

STATEMENT OF JOY BEASLEY, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, PARTNERSHIPS AND SCIENCE, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS CONCERNING H.R. 4878, A BILL TO AMEND THE NATIONAL TRAILS SYSTEM ACT TO INCLUDE NATIONAL DISCOVERY TRAILS AND DESIGNATE THE AMERICAN DISCOVERY TRAIL, AND FOR OTHER PURPOSES.

April 28, 2022

Chairman Neguse, Ranking Member Fulcher, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior’s testimony regarding H.R. 4878, a bill to amend the National Trails System Act to include National Discovery Trails and designate the American Discovery Trail, and for other purposes.

The Department appreciates the concept envisioned by the bill but does not support amending the National Trails System Act to include a new designation of National Discovery Trails.

H.R. 4878 amends the National Trails System Act (NTSA) by adding “National Discovery Trails” as a new category of trail that may be designated as part of the Act and would designate the American Discovery Trail as the first National Discovery Trail. The bill further amends the National Trails System Act by establishing the following criteria for National Discovery Trails: the trail must link one or more areas within the boundaries of a metropolitan area, and should connect to other trails; the trail must be supported by a competent trail-wide, volunteer-based organization and have extensive local and trail-wide support by the public, user groups, and by affected state and local governments; and the trail must pass through more than one state and be a continuous, walkable route. Further, the bill requires the appropriate Secretary to administer the trail in cooperation with a trail-wide volunteer-based organization, and to develop a comprehensive management plan for the trail.

When the National Park Service (NPS) completed a congressionally authorized study of the American Discovery Trail (ADT) route almost thirty years ago, the study determined that the route comprising the ADT would not be a good candidate for National Scenic Trail designation because the legislative criteria for National Scenic Trails specifically prohibit the use of motorized vehicles along the National Scenic Trail route, except in very limited circumstances.

The American Discovery Trail was envisioned as a continuous, cross-country hiking and biking trail route with significant portions of the route along road and highways that do not have an expressly designated trail. As a potential means of addressing this inconsistency between the legislative criteria of National Scenic Trails and the vision of the ADT to provide hiking and biking options along motorized roads, the NPS study noted that Congress could designate a new category of trails, National Discovery Trails; however, the definition and management direction was not well-defined.

Following the completion of the study, Congress did not take action to establish a new category of National Discovery Trails within the National Trails System Act or to designate the American Discovery Trail in any way. However, a non-profit organization was formed to promote the trail study route as a cross country hiking and biking route. The American Discovery Trail Society has provided support to local groups in their coordination with landowners and transportation agencies for over twenty years and the trail route has been utilized by many hikers and bikers since the time it was initially studied, but the ADT remains a non-Federally designated trail route

While the Department appreciates and supports expanding opportunities for recreation, including new types and modes of recreation that may reach audiences that have not utilized traditional hiking and biking routes, we believe that these goals would be better achieved without amending the NTSA to designate a new category of National Discovery Trails. Incorporating a new category of trail into the national trails system should only be done very carefully and with an eye towards the precedent that is being set.

Amending the NTSA could potentially complicate the American Discovery Trail Society's efforts to coordinate with state and local law enforcement and transportation agencies on non-Federal lands. The American Discovery Trail Society and its network of state coordinators are already able to engage in discussions with state and local law enforcement and transportation agencies about ADT route signage along roads and highways on non-Federal lands without the authority provided by this bill. The designation of the ADT route and its incorporation into the NTSA would therefore not provide any additional authorities in this regard. However, if the ADT were to be Federally designated as a component of the national trails system, any agreements would be subject to the applicable provisions of the National Trails System Act Federal laws and oversight.

The Department has concerns that the criteria and authorities for the proposed National Discovery Trails in H.R. 4878 may be overly broad, especially for a new category of trails that appears to diverge from the original focus of the National Trails System Act on avoiding motorized routes. Further, the legislation proposes to eliminate some of the authorities that are common to other trail categories, including existing national trails that this route overlaps with or connects to, and that have proven to be some of the most useful tools in working with landowners to achieve outcomes that protect the resources, users, and the rights of the landowner. Specifically, H.R. 4878 would exempt national discovery trails from sections of the National Trails System Act authorizing the acceptance of donations and collaboration through cooperative agreements and authorizing land exchanges to protect national trails, which may be necessary to promote the efficient management of certain trail segments. The question of which type of trail's authorities takes precedent when the trails overlap could be a source of potential confusion.

Finally, the potential safety risks inherent in encouraging greater recreational use of motorized roadways would be a challenge within the NTSA framework. There would be a greater risk to the user than with other trail designations, and the Federal agencies would assume greater responsibility for ensuring that users understood that all national trails would not necessarily afford them the same degree of protection. The new trail designation could potentially involve the Federal agencies charged with managing the trail in greater coordination with transportation

and law enforcement communities around laws and policies on pedestrian use of motorized roads and highways.

The Department appreciates the goals of this bill and believes that there may be other means of achieving its vision of enhanced recreational opportunities outside of protected lands. However, we believe that these goals would be better achieved without designating a new category of National Discovery Trails within the National Trails System. We would welcome the opportunity to work with the Subcommittee and the bill sponsor on alternative means of achieving the goals of this bill.

Chairman Neguse, Ranking Member Fulcher, this concludes my statement. I would be pleased to respond to any questions you or other members of the Subcommittee may have.

STATEMENT OF JOY BEASLEY, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, PARTNERSHIPS AND SCIENCE, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 6589, A BILL TO AMEND TITLE 54, UNITED STATES CODE, TO INCREASE AMOUNTS DEPOSITED IN THE HISTORIC PRESERVATION FUND.

April 28, 2022

Chair Neguse, Ranking Member Fulcher, thank you for the opportunity to present the Department of the Interior's testimony regarding H.R. 6589, a bill to amend Title 54, United States Code, to reauthorize deposits to the Historic Preservation Fund.

The Department supports H.R. 6589 with recommended amendments.

H.R. 6589 permanently reauthorizes and increases annual amounts to be deposited into the Historic Preservation Fund from \$150 to \$300 million. It makes amounts deposited each year available for expenditure without further appropriation or fiscal year limitation. The bill requires that if revenues due to the United States from offshore oil and gas leases are insufficient, the difference shall be deposited from the General Treasury. It requires the President to submit annually to Congress detailed program allocations for expenditure of funds and allows for alternate allocations by appropriations acts. The bill also requires the President to submit an annual report to Congress that describes the final allocation by program and project.

The National Historic Preservation Act of 1966 set the federal vision for historic preservation in the United States. The Historic Preservation Fund was established in 1977 to provide financial assistance to states to carry out preservation responsibilities required by the National Historic Preservation Act. Amounts deposited to the Historic Preservation Fund are derived from revenue collected from federal offshore oil and gas development and is an expression of the federal commitment to America's rich heritage, investing more than \$2.7 billion in communities across the nation. The current authorization for deposits into the fund expires September 30, 2023.

As the administrator of the Historic Preservation Fund, by delegation from the Secretary of the Interior, the National Park Service facilitates the allocation of federal grants to states, tribes, local governments, and nonprofit partners to carry out preservation work across the country. A portion of each annual appropriation supports 59 State Historic Preservation Offices, 208 Tribal Historic Preservation Offices, and over 2,080 Certified Local Governments. These partners in the Federal Preservation Program help to administer the Federal Historic Preservation Tax Credit, the National Register of Historic Places, review and compliance under Section 106, survey and inventory of historic resources, preservation planning for their state or tribe, assistance with physical preservation projects, management of covenants and easements, leadership of their state's Certified Local Government program, and administration of the federal grant funds allotted to them. Tribal Historic Preservation Offices, which assume selected State Historic

Preservation Office responsibilities on tribal land, use this annual funding to protect tribal cultural resources and support the review of federal projects.

State and tribal partnerships supported through the Historic Preservation Fund were responsible for surveying over 8.5 million acres, listing over 1,170 sites, and reviewing over 275,000 federal undertakings in FY 2021. Funding for states and Tribes enables them to serve a vital role in the review of federal projects under Section 106 and ensure that federal agencies consider the effects of projects they carry out, approve, or fund on historic properties. Using survey and National Register listings as planning tools also enable these partners to provide effective and efficient guidance for federal projects, keeping federal investment in communities moving forward with limited harm to our collective history.

One of the most recognized programs supported through the Historic Preservation Fund is the federal Historic Preservation Tax Incentives Program. With over 47,000 completed projects since its enactment in 1976, the program has leveraged over \$116 billion in private investment in the rehabilitation of historic properties. From Main Streets to central cities, the program has consistently been a strong catalyst for job creation and economic growth in all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.

In addition to annual funding to legislated partners, the National Park Service administers several Congressionally created competitive grant programs funded by the Historic Preservation Fund. Totalling \$84.1 million in FY 2022, these competitive programs address different types of preservation needs across the country. Grant programs include African American Civil Rights, Historically Black Colleges and Universities, History of Equal Rights, Paul Bruhn Historic Revitalization, Semiquincentennial, Save America's Treasures, Tribal Heritage, and Underrepresented Communities.

Historic Preservation Fund competitive grant programs ensure that more diverse American stories are being preserved, including representation of African American, American Latino, Asian American, Pacific Islander, Alaska Native, Native American, women and LGBTQ sites in the National Register of Historic Places and among National Historic Landmarks.

Grant programs such as African American Civil Rights, Historically Black Colleges and Universities, and History of Equal Rights, provide planning and physical preservation assistance, expanding our ability to preserve underrepresented historic places. Through these programs the Historic Preservation Fund has preserved sites and stories related to the struggle of all Americans to gain equal rights.

The Paul Bruhn Historic Revitalization program focuses on preservation in rural communities across the country, targeting community resources that can provide future economic development. The new Semiquincentennial program is working to preserve state-owned properties associated with the founding of the Nation. Save America's Treasures continues its 20-year history of preserving nationally significant sites and collections across the country.

Tribal Heritage Grants preserve and promote the unique cultural traditions of federally recognized Tribes, Alaska Native Corporations, and Native Hawaiian Organizations. These

grants fund the preservation of sacred places, the documentation of traditional culture and crafts, the recording of oral histories with elders, and the preservation of tribal languages.

The Underrepresented Communities competitive grants specifically target diversifying listings in the National Register of Historic Places by funding surveys and nominations of historic properties, as well as amending older nominations to include a more complete history.

As proposed, H.R. 6589 would demonstrate an ongoing commitment of support for operations at the 267 offices and for the hundreds of state and tribal employees the Historic Preservation Fund supports. Historic and cultural resources are being created every day, as history does not stop, and permanent reauthorization would show a commitment to the preservation of the American story for future generations.

The \$150 million annual authorization of deposits to the Historic Preservation Fund has not changed since 1980. FY 2022 is the first time that regular appropriations met or exceeded this amount. The scope of the preservation partnership program has grown overtime through amendments to the National Historic Preservation Act. The Certified Local Government program was created in 1980 for communities that make a local commitment to historic preservation and become official partners. They receive access to 10% of each state's annual allocation and have grown to over 2,080 communities. Tribal Historic Preservation Offices were created by amendment in 1990, and have grown to 208, with 5 to 10 added each year. Beginning in 1998, competitive grant programs have been appropriated, with 8 currently funded. Finally, inflation has reduced the buying power of the same dollar amounts for the state, tribal, and local partners over time. An increase in deposits and appropriations could restore the impact and reach of the Historic Preservation Fund to the level intended upon its creation.

The Department does have concerns with some provisions in H.R. 6589. As written, the bill would not allow partial apportionments to State and Tribal Historic Preservation Offices under continuing resolutions. Most State and Tribal Historic Preservation Offices rely on these funds to pay their staff, so a delayed annual apportionment could present a significant challenge. Additionally, the bill's reporting requirement may be duplicative of the National Park Service's annual reports that are made public. The Department welcomes the opportunity to work with the bill's sponsor and the committee on amendments to address these concerns.

The Historic Preservation Fund is the primary federal funding source directed towards carrying out the National Historic Preservation Act, the cornerstone of our nation's public policy on historic preservation. The Historic Preservation Fund's permanent reauthorization would continue the more than 50-year national preservation partnership program at the federal, state, tribal, and local levels, and to continue to preserve our shared national history for all Americans, current and future. The work accomplished by this fund in preserving our national identity is just as important now as it was when the Fund was created and should continue into the future.

Chair Neguse, Ranking Member Fulcher, this concludes my statement. I would be pleased to respond to any questions you and other members of the subcommittee may have.

STATEMENT OF JOY BEASLEY, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, PARTNERSHIPS AND SCIENCE NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS CONCERNING H.R. 6805, A BILL TO AMEND TITLE 54, UNITED STATES CODE, TO ESTABLISH WITHIN THE NATIONAL PARK SERVICE THE U.S. AFRICAN-AMERICAN BURIAL GROUNDS PRESERVATION PROGRAM.

April 28, 2022

Chair Neguse, Ranking Member Fulcher, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior’s testimony regarding H.R. 6805, a bill to amend title 54, United States Code, to establish within the National Park Service the U.S. African-American Burial Grounds Preservation Program.

The Department supports H.R. 6805.

H.R. 6805 would direct the Secretary of the Interior to establish a program within the National Park Service to be known as the “United States African-American Burial Grounds Preservation Program.” The program would be authorized to make grants to, and enter into cooperative agreements with, other Federal agencies, State, local, and Tribal governments; other public entities; educational institutions; historic preservation groups; and private nonprofit organizations for the identification, preservation, restoration, and interpretation of African American burial grounds. H.R. 6805 would also authorize three million dollars to be appropriated annually for each of the fiscal years from 2023 to 2027 for carrying out this grant program. Finally, H.R. 6805 stipulates that the bill does not authorize the Secretary to impose any conditions on the use or management of private property without the written consent of the owner, nor prohibit the Secretary from providing guidance to a private property owner on the management of their land as a condition of a grant.

African American burial grounds are part of the significant story of the role African Americans have played in the creation of the United States. These sacred spaces are often located in unknown and unmaintained locations, due to the painful and enduring legacy of slavery and segregation at the time of their creation, leaving the stories and the sites hidden.

In establishing the African American Burial Grounds Preservation Program, H.R. 6805 would assist in the identification, interpretation, preservation, research, and recordation of unmarked, previously abandoned, underserved, and other African American burial grounds. This program would increase public awareness of African American history, and these often overlooked and forgotten sites, while providing critical grant funding to support their long-term preservation.

The Department acknowledges that this program would need to be implemented with great care and consideration as many African American burial grounds were deliberately unmarked to facilitate a final resting place, particularly during both the period when slavery was legally

authorized in the United States and in ensuing decades when segregation limited the freedom of African Americans, even in choices related to how they commemorated their lives and deaths.

This program, as outlined in the bill, would need to be implemented in a respectful and collaborative manner to ensure already fragile and sacred resources do not become damaged or vandalized if and when their locations are publicly known. The Department and the National Park Service would be honored to support and respectfully implement the African-American Burial Grounds Preservation Program.

Chair Neguse, Ranking Member Fulcher, this concludes my statement. I would be pleased to respond to any questions you or other members of the Subcommittee may have.

STATEMENT OF JOY BEASLEY, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, PARTNERSHIPS, AND SCIENCE, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS CONCERNING H.R. 7002, A BILL TO AUTHORIZE THE GATEWAY ARCH IN ST. LOUIS, MISSOURI, TO BE ILLUMINATED BY BLUE AND YELLOW LIGHTS IN SUPPORT OF UKRAINE.

April 28, 2022

Chairman Neguse, Ranking Member Fulcher, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 7002, a bill to direct the Secretary of the Interior to authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by blue and yellow lights in support of Ukraine. H.R. 7002 would direct the Secretary of the Interior to light the Gateway Arch in support of Ukraine for a period of time to be designated by the Secretary.

This Administration stands with the people of Ukraine. Lighting the Gateway Arch in support and solidarity for the people of Ukraine is important to many Americans and to people around the world. To be commemorated in a national park is a high honor, affording a degree of recognition that implies national importance.

The park has not approved any external requests for the commemorative lighting of Gateway Arch unless in support of an act of Congress. Commemorative lighting of the Gateway Arch has occurred only three times: in 2004 for Breast Cancer Awareness Month, as directed by Public Law 108–348; in 2015 in honor of the 50th anniversary of the park; and in 2020 in honor of the 100th anniversary of women's suffrage as part of a nation-wide historic commemoration coordinated by the congressionally-charted Women's Suffrage Centennial Commission. If enacted, the Department stands ready to implement this legislation and looks forward to working with the Committee to clarify the details of the commemorative activity to ensure it is technically feasible.

Chairman Neguse and Ranking Member Fulcher, thank you for the opportunity to appear before you today. I would be happy to answer any questions you or other members of the Subcommittee may have.

STATEMENT OF JOY BEASLEY, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, PARTNERSHIPS AND SCIENCE, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS CONCERNING H.R. 7075, A BILL TO DESIGNATE UKRAINIAN INDEPENDENCE PARK IN WASHINGTON, DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES.

APRIL 28, 2022

Chairman Neguse, Ranking Member Fulcher, and members of the Subcommittee, thank you for the opportunity to appear before you to present the views of the Department of the Interior on H.R. 7075, the Ukrainian Independence Park Act of 2022. H.R. 7075 is a bill to designate the Ukrainian Independence Park in Washington, DC, and for other purposes.

The Department supports this legislation.

H.R. 7075 cites a location for the park in Washington, DC that is bound by the following streets: 22nd Street, NW, P Street, NW, and Florida Avenue, NW. This property is under the jurisdiction of the National Park Service. It is composed of Reservation 57D and the portion of Reservation 360 that contains the Taras Shevchenko Memorial.

The legislation requires that all official references to this location be changed to “Ukrainian Independence Park.” In addition, it authorizes the Secretary of the Interior to “post signs on or near Ukrainian Independence Park that include information on the importance of Ukraine’s independence, freedom, and sovereignty and the solidarity between the people of Ukraine and the United States.”

Since February 22, 2022, when Russia invaded Ukraine, President Biden and the American people have demonstrated their staunch support for the Ukrainian people’s right to a free and independent state. The United States has joined like-minded nations from around the world in unified condemnation of the invasion.

It is particularly appropriate for the Taras Shevchenko Memorial – dedicated in 1964 – to become the centerpiece of the proposed Ukrainian Independence Park. Shevchenko, a 19th Century Ukrainian poet and artist, spent many years imprisoned for his pro-Ukrainian independence activities in Tsarist Russia. He is revered for his literary works and self-sacrificing contributions to the people of Ukraine.

Finally, as a technical matter, we would like to work with the sponsor and Committee to verify the descriptive language defining the location and boundary of the park.

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 JOY BEASLEY, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, PARTNERSHIPS AND SCIENCE, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, CONCERNING H.R. 7218, A BILL TO AMEND THE OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009 TO REAUTHORIZE THE SANGRE DE CRISTO NATIONAL HERITAGE AREA, CACHE LA POUVRE NATIONAL HERITAGE AREA, AND SOUTH PARK NATIONAL HERITAGE AREA IN THE STATE OF COLORADO.

April 28, 2022

Chair Neguse, Ranking Member Fulcher, thank you for the opportunity to present the Department of the Interior's testimony on H.R. 7218, a bill to amend the Omnibus Public Land Management Act of 2009 to reauthorize the Sangre de Cristo National Heritage Area, Cache la Poudre National Heritage Area, and South Park National Heritage Area in the State of Colorado.

The Department supports H.R. 7218.

H.R. 7218 would extend the authority of the Secretary to provide financial assistance to three National Heritage Areas in Colorado through fiscal year 2036. The three areas are Sangre de Cristo National Heritage Area, Cache la Poudre National Heritage Area, and South Park National Heritage Area.

National heritage areas foster stewardship of our nation's heritage without creating new park units. Rather than providing direct management, the National Park Service partners with national heritage area local coordinating entities to provide technical and financial assistance. National heritage areas match and leverage federal funds appropriated by Congress to carry out heritage projects and programs in collaboration with local and federal partners, expanding the impact of the funds invested. The National Park Service does not assume ownership of lands that make up heritage areas or impose land use controls on them. National heritage areas are locally public-private partnerships which support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects. Through their resources, these areas tell nationally important stories that celebrate our nation's diverse heritage.

Sangre de Cristo National Heritage Area tells the story of the people, culture, and environment of more than 3,000 square miles of the upper headwaters of the Rio Grande in Colorado's San Luis Valley, the cradle of Colorado's earliest known settlement. It is a unique and well-preserved cultural landscape with stunning natural resources and a blend of Native American, Hispano and Anglo settlement reflected in the diversity of the people, art, and traditions.

Cache la Poudre National Heritage Area tells the story of the contributions of a 45-mile stretch of the Cache la Poudre River to the development of water law in the Western United States, the evolution of water delivery systems, and the shaping of the region's cultural heritage along the flood plain of this "working river."

South Park National Heritage Area tells the story of the spirit of the “Western Frontier” in South Park County, along with its vast, diverse natural landscape, its roots in the historic mining industry, and ranching culture.

Chair Neguse, Ranking Member Fulcher, this concludes my statement. I would be pleased to answer any questions you and other members of the Subcommittee may have.