

**STATEMENT OF SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 1969, A BILL TO AUTHORIZE THE FALLEN
JOURNALISTS MEMORIAL FOUNDATION TO ESTABLISH A COMMEMORATIVE
WORK IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS, AND FOR OTHER
PURPOSES.**

March 4, 2020

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 1969, to authorize the Fallen Journalists Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

The Department would support S. 1969 if amended to clarify the purpose and focus of the commemorative work.

S. 1969 would authorize the Fallen Journalists Memorial Foundation to establish a commemorative work on Federal land in Washington, D.C. designated as “Area I” or “Area II” in the Commemorative Works Act (40 U.S.C. 89) (CWA) to commemorate the sacrifices made by journalists working as guardians of democracy and for a free and independent press. The work would not be permitted to be located in the area designated by Congress as the “Reserve,” which consists of the National Mall and areas to the north and south of the White House. The bill requires compliance with the CWA and prohibits Federal funds from being used to establish the memorial.

The National Capital Memorial Advisory Commission (Commission) held a meeting on September 24, 2019, and received testimony and letters of support for S. 1969 and its companion bill, H.R. 3465. In its letter to Congress following the meeting, the Commission noted that while the title of Section 3 suggests that the memorial would “commemorate the commitment of the United States to a free press by honoring journalists who have sacrificed their lives in service to that cause,” the bill authorizes the commemorative work to commemorate, more generally, “the sacrifices made by journalists....” The Department agrees with the Commission that the bill should be clear that the purpose of the commemorative is to honor journalists who have made the ultimate sacrifice of life in service to the cause of a free press.

The Department also agrees with the Commission that the focus of the commemorative work should be on America’s commitment to a free press, rather than on individual fallen journalists. A memorial solely to the lives lost or to specific individuals would be contrary to Section 8903(c) of the CWA, which holds that a work commemorating a group of individuals may not be authorized until after the 25th anniversary of the death of the last surviving member of the group. The loss of the lives of journalists who put themselves in harm’s way to inform the public has occurred throughout history and continues to the present day. In this regard, the Fallen

Journalists Memorial Foundation testified to the Commission that it does not intend to commemorate specific individuals or to list names on the memorial.

We note that it is unclear whether the commemoration is intended to honor only American journalists, or all journalists around the world who have perished in service. Testimony provided to the Commission emphasized the global nature of the commemoration, yet the Department notes that the bill text references “the commitment of the United States to a free press.”

We strongly support the bill’s prohibition on Federal funds being used to establish the memorial, which ensures that the cost of establishing this memorial will not be borne by the National Park Service. However, the Committee should be aware that once constructed, the National Park Service would need to use funding for the maintenance of the memorial that could otherwise be used to help reduce the backlog of deferred maintenance in national parks and address other critical infrastructure needs.

Finally, the bill contains a provision we strongly support including in all legislation authorizing memorials under the CWA--the requirement that unspent funds for the construction of the memorial be provided to the National Park Foundation for deposit in an interest-bearing account, as stated in 40 U.S.C. Section 8906(b)(3).

We would welcome the opportunity to work with the Committee on amendments that address the matters identified in this statement.

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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS REGARDING S. 508 AND H.R. 182, BILLS TO EXTEND THE AUTHORIZATION FOR THE CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION.

March 4, 2020

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 S. 508 and H.R. 182, bills to extend the authorization for the Cape Cod National Seashore Advisory Commission (Commission).

The Department does not support this legislation. Both S. 508 and H.R. 182 would reauthorize the Commission until September 26, 2028, retroactive to September 26, 2018, the date that the Commission's authority to operate terminated.

The retroactive extension included in the bill would enable the Commission to function with the same charter and membership it had previously. The Commission was originally authorized in 1961 as a part of Public Law 87-126, the Cape Cod National Seashore's enabling legislation, and began operation in 1966. It has been reauthorized by Congress several times even though the enabling legislation called for the Commission to be terminated ten years after the Seashore was established.

The Department does not see a compelling reason to extend the authorization of the Commission, especially at a time when we are focusing resources on reducing the National Park Service's deferred maintenance backlog and addressing other critical infrastructure needs.

However, if the Subcommittee takes action on this bill, the Department recommends one change to the Commission's statutory role. Currently, the law that established the Commission [16 U.S.C. 459b-7(g)] states that no permit for the commercial or industrial use of property located within the seashore shall be issued, nor shall any public use area for recreational activity be established within the seashore, without the advice of the Commission, if such advice is submitted within a reasonable time after it is sought. We recommend this provision be deleted as it is unprecedented for an advisory commission to have this kind of statutory role in park management decisions.

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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 1863, TO REQUIRE THE SECRETARY OF THE
INTERIOR TO CONDUCT A SPECIAL RESOURCE STUDY OF THE SITES
ASSOCIATED WITH THE LIFE AND LEGACY OF NOTED AMERICAN
PHILANTHROPIST AND BUSINESS EXECUTIVE JULIUS ROSEWALD, WITH A
SPECIAL FOCUS ON THE ROSEWALD SCHOOLS, AND FOR OTHER PURPOSES.**

March 4, 2020

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 1863, to require the Secretary of the Interior to conduct a special resource study of the sites associated with the life and legacy of noted American philanthropist and business executive Julius Rosenwald, with a special focus on the Rosenwald Schools, and for other purposes.

The Department recognizes that Julius Rosenwald and the Rosenwald Schools represent an important story in American history. However, we do not support enactment of S. 1863 at this time, as resources are needed to reduce the National Park Service's deferred maintenance backlog and address other critical infrastructure needs. The Department urges Congress to pass legislation addressing the deferred maintenance needs of its bureaus.

Julius Rosenwald left a remarkable legacy, including his significant philanthropic contributions to the construction of schools for African-American children under the direction of the Julius Rosenwald Fund. The school program was created in partnership with Booker T. Washington and funded through donations from Julius Rosenwald and local African-American communities, resulting in the construction of over 5,000 schools and associated buildings in 15 states. The Rosenwald School system was instrumental in the effort to bring educational parity to African-American children living in the segregated South.

The NPS supports the preservation of Rosenwald Schools and the legacy of Julius Rosenwald through programs we administer directly, as well as in partnership with other organizations. Nearly 70 Rosenwald Schools located across 12 states are listed in the National Register of Historic Places. Eight State Historic Preservation Offices have developed National Register procedures to facilitate the identification and nomination of these important historic resources. The NPS has provided over \$600,000 in grants that supported the restoration of Rosenwald Schools, the architectural survey and nomination of school sites, the development of education and outreach materials, and the preservation and digitization of the Rosenwald School archives housed at Fisk University. We also note the tremendous work being achieved by the National Trust for Historic Preservation through their Rosenwald Schools Initiative including extensive research of the sites, providing grant funding to the properties, hosting workshops, and creating publications on how to preserve Rosenwald Schools.

S. 1863 calls for the study of “sites associated with the life and legacy of Julius Rosenwald, with special emphasis on the Rosenwald Schools”. The Department has concerns about the breadth of subject matter that phrase might cover. If the Committee decides to move forward with this legislation, we would appreciate the opportunity to work with the Committee to refine the scope of the study.

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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 1910 AND H.R. 1472, BILLS TO RENAME THE
HOMESTEAD NATIONAL MONUMENT OF AMERICA NEAR BEATRICE,
NEBRASKA, AS THE HOMESTEAD NATIONAL HISTORICAL PARK.**

MARCH 4, 2020

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 S. 1910 and H.R. 1472, bills to rename the Homestead National Monument of America near Beatrice, Nebraska, as the Homestead National Historical Park.

The Department supports S. 1910 and H.R. 1472, as we believe that the name "Homestead National Historical Park" is an appropriate designation for this unit of the National Park System.

The Homestead National Monument of America was authorized by Congress in 1936, after acquisition of the site of the Daniel Freeman homestead, as a lasting memorial to the settlers who built the American West. The Freeman homestead was one of the first sites successfully claimed under the Homestead Act, which was enacted in 1862 to encourage the settlement of Western lands by offering ownership of 160 acres of land to heads of households who agreed to live on and farm the land for five years.

In 1971, legislation was passed to add the Freeman School, an original one-room prairie schoolhouse. Today, the park also includes the Homestead Heritage Center with interactive displays and 100 acres of restored tallgrass prairie.

The National Park Service encourages Congress to designate units of the National Park System in accordance with a standard pattern of nomenclature. Homestead National Monument of America, with the addition "of America" to the title "national monument" has made it an anomaly. Redesignating the unit as a national historical park would give the park a name that is one of the National Park Service's standard designations, and one that is appropriate for a unit that is large and has a complexity of physical resources. This renaming would not have a significant financial impact as the park would update maps and signage as a part of routine maintenance and reordering of interpretive materials.

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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 2340, A BILL TO ESTABLISH
THE CAHOKIA MOUNDS MISSISSIPPIAN CULTURE NATIONAL HISTORICAL
PARK IN COLLINSVILLE, ILLINOIS, MONROE, MADISON, AND ST. CLAIR
COUNTIES, ILLINOIS, AND ST. LOUIS CITY COUNTY, MISSOURI, AND FOR
OTHER PURPOSES.**

MARCH 4, 2020

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 2340, a bill to establish the Cahokia Mounds Mississippian Culture National Historical Park in Collinsville, Illinois, Monroe, Madison, and St. Clair Counties, Illinois, and St. Louis City County, Missouri, and for other purposes.

The Department recognizes the important contribution to America's story that is represented by the resources related to Cahokia Mounds and other Mississippian mound sites in the greater St. Louis Area. If the Committee chooses to act on this bill, we would recommend amending S. 2340 to authorize a special resource study limited to Cahokia Mounds State Historic Site, as well as Emerald, and Pulcher mounds, as recommended by the National Park Service's recently completed reconnaissance survey of the site. If the Committee moves forward on designating the site, we would recommend replacing the map referenced in the bill.

Establishing a unit of the National Park System could be one way to preserve and interpret the resources and related stories of Cahokia Mounds, but it may not be the most appropriate or feasible way to do so. In addition, at a time when the Department needs to devote resources to reducing the National Park Service's deferred maintenance backlog and addressing other critical infrastructure needs, it would be difficult to prioritize a new park unit without having a better understanding of how it would relate to other National Park Service resources and needs. The Department urges Congress to pass legislation addressing the deferred maintenance needs of its bureaus.

S. 2340 would authorize the establishment of the Cahokia Mounds Mississippian Culture National Historical Park. The bill would authorize a boundary for the National Historical Park as depicted on the legislative map referenced in the bill. However, it is unclear what areas would be included in the National Historical Park as the map referenced does not depict any proposed boundary. The bill further authorizes the Secretary to acquire any land within the legislative boundary of the park by acquisition, donation, or exchange, with the exception that State owned lands could only be acquired through donation. S. 2340 also authorizes the Secretary to enter in agreements with the State and other entities to interpret and restore resources within the boundaries of the park, and directs the Secretary to prepare a management plan for the park in consultation with the State, Indian Tribes, and other entities.

The mounds at Cahokia Mounds State Historic Site were a regional ceremonial and civic center for the Mississippian people, the name given by archeologists to the societies that lived in the Southeastern and Midwestern United States after about AD 1000. In addition to the core area of the mounds preserved by the state park, there were many related settlements and outlying sites. Earthen monuments, mounds, and the remnants of cities, towns, and villages built by the Mississippians are found across the southeastern and midwestern United States. The most significant of these places is Cahokia Mounds. Cahokia is the centerpiece of one of the most densely settled regions in ancient North America, located at the confluence of the Mississippi, Missouri, and Illinois rivers.

Cahokia Mounds State Historic Site is administered by the Illinois State Historic Preservation Agency. It was designated a National Historic Landmark (NHL) in 1964 and a UNESCO World Heritage Site in 1982. Cahokia Mounds State Historic Site includes 51 extant mounds, the most prominent of which is Monks Mound. Monks Mound and the central part of the site were purchased by the state of Illinois in 1923 and have been administered by the state ever since. The site gradually grew from the initial 144 acres to 2,200 acres. Cahokia Mounds State Historic Site now includes mounds, public areas, and non-public residential areas.

The State of Illinois can acquire ownership of property within the boundaries of the Cahokia Mounds National Historic Landmark. Slightly more than half of the acreage within the National Historic Landmark boundaries is owned by the State Historic Site; the balance is held by nonprofit and private owners. Approximately 7,000-10,000 people live within the boundary of the National Historic Landmark.

In 2014, Senator Richard Durbin sent a letter to the National Park Service requesting a reconnaissance survey of the Cahokia Mounds and associated Mississippian mound groups in the greater St. Louis metro region. A reconnaissance survey provides a preliminary assessment of the national significance, suitability, feasibility, and need for National Park Service management of an area or site proposed for inclusion in the National Park System. If a reconnaissance survey finds that a study area is likely to meet these criteria, a special resource study may be recommended.

The completed reconnaissance survey, transmitted to Congress in July 2019, found that Cahokia Mounds State Historic Site would likely meet the criteria for inclusion in the National Park System if further evaluated in a subsequent study, and identified two additional sites – Emerald and Pulcher Mounds – as warranting further study to make definitive findings. The reconnaissance survey recommended that a special resource study be authorized for these three sites to further evaluate criteria for inclusion, invite public involvement in the study process, and develop potential management alternatives. The remainder of the sites considered in the survey – including the St. Louis Mound Group, East St. Louis Mounds, Mitchell Mounds, and Sugar Loaf Mounds – were determined to be unlikely to meet the criteria for inclusion and were not recommended for additional study.

For these reasons, if the Committee chose to act on this bill, we would recommend amending the bill to provide for a special resource study limited to the three sites noted in the reconnaissance

survey, rather than the establishment of a new unit of the National Park System. We would be happy to provide suggested language for such an amendment.

Finally, the map referenced in the bill was not developed by the National Park Service and does not conform to the standard conventions for NPS legislative maps. The current map, cited in the bill as “Cahokia Mounds Mississippian Culture National Historical Park, Boundary, numbered CMMC-NHP-107, and dated 05-31-2019” does not provide sufficient detail or clarity regarding the legislative boundary. Without a clear map, we cannot determine what areas would be included in the National Historical Park. For this reason, should designation legislation move forward, we strongly recommend substituting a legislative map developed by the National Park Service for the current map referenced in S. 2340. We would welcome the opportunity to work with the bill sponsor to develop a suitable map.

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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 2827, A BILL TO AMEND TITLE 54, UNITED
STATES CODE, TO ESTABLISH WITHIN THE NATIONAL PARK SERVICE THE
U.S. AFRICAN-AMERICAN BURIAL GROUNDS NETWORK, AND FOR OTHER
PURPOSES.**

March 4, 2020

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 S. 2827, a bill to amend title 54, United States Code, to establish within the National Park Service the U.S. African-American Burial Grounds Network, and for other purposes.

The Department recognizes the important contribution to America's story that is represented by African-American burial grounds; however, we do not support S. 2827 at this time. Establishing an African-American Burial Ground Network could be one way to increase public awareness of these overlooked and forgotten sites, but it may not be the most appropriate or feasible way to do so. In addition, at a time when the Department is focusing resources on reducing the National Park Service's deferred maintenance backlog and addressing other critical infrastructure needs, it would be difficult to prioritize a new program without having a better understanding of how it would relate to other National Park Service resources and needs. If the Committee acts on this legislation, we recommend amending the bill to provide for a study rather than establishment of a new program.

S. 2827 would establish the African-American Burial Grounds Network (Network) to include burial grounds that relate to the historic African-American experience. The Network would identify, document, preserve, research, evaluate, and interpret these burial grounds. Unmarked and unrecorded African-American burial grounds would be documented with the information publicly available if privacy and safety of the burial ground allow.

S. 2827 would also allow the Secretary to issue public grants and/or enter into cooperative agreements with governmental, educational, and non-profit organizations to help identify, preserve, interpret, and research sites in the Network.

The National Park Service would want a program like this one to be successful and sees the great challenge in managing something of this scale and magnitude without the appropriate administrative funding. The potential number of African-American burial grounds from the 17th Century to the 20th Century is enormous; locating and protecting these sites while also developing the Network in all the ways the bill describes would be incredibly challenging and costly.

In addition, many African-American burial grounds were deliberately unmarked to facilitate a final resting place, particularly during the period of U.S. enslavement. The National Park

Service would want to ensure that any effort to protect these sites from disturbance is appropriate, and will not ultimately cause the damage and disturbance this bill hopes to avoid. Great care and consideration should be given to whether the sites should be marked at all, and to keep in mind that sites could become open to looting, damage, or vandalism if their locations were publicly known.

We also note that the National Park Service currently administers two existing networks (the National Underground Railroad Network to Freedom and the African American Civil Rights Network) and are working to set-up two new networks that were recently established under P.L. 116-9 (Reconstruction Era National Historic Network and a program to commemorate and interpret the Transcontinental Railroad after first conducting a study of alternatives for the program).

For these reasons, if the Committee chooses to act on this bill, we recommend amending S. 2827 to provide for a study to determine the most appropriate way to recognize historic African-American burial grounds in lieu of establishing a Network. We would welcome the opportunity to provide suggested language for such an amendment.

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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 2924, A BILL TO ESTABLISH BANDELIER
NATIONAL PARK AND PRESERVE IN THE STATE OF NEW MEXICO.**

MARCH 4, 2020

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 2924, a bill to establish Bandelier National Park and Preserve in the State of New Mexico.

The Department supports enactment of S. 2924 but would like to work with the sponsor and the Committee to address concerns we have with the bill.

S. 2924 would establish the 29,656-acre Bandelier National Park and the 4,011-acre Bandelier National Preserve. Hunting would be allowed within the National Preserve. The legislation would allow the Superintendent of Valles Caldera National Preserve to manage hunting within the proposed preserve, at the discretion of the Secretary of the Interior.

S. 2924 would ensure access to traditional cultural and religious sites within the Bandelier National Park and Preserve by members of Indian tribes. The legislation would also allow temporary closures of these sites to the general public to protect traditional cultural and customary uses of these sites by members of the Indian tribe. S. 2924 would allow members that have a cultural affiliation with the land within Bandelier National Park and Preserve or Valles Caldera National Preserve to collect plants and mineral resources within these units for noncommercial traditional and cultural uses.

In addition, S. 2924 would establish a tribal commission that would provide guidance and recommendations to Bandelier National Park and Preserve to develop and implement management plans and policies, and it would require the Department to provide written notice to the tribal commission for any of its recommendations that the Department decides not to implement. S. 2924 would also authorize the Secretary of the Interior and the Secretary of Agriculture to adjust the boundary between the Valles Caldera National Preserve and the Santa Fe National Forest. Finally, the legislation would authorize limited use of unmanned aircraft for scientific study, search and rescue, fire operations and law enforcement.

When President Woodrow Wilson established the Bandelier National Monument in 1916 by presidential proclamation under the authority of the 1906 Antiquities Act, he cited the ethnographic, scientific and educational features of the area dating back more than 11,000 years. Bandelier National Monument continues to protect more than 33,000 acres of rugged, beautiful canyons and mesas in northwestern New Mexico. The ethnographic, scientific and educational features remain central to the mission of the monument as well as a draw for the nearly 200,000 annual park visitors who contribute \$12.5 million to the local economy.

Redesignating Bandelier National Monument as Bandelier National Park is consistent with the nomenclature patterns of the National Park System. Units designated as national parks generally contain a variety of resources and encompass a large land or water area to help provide adequate protection of the resources. With its wealth of both natural and cultural resources over a large land mass, we believe it is appropriate to designate this unit as a national park.

It is also consistent with National Park Service nomenclature to designate an area that allows hunting as a national preserve, and we appreciate that S. 2924 follows that tradition by naming the area where hunting would be allowed “Bandelier National Preserve.”

Regarding our concerns about S. 2924:

Section 4(b), Traditional Cultural and Religious Sites, states that the Secretary, in consultation with Indian tribes, shall ensure the protection of traditional cultural and religious sites in the Bandelier National Park and Preserve. The Department notes that the National Park Service, under the Native American Graves Protection and Repatriation Act, the National Historic Preservation Act and the Archaeological Resources Protection Act, is currently directed to protect known traditional cultural and religious sites and to consult with Indian Tribes regarding these sites. We are unclear about the reason for including park-specific language for this purpose.

Section 4(b) also states that the Secretary, in accordance with the American Indian Religious Freedom Act, may temporarily close an area, or areas, to the general public upon recommendation from an Indian tribe to protect traditional cultural and customary uses by its members. The Department is concerned that the bill’s use of the term “temporary closure” could cause confusion with existing policies. Also, this provision is different from other existing statutes that address similar situations (16 USC § 460uu-47, 16 U.S.C. § 410aaa-75, and 43 U.S.C. § 1786) that use the limiting language which states that “any such closure shall be made so as to affect the smallest practicable area for the minimum period necessary for such purposes.”

Section 4(c), “Collection of Plants and Mineral Resources by Members of Culturally-Affiliated Indian Tribes”, also raises concerns. Since Congress first authorized certain Pueblos to gather plant and mineral resources in Bandelier National Monument in 2000, the National Park Service has implemented servicewide regulations, under which any superintendent may enter into agreements with Indian tribes traditionally associated with a park for the non-commercial collection of plants and plant parts. This bill does not define the term “mineral resources” or specify permissible methods of mineral resource extraction, which may create uncertainty as to how this provision should be implemented. The term “Culturally Affiliated Indian Tribes” is used differently than in related Federal laws, which may also create uncertainty about implementation.

Section 4(d) would require the Secretary of the Interior to establish a tribal commission for Bandelier National Park and Preserve to provide guidance and recommendations to implement management plans and policies. The commission would consist of one representative from “each Indian tribe with a historical association” with Bandelier National Park and Preserve. Currently,

the National Park Service consults with approximately six Federally recognized tribes at Bandelier National Monument regarding undertakings in the monument. However, the State of New Mexico has identified 23 tribes that may have a historical association to an area within the boundaries of the monument, and that number does not include tribes outside the state with a historical association to the monument. This would mean there could be an unknown number of members. In addition, the requirement that the Secretary provide the commission with a written explanation for a decision not to incorporate a recommendation made by the commission would give the commission an unusual amount of authority for a non-Federal commission that is advisory in nature.

The Department supports the authority in Section 4(f) to enable the Secretary of the Interior and the Secretary of Agriculture to resolve a land management issue by adjusting the boundary between Valles Caldera National Preserve and Santa Fe National Forest. We also support the goal in Section 4(f) authorizing the use of unmanned aircraft at Bandelier National Park and Preserve for certain needs, but we note that it is unnecessary given the National Park Service's servicewide policy on unmanned aircraft in units of the National Park System.

The Department would appreciate the opportunity to work with the sponsor and the Committee to address our concerns with S. 2924.

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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 3098, A BILL TO REDESIGNATE THE JIMMY
CARTER NATIONAL HISTORIC SITE AS THE “JIMMY CARTER NATIONAL
HISTORICAL PARK”.**

MARCH 4, 2020

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 S. 3098, a bill to redesignate the Jimmy Carter National Historic Site as the “Jimmy Carter National Historical Park”.

The Department supports S. 3098, as we believe that the name “Jimmy Carter National Historical Park” is an appropriate designation for this unit of the National Park System.

Legislation authorizing the establishment of the Jimmy Carter National Historic Site and Preservation District was enacted in 1987 to preserve the key sites and structures associated with President Jimmy Carter during his life, provide for the interpretation of the life and presidency of Jimmy Carter, and present the history of a small rural southern town. The historic site consists of President Carter’s boyhood home in the community of Archery; Plains High School, now used for a visitor center and headquarters for the historic site; the Plains depot, which was used as a headquarters for Jimmy Carter’s presidential campaign; and the Carter compound, where President and Mrs. Carter have resided since 1981.

The National Park Service encourages Congress to designate units of the National Park System in accordance with a standard pattern of nomenclature. National historical parks are typically areas of greater physical extent and complexity than national historic sites. Often they contain multiple discontinuous sites. The Jimmy Carter National Historic Site, with resources at several sites in and around the town of Plains, has the characteristics that make the designation of “national historical park” a more appropriate title than “national historic site.”

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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 3121, A BILL TO ESTABLISH THE
CHIRICAHUA NATIONAL PARK IN THE STATE OF ARIZONA AS A UNIT OF THE
NATIONAL PARK SYSTEM, AND FOR OTHER PURPOSES.**

MARCH 4, 2020

Chairman Daines, Ranking Member King and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 3121, to establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System, and for other purposes.

The Department supports S. 3121, as we believe that the name “Chiricahua National Park” is an appropriate designation for this unit of the National Park System.

Chiricahua National Monument was established on April 18, 1924, by President Calvin Coolidge by presidential proclamation under the authority of the law commonly referred to as the Antiquities Act of 1906. The monument is located in Cochise County, approximately 37 miles southeast of Willcox, Arizona. It is located at the intersection of the Chihuahuan and Sonoran deserts, the southern Rocky Mountains, and the northern Sierra Madre.

Chiricahua National Monument is known as a “Wonderland of Rocks” because of its distinctive pinnacle formations. These formations are the result of powerful volcanic events combined with geologic erosive forces over time creating the rhyolitic rock formations in the monument. The Madrean Sky Island ecosystem of the Monument protects a great diversity of flora and fauna as well as critical habitat for threatened, endangered and endemic species.

Chiricahua National Monument also preserves evidence of diverse human history spanning thousands of years, including prehistoric indigenous peoples, Chiricahua Apaches, Buffalo Soldiers, European American pioneers and ranchers, and the 1930’s Civilian Conservation Corps. The monument’s Faraway Ranch Historic District includes structures, resources and landscapes associated with the former pioneer homestead and working cattle ranch. Stories and evidence of struggle, perseverance, stewardship and connection to the land unite the experiences of each of these groups which left a lasting legacy on the land and our country.

Redesignating the monument as Chiricahua National Park is consistent with the nomenclature patterns of the National Park System. Units designated as national parks generally contain a variety of resources and encompass a large land or water area to help provide adequate protection of the resources. With its wealth of both natural and cultural resources over a large land mass, it is appropriate to designate this unit as a national 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 SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 3265, TO REDESIGNATE WEIR FARM
NATIONAL HISTORIC SITE IN THE STATE OF CONNECTICUT AS THE “WEIR
FARM NATIONAL HISTORICAL PARK”, AND FOR OTHER PURPOSES.**

MARCH 4, 2020

Chairman Daines, Ranking Member King, and members of the committee, thank you for the opportunity to present the Department of the Interior’s views on S. 3265, a bill to redesignate the Weir Farm National Historic Site in the State of Connecticut as the “Weir Farm National Historical Park.”

The Department supports S. 3265, as we believe that the name “Weir Farm National Historical Park” is an appropriate designation for this unit of the National Park System.

Established in 1990, Weir Farm National Historic Site preserves the house, studio, farm buildings, and rural Connecticut landscape that inspired Julian Alden Weir’s transition into American impressionism and the artistic expression of generations of artists that continues to inspire and educate visitors. Weir Farm was home to three generations of American artists. Julian Alden Weir (1852-1919), a leading figure in American art and the development of American impressionism, acquired the farm in 1882. After Weir, the artistic legacy was continued by his daughter, painter Dorothy Weir Young and her husband, the major American sculptor Mahonri M. Young, followed by New England landscape painters Sperry and Doris Andrews.

The park currently encompasses a 60-acre cultural landscape consisting of 15 historic structures as well as historic gardens, orchards, terraces, fields, stone walls, the Weir Pond, and hundreds of historic painting sites. There are 3 miles of trail on park property and more than 7 miles of trail in two bordering open spaces—the 110-acre Weir Preserve to the southwest (including 37 acres donated by Cora Weir Burlingham), and the 29-acre Nod Hill Refuge to the northeast. The Weir Preserve is owned by the Weir Farm Art Alliance, a private partner of the park, and managed by the Weir Preserve Stewardship Committee. Additionally, the park maintains a museum collection of more than 200,000 archives and objects including original paintings, prints, sculptures, decorative arts, and furnishings associated with the site, the history of the Weir, Young, and Andrews families and American impressionism.

Generally, National Park System units designated as “national historical parks” have a greater diversity of historical resources and interpretive themes than those designated as “historic sites” and may be spread out over non-contiguous lands. In 2014, the National Park Service completed a comprehensive rehabilitation and restoration of over 80 percent of the historic resources and landscapes at the historic site, greatly expanding the scope of the visitor experience and of public access. Additionally, the National Park Service works in collaboration with the adjacent partners described above who offer complementary natural and cultural resource opportunities for

visitors. The deeper and broader experience for visitors supports the basis for redesignation of this park as a national historical park.

Before the Committee moves forward with this bill, the Department would welcome the opportunity to work with the sponsor and the committee on some technical corrections to update the legislative map and more accurately describe existing park resources.

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

**STATEMENT OF SHAWN BENGE, ACTING DEPUTY DIRECTOR, OPERATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE
THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON
NATIONAL PARKS, REGARDING S. 3331, A BILL TO MODIFY THE BOUNDARY
OF THE ROCKY MOUNTAIN NATIONAL PARK, AND FOR OTHER PURPOSES.**

MARCH 4, 2020

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 3331, a bill to modify the boundary of the Rocky Mountain National Park, and for other purposes.

The Department supports S. 3331, which would authorize the addition of an important tract of land to Rocky Mountain National Park and also resolve a longstanding ownership issue within the park.

S. 3331 would authorize the Secretary of Interior to accept a donation of a 40-acre parcel of non-Federal land located adjacent to the eastern boundary of the park. The addition of this land would enhance recreational access and connectivity through a scenic, natural buffer between private lands and three popular trails: Estes Cone, Storm Pass, and Eugenia Mine Trails. These three trails connect to, and are part of, a large trail network offering more than 350 miles of trails to the park's 4.6 million annual visitors.

The addition of the 40-acre parcel would also add protection for the park's Alpine Tundra Ecosystem. Alpine tundra, which makes up more than one third of the park, is a unique ecosystem that supports more than 300 plants and animals from bighorn sheep to butterflies that live in high elevations. Rocky Mountain National Park is one of the highest elevation national parks in the nation, with elevations ranging from 7,860 feet to 14,259 feet above sea level.

S. 3331 would also authorize the Secretary of the Interior to exchange a 0.18-acre parcel of park land for the same amount of private land in order to resolve a land ownership issue within the boundary of the park. In the 1970s, the National Park Service purchased land surrounding a private inholding. An error in the bank's legal description incorrectly located a 0.18-acre parcel in that purchase. As a result, the parcel the National Park Service acquired included a family cabin, and the private owner acquired a vacant lot, not the cabin site.

Since the error was discovered, the National Park Service has been working with the owner to correct the legal ownership and exchange the parcels. However, this exchange cannot be done within agency policy since the two properties are of unequal value. In the interim, the family continues to use the cabin through a Special Use Permit. This proposed legislation would permanently resolve this issue and ensure the intent of the original purchase is met.

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