

**STATEMENT OF FRANK W. LANDS, DEPUTY DIRECTOR, OPERATIONS,  
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE  
THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON FEDERAL LANDS  
CONCERNING H.R. \_\_\_\_\_, A BILL TO REDESIGNATE THE APOSTLE ISLANDS  
NATIONAL LAKESHORE AS THE APOSTLE ISLANDS NATIONAL PARK AND  
PRESERVE.**

**JULY 24, 2024**

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Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior’s views on H.R. \_\_\_\_\_, to redesignate the Apostle Islands National Lakeshore as the “Apostle Islands National Park and Preserve”. While this bill was not introduced in time for the Department to take a position, we would like to make some observations that we believe will be helpful to the bill sponsor and the Committee.

This draft legislation would designate Apostle Islands National Lakeshore (Lakeshore) as “Apostle Islands National Park and Preserve,” to be comprised of two units, Apostle Islands National Park and Sand Island National Preserve. The draft would require that Apostle Islands National Park and Preserve be administered by the Secretary of the Interior (Secretary) in accordance with the laws generally applicable to units of the National Park System. Within Apostle Islands National Park, the bill would prohibit hunting and trapping. The draft provides that nothing in the bill would create a protective perimeter or buffer zone around the Ashland Harbor Breakwater Light.

Within the unit named Sand Island National Preserve, the draft would require the Secretary to administer hunting and trapping in the same manner that these activities were administered the day before the date of enactment. Within Apostle Islands National Park and Preserve, the draft would require the Secretary to administer fishing in the same manner that this activity was administered on the day before the bill’s enactment. Finally, the draft clarifies that nothing would prohibit hunting, fishing, or trapping on private lands.

Established by Congress in 1970, Apostle Islands National Lakeshore consists of 21 islands and a 12-mile strip of shoreline encompassing approximately 70,000 acres of land and water on the northern tip of Wisconsin and in Lake Superior. The park is located in Bayfield and Ashland Counties, Wisconsin, - within the ancestral homeland of the Ojibwe people. Part of the Lakeshore's Mainland Unit is within the reservation of the Red Cliff Band of Lake Superior Chippewa. The remaining land areas of the lakeshore are within the territory ceded as part of the 1842 Treaty of La Pointe made with the Ojibwe Tribes of Lake Superior and the Mississippi River. The Ojibwe reserved their rights to hunt, trap, and gather within this ceded territory. The National Park Service (NPS) recognizes and respects these rights.

The Department notes that the draft legislation’s prohibition on hunting and trapping in the portion of the park designated as Apostle Islands National Park is consistent with the long-standing congressional practice of reserving the designation of “national park” for units of the National Park System where hunting and trapping is prohibited, reflecting the NPS’s standard

nomenclature. The Department also notes that while the Lakeshore currently allows hunting and trapping throughout the park, under this draft, hunting and trapping would be allowed only within the unit designated Sand Island National Preserve, which consists of only one of the Lakeshore's 21 islands.

In our preliminary review, the Department identified two areas that we would recommend addressing before the draft bill is introduced: one is the need for clarification of the relationship between Apostle Islands National Park and Sand Island National Preserve. It would be unusual to establish one unit of the National Park System within another unit; a more common formation would be to establish a separate unit that could be administered in conjunction with the other unit. A second area is the need to reinforce the treaty rights of the Ojibwe for hunting, trapping, and gathering throughout the proposed park. While the treaty rights to hunt, trap, and gather within the ceded territory have been upheld in a series of federal and state court decisions over the past three decades, we believe it would be helpful to have these rights reaffirmed by the legislation.

We would be happy to work with the sponsor on language for this draft legislation that addresses the issues identified in this testimony and any other issues that emerge as we continue our review.

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

**STATEMENT OF FRANK W. LANDS, DEPUTY DIRECTOR, OPERATIONS,  
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE  
THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON FEDERAL LANDS,  
CONCERNING H.R. 6210, A BILL TO DESIGNATE THE GENERAL GEORGE C.  
MARSHALL HOUSE, IN THE COMMONWEALTH OF VIRGINIA, AS AN  
AFFILIATED AREA OF THE NATIONAL PARK SYSTEM, AND FOR OTHER  
PURPOSES.**

**JULY 24, 2024**

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Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 6210, a bill to designate the General George C. Marshall House, in the Commonwealth of Virginia, as an affiliated area of the National Park System, and for other purposes.

The Department supports H.R. 6210.

H.R. 6210 would designate the General George C. Marshall House in Leesburg, Virginia, as an affiliated area of the National Park System for the purpose of promoting public appreciation of the significant historic contributions made by United States military leader and statesman George Catlett Marshall, Jr. It would name the George C. Marshall International Center as the management entity for the affiliated area and authorize the Secretary of the Interior to provide technical assistance and to enter into cooperative agreements with the Center for the purpose of providing financial assistance for marketing, marking, interpretation, and preservation. Finally, it would direct the Secretary to develop a management plan in coordination with the management entity within three years of availability of funds.

The General George C. Marshall House is the house where General Marshall resided during the prime of his career (1941-1959). The nonprofit George C. Marshall International Center purchased the property in 1995 and opened it to the public in 2005.

In response to a request by Senator Tim Kaine, Senator Mark Warner, and Representative Jennifer Wexton, the NPS conducted a reconnaissance survey of the General George C. Marshall House to explore whether this site would be suitable for designation as an affiliated area of the National Park System.

In order to be eligible for affiliated area status, an area must (1) meet the criteria for national significance, (2) require recognition or assistance beyond that available through other NPS programs, (3) be managed in accordance with policies and standards applicable to units of the National Park System, and (4) be assured of sustained resource protection as documented in an agreement between the NPS and the entity managing the area. The report on the survey, which was transmitted to the requesting Members in April 2023, indicated that the site appeared to meet all of the criteria to be considered eligible for affiliated status and that it was likely that the George C. Marshall International Center would benefit from a formalized affiliation with the NPS.

The General George C. Marshall House offers potential interpretive or educational opportunities on the history of American diplomacy from the unique perspective of chronicling Marshall's rise and expansion of his roles on the national and world stages, and showing how his career mirrored America's rise as a world power. Designation as an affiliated area would recognize the significance of George C. Marshall's prominence as the role of the United States in the world community evolved during the 20th century, a theme that is underrepresented in the National Park System itself. The Department would welcome this designation.

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

**STATEMENT OF FRANK W. LANDS, DEPUTY DIRECTOR, OPERATIONS,  
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE  
THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON FEDERAL LANDS  
CONCERNING H.R. 8603, TO DIRECT THE SECRETARY OF THE INTERIOR TO  
ESTABLISH A PILOT PROGRAM FOR A FEDERAL AND STATE MULTI-ENTITY  
PASS ACCEPTED BY ONE OR MORE FEDERAL LAND MANAGEMENT AGENCIES  
AND STATE LAND MANAGEMENT AGENCIES, AND FOR OTHER PURPOSES.**

**July 24, 2024**

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Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 8603, to direct the Secretary of the Interior to establish a pilot program for a Federal and state multi-entity pass accepted by one or more Federal land management agencies and one or more state land management agencies, and for other purposes.

The Department appreciates the intent of H.R. 8603 to offer a multi-entity park pass for visitors to Federal and state parks but has concerns with the legislation as introduced.

H.R. 8603 would direct the establishment of a pilot program in the Southeast Region of the National Park Service (NPS), which includes nine states and two territories, to test the viability of offering multi-entity park entrance passes. The pilot program would be for implementing a pass, through Federal-state agreements, that allows entry into parks and other outdoor recreation areas under the jurisdiction of one or more Federal land management agencies and one or more state land management agencies for a specified period, not to exceed 12 months. The agreements would provide for no net loss of revenue to the Federal government or the states. The pilot program would be required to be established within 2 years after the date of the enactment of this Act.

The authority to enter into multi-entity pass agreements already exists through the Federal Lands Recreation Enhancement Act (FLREA) (Public Law 104-447). FLREA, enacted in 2004, authorizes the NPS, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the U.S. Forest Service, and the Bureau of Reclamation to collect and retain revenue and requires that fee revenue be used to enhance the visitor experience. Over the years, the NPS has explored whether this authority could be used to boost visitation at some of our lesser-utilized parks. In evaluating this approach, the NPS has identified several barriers that have made multi-entity passes impractical to implement:

First, the six participating Federal land management agencies maintain eight different pass types that cover entrance fees and standard amenity (day-use) fees where these fees are charged. These passes include:

- The Annual Military Pass – for active-duty members of the armed forces, which is free;
- The Veterans Lifetime Pass – for honorably discharged members of the armed forces and Gold Star Family members, which is free;

- The Access Pass – for U.S. Citizens and permanent residents who have been medically determined to have a permanent disability, which is free;
- The Every Kid Outdoors Pass – for all 4<sup>th</sup> graders, which is free;
- The Volunteer Pass – for persons who have volunteered 250 hours of service for any of the six Federal agencies that are part of the Interagency Pass Program, which is free;
- The Senior Lifetime Pass and the Senior Annual Pass – for persons over the age of 62, which cost \$80 and \$20 respectively; and
- The America the Beautiful Interagency Pass – an annual pass available to anyone, which costs \$80.

Additionally, children under the age of 16 are granted free access; there are multiple national fee-free days for everyone offered every year; and, the NPS offers a variety of site-specific passes, which are valid from one to seven days as well as site-specific annual passes which are all sold at various price points.

Harmonizing the multitude of Federal pass types and their complex eligibility rules with those offered by state governments would be enormously challenging. Even without combining Federal and state passes, the numerous Federal pass types are confusing to visitors, especially if they qualify for more than one pass type.

The creation of multi-entity passes would come with startup and ongoing support costs for marketing, design, and distribution of passes and the management of funds. Given those costs, it would be difficult to comply with the bill's requirement for no net loss of revenue to the NPS or the state involved with the proposed multi-entity pass. Additionally, distributing agencies would need to maintain an accurate record of the number of passes sold and be able to meet the other party's financial accounting standards. Lastly, simply selling the Federal interagency pass and a state's pass at a combined price point would not likely drive additional sales.

The Department appreciates the no net loss of revenue language in H.R. 8603. The revenue from FLREA has become a critical source of funding for the NPS, generating nearly \$360 million in annual revenue. These funds support a wide range of park operations, including visitor safety, facility operations and maintenance, and interpretation and education. By policy, the NPS requires that fee-collecting parks spend no less than 55% of their revenue on facility maintenance activities, which is critical for addressing our deferred maintenance backlog.

If the Committee decides to act on this legislation, we would like to work with the bill sponsor and the Committee on amendments that would align the bill's language with laws already governing the fee collection and entrance pass program. We would also like to discuss whether the pilot program authorized by this bill could be tailored to meet more specific goals.

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