wetlands, and riparian zones with more than 315 species of animals and 730 species of plants.³³

Relocation of the pipeline segment is needed because the Pennsylvania Department of Transportation (PennDOT) is planning to realign a road at the Park's entrance to a new location within the Park boundary, which will require moving the utilities in the existing roadbed to the new roadbed. This project is part of a larger effort by PennDOT to improve the area surrounding the Park. Although NPS is authorized to permit the relocation of certain utilities such as electric or broadband, the agency is prohibited by statute from permitting the relocation of the segment

³³ National Park Service, "Valley Forge National Historical Park What Happened at Valley Forge," <https://www.nps.gov/vafo/learn/historyculture/valley-forge-history-and-significance.htm>, accessed on June 9, 2022. National Park Service, "Valley Forge National Historical Park Historic Buildings," <https://www.nps.gov/vafo/learn/historyculture/historic-buildings.htm>, accessed on June 8, 2022. National Park Service, "Valley Forge National Historical Park Animals," <https://www.nps.gov/vafo/learn/nature/animals.htm>, accessed on June 8, 2022. National Park Service, "Valley Forge National Historical Park Plants," <https://www.nps.gov/vafo/learn/nature/plants.htm>, accessed on June 8, 2022

of natural gas pipeline under the current roadbed. If the pipeline relocation is not permitted, this issue could lead to further project delays and the need for additional resources.³⁴

It is highly ironic that congressional Democrats are willing to support the permitting of a natural gas pipeline in one of our treasured national parks replete with significant natural and cultural resources while they are simultaneously opposing countless other critically needed pipelines and energy infrastructure projects, such as the Keystone XL Pipeline. The Keystone XL Pipeline, which does not go through any national parks, could help alleviate pain at the pump from the current Biden energy crisis that is bringing hardship to Americans across the country.³⁵ In the height of hypocrisy, Chair Grijalva continually demanded full transparency and an honest accounting of the Keystone XL Pipeline’s environmental and cultural impacts, and then welcomed the news of the termination of the pipeline stating: “This is a win for the American people and I will continue advancing forward looking energy policies that will benefit our nation and spare communities and our environment from harm.”³⁶ As the Majority evidentially now realizes, pipelines do not harm communities but rather provide significant benefits and can help unlock American energy resources.

Staff contact: Terry Camp (x6-9722)

IV. MAJOR PROVISIONS & ANALYSIS

H.R. 1548 (Cartwright)

Sec. 4. Pilot Program for Native Plant Species.

- Requires the Secretary of the Interior to establish a pilot program in at least two NPS regions to promote the use of native plant materials.
- Requires the Secretary, in carrying out land management activities, to 1) give preference to the use of locally adapted native plant materials; 2) incorporate efforts to prevent, control, or eradicate the spread of invasive species; and 3) identify situations in which the use of nonnative or alien plant materials may be warranted.
- Requires the Secretary to coordinate activities with the National Seed Strategy of the Bureau of Land Management, the Plant Conservation Alliance, and the Plant Materials Centers of the Natural Resources Conservation Service.
- Provides a five-year sunset on the pilot program established by the bill.
- Requires the Secretary to prepare a report for Congress describing the results of the pilot program.
- Authorizes such sums as are necessary to carry out the Act.

³⁴ Congresswoman Madeleine Dean, “H.R. 7952 – The Valley Forge Park Realignment Permit and Promise Act.”

³⁵ United States Department of State Bureau of Oceans and International Environmental and Scientific Affairs Office of Environmental Quality and Transboundary Issues, “Final Supplemental Environmental Impact Statement for the Keystone XL Project, Volume I, December 2019, <https://www.energy.gov/nepa/downloads/doesis-0433-s3-final-supplemental-environmental-impact-statement>.

³⁶ Natural Resources Committee Chair Raul M. Grijalva, “Grijalva Welcomes News of Keystone Pipeline Termination, Thanks Native American and Environmental Activists Who Fought Dangerous Pipeline for Years,” June 9, 2021, <https://naturalresources.house.gov/media/press-releases/grijalva-welcomes-news-of-keystone-pipeline-termination-thanks-native-american-and-environmental-activists-who-fought-dangerous-pipeline-for-years>.

Sec. 5. Study on Cost-Effectiveness of Using Native Plant Materials in Carrying Out Land Management Activities on Federal Land.

- Requires the Secretary to conduct a study to review existing data to determine the cost-effectiveness of using native plant materials in land management activities on Federal land under the jurisdiction of the Secretary or other Federal land management agencies.
- Requires that the Secretary, within one year of the date of enactment, submit a report to Congress describing the results of the study.

[H.R. 4658 \(Lieu\)](#)

Sec. 3. Anthony “Tony” Beilenson Trailhead.

- Redesignates the Encinal Trailhead on the Backbone Trail in the SMMNRA as the “Anthony ‘Tony’ Beilenson Trailhead.”

[H.R. 6364 \(Cartwright\)](#)

Sec. 1. Use of Certain Roads Within the Delaware Water Gap National Recreation Area

- Amends the Delaware Water Gap National Recreation Area Improvement Act by extending the use of U.S. Rt. 209 within the NRA by commercial vehicles that serve local businesses until September 30, 2026.

[H.R. 6442 \(Fulcher\)](#)

Sec. 2. Cooperative Management Agreements

- Extends authority provided to the Secretary of the Interior to enter into cooperative management agreements with state and local governments to Tribal governments and quasi-governmental entities as well.
- Eliminates the requirement that non-federal park areas be adjacent or near National Park System units as a condition of the Secretary being authorized to enter into a cooperative management agreement.

[H.R. 7496 \(Plaskett\)](#)

Sec. 1. Installation of Plaque Commemorating Slave Rebellion on St. John

- Requires the Secretary of the Interior to install a plaque to commemorate the slave rebellion that began on November 23, 1733, in the area of the Ram Head trail at the peak of Ram Head in Virgin Islands National Park.
- Requires the plaque to include important facts about the slave rebellion, the collective suicide that occurred during the rebellion, and the significance of the rebellion to the history of St. John, the United States Virgin Islands, and the United States.

[H.R. 7615 \(Moore\)](#)

Sec. 2. Housing Partnerships; Occupancy

- Authorizes the Secretary of the Interior to enter into agreements, leases, or contracts with other federal agencies, state or local governments, Tribal Governments, housing entities or other public or private organizations to develop, construct, rehabilitate, or manage housing in and adjacent to NPS lands for rent to field employees and members of the public.
- Requires that any housing partnership agreements for housing on lands under NPS jurisdiction: 1) conform with approved plans for the field unit, Director's orders, and reference manuals related to NPS housing; 2) that the location of the housing and related facilities will not degrade the primary resource values within the field unit or adversely affect the NPS mission; and 3) that terms and conditions are included to protect the interests of the United States.
- Specifies that any housing partnership agreements for housing on other public or private lands must 1) have received the authorization of each federal agency, State or local government, or other public or private entity involved; 2) identify federal and non-federal funding to be expended for housing and related facilities; and 3) include terms and conditions to protect the interests of the United States.
- States that the Secretary may allow field employees and members of the public to occupy and lease project quarters with priority given to employees, and that members of the public are subject to the same laws and policies which apply to field employees.
- Prohibits field employees and members of the public from subleasing housing that was established through authorities provided in this law.
- Requires that contracts be awarded through the use of publicly advertised, competitively bid, or competitively negotiated procedures unless the Secretary determines that it is in the public interest to use procedures other than competitive procedures.
- Establishes rental rates, procedures for rent collection, and conditions for leases and limited ownership.
- Specifies information to be included each fiscal year in the submission of the President's budget to Congress.

[H.R. 7693 \(Westerman\)](#)

Sec. 2. Authorization of Appropriations for the National Park Foundation

- Extends the authorization of appropriations for the NPF through 2030 and increases the authorization of appropriations from \$5 million to \$15 million annually.

[H.R. 7952 \(Dean\)](#)

Sec. 2. Right-of-Way Permit for Pipeline Segment at Valley Forge NHP

- Authorizes the Secretary of the Interior to issue a right-of-way permit for a covered natural gas distribution pipeline segment to be relocated to a proposed realignment of

Valley Forge Park Road and North Gulph Road within the Valley Forge National Historical Park.

- Specifies that the right-of-way permit shall not allow expansion, upgrade, or improvement of the covered pipeline segment unless required by law for safe operation and maintenance of the pipeline.
- Limits authority for granting the right-of-way permit only to the covered pipeline segment and no other part of the natural gas distribution pipeline system or any other pipeline system within the Park.
- Clarifies that the Secretary may include additional terms and conditions in the right-of-way permit.

V. COST

None of the bills on this hearing have received a formal Congressional Budget Office (CBO) cost analysis.

VI. ADMINISTRATION POSITION

The Biden administration testified in support of the Senate companions to H.R. 6364 and H.R. 1548 before the Senate Committee on Energy and Natural Resources on May 11, 2022.³⁷ The Biden administration's position on the remaining bills is unknown at this time.

VII. EFFECT ON CURRENT LAW (RAMSEYER)

[H.R. 6364](#)

[H.R. 6442](#)

[H.R. 7693](#)

[H.R. 7615](#)

[H.R. 7496](#)

³⁷ National Park Service, "Statement of Michael A. Caldwell, Associate Director, Park Planning, Facilities, and Lands, National Park Service, U.S. Department of the Interior, Before the Senate Energy and Natural Resources Subcommittee on National Parks, Concerning S. 3185, A Bill to Amend the Delaware Water Gap National Recreation Area Improvement Act to Extend the Exception to Closure of Certain Roads within the Recreation Area for Local Businesses," May 11, 2022, <https://www.energy.senate.gov/services/files/53802361-2159-4FE2-97CB-0D3C80608AA3>. National Park Service, "Statement of Michael A. Caldwell, Associate Director, Park Planning, Facilities, and Lands, National Park Service, U.S. Department of the Interior, Before the Senate Energy and Natural Resources Subcommittee on National Parks, Concerning S. 557, The Native Plant Species Pilot Program Act of 2021," May 11, 2022, <https://www.energy.senate.gov/services/files/53802361-2159-4FE2-97CB-0D3C80608AA3>.