

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING H.R. 6599, TO MODIFY THE APPLICATION OF TEMPORARY LIMITED APPOINTMENT REGULATIONS TO THE NATIONAL PARK SERVICE, AND FOR OTHER PURPOSES.**

**December 12, 2018**

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Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 6599, a bill to modify the application of temporary limited appointment regulations to the National Park Service, and for other purposes.

The Department would support H.R. 6599 if amended to remove the sunset provision for the authority. The flexibility in hiring practices related to seasonal hiring by the National Park Service (NPS) that is provided by this bill should not be time-limited or it would only bring additional confusion to a situation where longstanding practices were recently changed.

H.R. 6599 would give the NPS Director the authority to define the term "major subdivision" as used in regulations by the Office of Personnel Management (OPM) relating to temporary limited appointments. The bill would allow the NPS to disregard the regulations language concerning appointments in local commuting areas. The authority provided by the bill would sunset one year after enactment of the bill.

H.R. 6599 addresses a finding of the recent OPM audit of the NPS's seasonal workforce. The NPS hires thousands of employees each year for positions that last for less than six months of the year (1,039 hours or less) to provide essential visitor services of all types during parks' busiest seasons. Employees hired under this limited appointment authority have had the ability to be rehired year after year under the same terms without going through a lengthy competitive hiring process. This system of non-competitive rehiring has benefitted both the parks and the employees.

Many seasonal employees have worked more than one time-limited position in national parks in a single year. This has been the case, for example, for law enforcement rangers who might be hired to work six months during the summer at a park in the Rocky Mountains, where summer is the busy season, and six months in a park in Florida or the Caribbean, where winter is the busy season. This is because the limited authority is tied to hiring within a "major subdivision". The NPS defined "major subdivision" as a park unit; the OPM defines it as the entire bureau (NPS) within the Department. Following the OPM audit, the NPS was required to adhere to OPM's definition of major subdivision and end the practice of allowing the non-competitive rehiring of any employees who had worked for the NPS, even in different locations, for more than six months in any one year. As a result, beginning in 2018, the NPS has required many long-time seasonal employees to compete for positions that they used to be hired for noncompetitively.

H.R. 6599 would give the NPS the authority to determine a “major subdivision” for purposes of limited appointment authority and thus allow the NPS to restore non-competitive hiring of seasonal employees at more than one park each year. However, because the authority would sunset after one year, NPS would be required to revert back to current practice. That would not be beneficial for the agency or its seasonal workforce. We understand that the one-year limitation was included in the bill as passed by the House in order to provide time to develop a more comprehensive solution to time-limited appointments, but there is no guarantee that such a comprehensive solution would be enacted within a year. Therefore, the Department would support this bill only if the one-year sunset provision is removed.

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