WSTPC NATIONAL ISSUES BULLETIN
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A service for members of the Western States Tourism Policy Council by WSTPC Executive Director Aubrey King (301.464.8060), who can provide more details on any of the issues reported here. Comments or suggestions are always welcome.

New information since the last National Issues Bulletin is in bold.

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Travel Promotion Act and Corporation for Travel Promotion

The recently named eleven member Board of Directors for the Corporation for Travel Promotion (including two WSTPC members – Caroline Beteta and Diane Shober) has now had two meetings and is beginning to formulate its strategic and operational plans of action and begin the recruitment process for the first CTP Executive Director. It will also meet on October 26th in Las Vegas with the Commerce Department Travel and Tourism Advisory Board to coordinate their missions and strategies.

Background: The Travel Promotion Act (TPA) is now law. Following U.S. Senate passage by a vote of 78-18 on February 25th, President Obama signed the historic legislation into law on March 4th, thus establishing the public-private Corporation for Travel Promotion (CTP), the mission of which will be to increase the U.S. share of the global tourism market. The WSTPC had joined the rest of the travel and tourism industry in supporting enactment of the Travel Promotion Act for more than five years.

Since 1996, the United States had been the only industrialized country in the world without a national agency to promote international tourism and this measure is seen as a major step in reversing America's two decade decline in overseas visitors. The U.S. welcomed 2.4 million fewer overseas visitors in 2009 than in 2000, and the failure to keep pace with the growth in international long-haul travel since 2000 has cost the U.S. economy an estimated $509 billion in total spending and $32 billion in direct tax receipts, according to the U.S. Travel Association.

The U.S. Department of Commerce will oversee the CTP and the Secretary of Commerce will nominate an 11-member board comprised of representatives from various segments of the travel community, who will select an executive director. Funding will come from a matching program of up to $100 million in private sector contributions, 80% of which may be in-kind, and a $10 fee on foreign travelers from visa waiver countries who do not pay $131 for a visa to enter the U.S.

The WSTPC was particularly pleased to see included in the final bill its recommendations that the new Corporation "identify opportunities and strategies to promote tourism to rural and urban areas equally." Another WSTPC recommendation included was to ensure that State tourism offices have a strong role in this new international travel marketing program and TPA indeed requires that two of the eleven member board of directors of the new Travel Promotion Corporation must have "appropriate expertise and experience as officials of a State tourism office."

Also, as recommended by the WSTPC, the TPA authorizes a substantial expansion of the research and development activities of the Department of Commerce, specifically including an expansion of the number of inbound air travelers sampled by the Survey of International Travelers to reach a 1 percent sample size and revising the design and format of the questionnaires to improve response rates to at least double the number of States and cities with reliable international visitor estimates and developing estimates of international traveler expenditures on a State-by-State basis.

Unfortunately, in an anomaly not unusual in Congressional legislation, this turns out to be an "unfunded mandate" for OTTI because although the TPA authorizes appropriation of "such funds as may be necessary to carry out this section," there is at this time no additional money in either the 2010 Commerce Department appropriations bill (passed by the Senate but not yet by the House) or in the 2011 budget being developed in the Department. (All revenue from the new visa waiver traveler fee is devoted to the international tourism marketing program.)

Since the TPA provides no independent funding until revenue is generated from the new international traveler fee, efforts are underway to obtain "start-up" funding of approximately $10 million from Congress – a formidable task in these tight budget times.

Travel Regional Investment Partnership Act

Despite industry support, the TRIP Act failed to develop legislative traction in the 110th Congress, receiving no committee hearings or consideration in either chamber and only limited sponsorship.

Background: U.S. Representative Sam Farr (D-CA), Co-Chairman of the Congressional Travel and Tourism Caucus in late February introduced H.R. 4676, "The Travel Regional Investment Partnership Act." The TRIP Act would establish a competitive grant program authorized for $10 million, with grants between $100,000 and $1 million, for domestic regional tourism promotion and new domestic market creation. Grant recipients could be convention and visitor bureaus or "partnerships between a State or local government and a local tourism entity." The program would be administered by the U.S. Department of Commerce's Office of Travel and Tourism Industries.

If enacted, it would be an unprecedented commitment by the Federal government to domestic tourism promotion and a domestic counterpart (albeit with a much more modest budget) to the international tourism marketing initiatives that will result from the newly enacted Travel Promotion Act. It is, of course, only an authorization bill and future funding would have to be approved through the appropriations process.

S. 3225 has been introduced in the Senate by Senator Mark Begich (D-AK) as a companion bill to H.R. 4676, The Travel Regional Investment Partnership Act (TRIP Act). The House Bill has 17 cosponsors and there are 3 cosponsors for the Senate companion bill. Enactment

Federal Highway Reauthorization, Infrastructure and Stimulus

At the request of the American Association of State Highway and Transportation Officials (AASHTO), the WSTPC is organizing a meeting of tourism industry representatives to discuss the future of reauthorization, the overall Federal highway program, what it all means for tourism and how tourism can play a meaningful role.

Speculation and anticipation continue about what the impact will be on the highway program if anti-tax-and-spend candidates achieve significant electoral gains in the coming mid-term elections. Meanwhile, the Administration appears inadvertently to be sowing mixed signals about what realistically lies ahead for transportation in the coming weeks and months. The entire scenario is increasingly baffling to the transportation industry, which craves a return to stability and predictability in the nation's major funding programs for highways, transit, aviation, ports and other infrastructure.

The President on October 11th reiterated his call for a major six-year infrastructure funding plan that might be front-loaded with $50 billion in new immediate spending. On the surface, there was applause throughout much of the transportation community at this latest news. But when the President's statement was not backed up by any significant new funding or related legislative details (such as any sign of bipartisan support) designed to break the current log-jam on Capitol Hill, there were collective sighs of resignation about what was seen by many as more political business-as-usual.

Then within a few days, amid the highly politicized and polarized national debate about the effectiveness of last year's Recovery Act stimulus bill -- as well as the possible need for additional stimulus, -- the President was being pummeled for suggesting he might have been wrong all along about the whole idea of "shovel ready projects."

"There's no such thing as 'shovel ready projects' when it comes to public works," the President was quoted as saying in an interview that appeared in the October 17th New York Times Sunday Magazine. The result was much gnashing of teeth and scratching of heads in transportation industry circles.

Few in the transportation community could understand why the President would say such a thing, after his Administration had invested so much of its own political capital over such a long period of time in coining the phrase to begin with, and then relying on it as a virtual emblem of the entire $800 billion Stimulus package (even though less than six percent of that amount actually was devoted to infrastructure projects).

The Stimulus bill (the so-called Recovery Act) included about $60 billion for all forms of infrastructure funding, including approximately $27 billion for highways (out of more than $800 billion overall in the legislation). When passed in February of 2009, the President and various administration spokesmen continually emphasized that "shovel-ready projects" denoted things that could be funded relatively quickly with minimal red tape and delay—all the better to create near-term jobs quickly.

The Department of Transportation in turn formally defined "shovel-ready" for its purposes by stipulating that eligible Stimulus transportation projects had to be ready to be obligated with 90 days of a local or state agency receiving funds.

Now approaching two years later, the ranking member the House Transportation & Infrastructure Committee (John Mica, R-FL)—who is poised to become chairman if Republicans take control of Congress – is saying that over 60 percent of Stimulus money targeted for infrastructure has still not been spent amid a jobs crisis that continues largely unchanged month after month.

Right now, there appears to be no serious prospect of movement on a major transportation bill for the rest of this year. Instead, Congress, in the lame duck session is only expected to pass a four to six month extension of SAFETEA-LU in the hope that something can be done to break the funding dilemma during that time. But no one seems willing to say how that might be done.

Top staffers on Capitol Hill directly involved in transportation funding issues say Congress will have a political window of opportunity to address transportation needs in the first six to eight months of 2011. After that, they say, the partisan divide inevitably will sharpen with the onrush of the 2012 presidential campaign.

But next year's "window of opportunity" coincides with the seating of what will likely be a much more conservative Congress, less willing to increase taxes or approve new multi-billion dollar spending bills for whatever purpose. At least that is the thinking at the current time.

While transportation advocates argue that big increases in infrastructure funding are desperately needed to repair crumbling roads and transit systems, there seems to be persistent and widespread ambivalence on the issue among the general public and voters at large. This was among the conclusions of a recent report by the Pew Center on the States and the Public entitled, "Facing the Facts: Public Attitudes and Fiscal Realities in Five Stressed States." The report showed a growing public unwillingness to support additional transportation funding when faced with other choices.

This is reflected in Congress where the President and Committee leaders are vocal in advocating for more infrastructure funding, but rank and file members remain reluctant, especially when acceptable sources of funding cannot be identified.

While transportation funding – or lack of it -- remains the paramount issue holding up the next surface transportation reauthorization bill, senior Hill staffers also point out that bubbling under the surface are a host of potentially divisive unresolved policy matters that could also cause further delays even if the funding issue are resolved.

These would include what to do about the growing number of earmarks generally, including earmarks for so-called "high priority projects;" how to balance formula funding and project funding; the balance between highway funding and transit funding; how to streamline project decision-making; what to do about highway capacity needs and how to address livability and sustainability priorities.

All of these and more portend significant policy fights that may not be easy to resolve quickly, especially in a new Congress populated by many members who may be unfamiliar with or even uninterested in, difficult past history on all these issues and resistant to new taxing and spending regardless of the purpose.

Background: Washington continues to struggle over the future of the Federal Highway Program. Although the last multi-year program authorization expired October 1, 2009, Congress has extended it several times for short periods, currently until December 31, 2010. The fundamental problem has been a political inability to approve additional funding sufficient to meet future construction and maintenance needs.

The uncertainty was dramatized in a major August meeting attended by the WSTPC in Washington, D.C., which proved dispiriting for transportation advocates. Top officials of the U.S. Department of Transportation met with a broad cross-section of national transportation stakeholders and would not even speculate as to when the agency would release its long-awaited set of "principles" designed to encapsulate Obama Administration priorities for the next surface transportation bill. As a result, these officials, when pressed for answers, could offer little substantive hope that there is any near-term prospect of ending the long and frustrating reauthorization stalemate.

This was the essential take-away from last week's public forum at the U.S. DOT HQ designed as an "outreach" or "listening session" on reauthorization policy. The day-long public event included multiple panel discussions on reauthorization topics. Participants included DOT Deputy Secretary John Pocari, Assistant Secretary for Policy Roy Kienitz and the various agency modal administrators. It was the sixth and final such session held by DOT on reauthorization over recent months in different locations around the country.

Other speakers and attendees at the event largely included inside-the-beltway representatives of various transportation-related interest groups such as American Association of State Highway and Transportation Officials, the American Road and Transportation Builders Association, the American Public Transportation Association, the National Resources Defense Council, among others, as well as advocates for smart growth, livability, high speed rail, recreational trails, etc. The WSTPC was the only tourism organization represented.

Many of those in attendance, while wanting to take advantage of the opportunity to press the case for their parochial policy interests, were probably more interested in gaining from DOT some sense that there would be greater movement or urgency with regard to the stalled reauthorization process. On this, there were expressions from DOT of sympathy and empathy about the frustrations caused by the lack of legislative progress, but little by way of identifying a clear and successful path forward.

At the core, there appeared to be exasperated agreement that the core funding issues surrounding reauthorization remain intractable and unsolvable in the current political and legislative climate. Revenues to the Highway Trust Fund from traditional user fee sources including the 18.4 centsper-gallon federal gasoline tax are inadequate to sustain current SAFETEA-LU spending levels for more than a year or so, let alone higher post-SAFETEA-LU wished-for levels. New transportation revenues are needed.

The logical source of those revenues – an increase in the gas tax and/or its indexing to inflation, perhaps tied to some form of defined future spending restraint – cannot, for political reasons, be implemented before the coming elections. At the same time, it may not be a significantly easier sell when the next Congress convenes in January, especially if anti-tax candidates make significant electoral gains this year as is widely expected.

Nevertheless, participants agreed that a gas tax increase should remain on the table for consideration by Congress, especially in the coming lame-duck post election session at the end of this year. However, no one in the Obama Administration is publicly advocating for a gas tax increase or any other replacement transportation revenue mechanism. Some participants worried that the revenue stalemate will not be broken without presidential leadership and urged DOT's appointed officials to take a more aggressive approach on the issue with their colleagues in the White House.

In the meantime, it is apparent that the kabuki dance over the Administration's so-called reauthorization "principles" will continue. DOT promised months ago that that it would release such principles sometime this year in lieu of submitting its own formal legislative proposal. But no one knows how detailed those "principles" will be, whether they will address any of the hard questions about funding, or whether in the end they will serve at all to significantly advance the reauthorization process.

Hopes that light would be shed on these questions were dashed when DOT officials deflected all inquiries on the topic by saying only that they were still "working on it." But they could offer no guidance as to when such work would be completed or towards what specific policy or programmatic ends they were leaning.

A few additional notes from the August outreach meeting:

<u>Period of Turmoil</u>: DOT Policy head Roy Kienitz, seeming to pick up on the Obama Administration's mantra not to let a good crisis go to waste, expressed the view that the surface transportation program goes through normal cycles of stability and then turmoil. This now, he said, is a period of turmoil, and it will eventually pass. But meantime, DOT and others, he said, will take advantage of this time to experiment, explore and test or implement innovations and new ideas (such as livability, TIGER and other new discretionary grants, and high speed rail for example) not expressly included in the last reauthorization.

<u>Capacity Needs vs. Smart Growth</u>: To the extent that there was tension between opposing views at the outreach session, it largely centered on aspects of this topic. Many interest groups are seeking to promote less emphasis on traditional highways and more emphasis on transit oriented development, livability, and the like. It was noted that the Bush Administration put heavy emphasis on Congestion Relief as a major priority, but that the Obama Administration has seemed to drop this terminology. Kienitz tried to explain his view that congestion relief was not a goal in itself, but merely a means to the higher national priority of economic competitiveness.

<u>AASHTO Sees Bigger Crisis Coming</u>: John Horsley and Jack Basso of AASHTO expressed concern that if nothing is done on the funding side soon, the current status quo cannot be maintained much beyond late 2011 at which point the highway program would be in danger of

being cut in half. They said there is projected to be a huge and expanding $34 billion-or-more gap in funding at that time, much larger than previous gaps in the last couple of years, which will make last minute political fixes that much harder.

Climate Bill: Kienitz said DOT has been only an observer, not a participant, in the Hill debate on climate and energy legislation. He noted recent rumblings that the climate bill or parts of it could come up in the Senate as part of the energy debate. However, he believes there will likely be no transportation component to this version of the bill, because he said climate bill authors were spooked by the power of the transportation lobby in demanding a large piece of the action. So for now, he said, they have decided to drop the transportation piece, rather than trying to accommodate to transportation interests or to openly fight them.

Educating the Public: A panel on this topic included advocates of the following: High Speed Rail, Livability/Sustainability, Safety, Job Creation, Economic Growth and State of Good Repair. DOT implied that each of these rationales carried relatively equal weight and importance in making the public case as to why a new robust authorization bill is needed.

House Passes Transportation Appropriations

Transportation funding and all other appropriations bills for fiscal year 2011, which began officially on October 1, 2010, is frozen at fiscal year 2010 levels through December 31st and appears likely to remain frozen at last year's levels until early 2011.

Background: In late July, just before the August Congressional recess, the House version of the Fiscal year 2011 Transportation, Housing & Urban Development (THUD) Appropriations bill was passed by a vote of 251-167, with only 14 Republicans voting yes and 13 Democrats voting no. The majority of Republicans opposed the bill because of broad concerns over spending levels and deficits.

The bill -- only the second spending bill to be approved so far this year by the House – provides $67.4 billion in total discretionary spending for the Departments of Transportation and Housing & Urban Development and for related government agencies. Democrats argued that the bill was fiscally responsible because this level was $1.3 billion below President Obama's request and $500 million below the FY 10 bill. But Republicans argued that the current numbers had to be viewed in a larger context -- that the Obama-signed FY 10 bill was 23 percent above the Bush-signed FY 09 bill and that the current FY 10 government-wide deficit is going to be the largest as a share of the economy since World War II. They called for spending in the bill to be cut back substantially, but their amendments to do so were defeated with only minor exceptions.

For highways, the bill provides $45.2 billion, which is $4.1 billion above the FY 10 level and $3.9 billion above the President's request. The President budget had suggested that $4.1 billion be allocated to a new National Infrastructure Bank, but the Appropriations Committee, in rejecting the bank idea because it is not authorized, merely shifted the President's wished-for new funds to the highway account.

For transit, the bill provides $11.3 billion, which is $500 million above last year and $575 million above the President's request.

During a several-hour floor debate, the House considered 14 transportation-related amendments, accepting three and rejecting one by voice vote, and decisively rejecting ten others by roll call vote. Most all of the amendments considered had to do with cutting or restraining spending in one form or another. None of the amendments called for adding transportation spending.

The accepted amendments included the striking of $1.6 million for salaries and expenses being added to the Office of the DOT Assistant Secretary for Budget and Programs for anticipated increased workload; the striking of $50 million being added for NHTSA incentive grants to states to encourage stronger seat belt laws; and a prohibition on the transfer of up to $200 million in highway funds to DOT livability programs so long as such programs are not authorized. Also by voice vote, the House rejected a proposed 5 percent across-the board cut in overall bill spending.

On a series of roll call votes, the House rejected ten Republican amendments, mostly on largely lopsided near-party-line votes. The rejected transportation amendments included proposals to:

--Cut $18.5 billion to bring spending back the FY 08 level
--Cut $12.4 billion to bring spending back to the FY 09 level
--Cut $10.2 billion that could be covered instead with still-unspent Stimulus funds
--Cut $1.8 billion for programs funded above the President's request
--Cut $1.2 billion for Amtrak
--Cut $1 million for a Tacoma, WA, earmark for streetscape improvements
--Cut $1 million for a Blackstone River, RI, earmark for a bikeway project
--Cut $150,000 for a Yauco, PR, earmark for a children's playground

The Senate version of the bill, approved by the Senate Appropriations Committee the week before last, is ready for floor action, but is now being deemed by Senate staffers as unlikely to be taken up until September. While the Senate remains in session this week through Aug. 6, other matters including a possible two-to-three-day debate and confirmation vote on the Elena Kagan Supreme Court nomination, are likely to take precedence.

Longer-term speculation about this year's appropriations process remains rife with uncertainty. The Senate Appropriations Committee approved its transportation bill the week before and the difference between the two bills is less than one billion dollars, not a problematic magnitude of difference as far as such bills go. Considering the progress made so far on the transportation bill, it is entirely possible that a final bill could be reconciled and passed before Congress' target pre-election adjournment on Oct. 8. On the other hand, some believe the transportation bill will be deliberately held back with other uncompleted bills and await final disposition in a post election lame duck session, where transportation appropriations could act as the base vehicle for a larger appropriations omnibus package.

Presidential 2011 Budget Proposal: Federal Lands

Only the Land and Water Conservation Fund was a clear winner with an Administration request of $619 million, although not all this amount would go to the traditional Federal and State sides of LWCF. Following are the proposed LWCF increases:

STATE LWCF: an increase of $10 million, or $50 million compared to a
fiscal 2010 appropriation of $40 million;

STATE WILDLIFE GRANTS: no change, or $90 million compared to a fiscal
2010 appropriation of $90 million;

FEDERAL LWCF: an increase of $106 million, or $384.1 million compared to a fiscal 2010 appropriation of $277.9 million;

URBAN PARKS AND RECREATION RECOVERY: no money, the same as fiscal 2010;

FOREST LEGACY: an increase of $23.7 million, or $100.1 million compared to a fiscal 2010 appropriation of $76.5 million;

HISTORIC PRESERVATION STATE GRANTS: no change, or $46.5 million compared to a fiscal 2010 appropriation of $46.5 million; and

SAVE AMERICA'S TREASURES: a decrease of $25 million to nothing, from a fiscal 2010 appropriation of $25 million.

Causing some heartburn for federal land management agencies in the Interior Department is a proposal for the agencies to eat $108.7 million in fixed costs. That money would effectively come out of the hide of site managers in the Park Service, the Fish and Wildlife Service, and the Bureau of Land Management. For instance the budget proposes a modest $35 million increase for Park Service operations, from $2.262 billion in fiscal 2010 to $2.297 billion in fiscal 2011. But once those additional fixed costs and inflation are figured in, individual parks may actually face decreases. NOTE: NPS Director Jon Jarvis stressed the challenge this proposal would pose for the national parks in our February 4th meeting.)

Recreation and Preservation programs in the Park Service face major reductions, even before subtracting fixed costs. The budget would cut $17.4 million from these programs, reducing them to $51 million from $68.4 million. Most of the cuts would come from heritage area grants (an $8.8 million reduction) and statutory earmarks (a $5.9 million reduction.)

As the WSTPC has forecast, the "Golden Age of Federal Lands Funding" may be coming to a close.

This is illustrated by two large increases in fiscal 2010 for the land agencies. In one big increase, Congress in a fiscal 2010 Interior and related agencies appropriations bill approved a 16 percent $4.66 billion hike, from $27.58 billion to $32.24 billion. In a second increase, Congress approved an economic stimulus law (PL 111-5 of Feb. 17, 2009) that provided the Interior Department with just over $2 billion, not counting road construction and energy efficiency projects. The Forest Service received just short of $1 billion.

Here are the fiscal 2011 Obama Federal land agency budget recommendations most salient to tourism and recreation, showing either reductions or minimal increases. Perhaps the largest percentage program increase is for Forest Service Recreation, which is proposed to receive a nearly three percent increase for 2011 (from $285 million to $283 million).

NPS OPERATIONS: an increase of $35.3 million, or $2.297 billion compared to a fiscal 2010 appropriation of $2.262 billion;

NPS CONSTRUCTION: a decrease of $44.6 million, or $195.2 million compared to a fiscal 2010 appropriation of $239.8 million;

NPS RECREATION AND PRESERVATION: a decrease of $17.4 million, or $51 million compared to a fiscal 2010 appropriation of $68.4 million;

PARK SERVICE CENTENNIAL CHALLENGE: a decrease of $5 million from $10 million in fiscal 2010 to $5 million;

FOREST SERVICE RECREATION: an increase of $8 million from $285 million to $293 million;

FOREST SERVICE TRAILS: Unclear but a capital maintenance and trails line item would plummet by $117.7 million, from $556.1 million in fiscal 2010 to $438.4 million;

* BLM RECREATION MANAGEMENT: essentially the same, or $68.1 million compared to a fiscal 2010 appropriation of $68.4 million; and

* FWS REFUGE MANAGEMENT: a decrease of $3 million, or $500 million compared to a fiscal 2010 appropriation of $503 million.

House Appropriations Subcommittee Approves Federal Lands Budgets

On July 22nd, the House Interior Appropriations Subcommittee passed a fiscal year 2011 budget for all the Federal Lands totaling $32.2 billion, an amount nearly identical to the total approved for 2010. The amounts for specific programs were not released by the subcommittee pending action by the full Appropriations Committee but several unofficial amounts have been reported including the following (2010 actual amounts in parentheses):

National Park Service $2.764 billion ($2.743 billion)
Land and Water Conservation Fund $518 million with the state side receiving $55
 million ($450 million with $40 million for the state side)
Forest Service
 Recreation $296 million ($285.1 million)
 Trails $$87 million ($85.4 million)
 Forest Legacy Roads and Trails $90 million ($90 million)
Fish and Wildlife Service Refuge Management $502 million ($502 million)

New Administration Great Outdoors Initiative

With the completion of "Listening Sessions" in more than a score of locations around the nation, Administration staff have been analyzing the results of those sessions and are expected to produce a report to the President on a 21st century Great Outdoors Strategy by mid-November that will help shape future Federal public land budget priorities.

Among the issues thought likely to be considered for this new initiative are:

Full funding for the Land and Water Conservation Fund

Revitalization of the National Park System in time for its 100th Anniversary in 2016 (possible resurrection of the former Centennial Initiative under another name)

Designation of a number of new national monuments on Bureau of Land Management land

An omnibus public lands and parks bill

Increase focus of interagency collaboration on tourism and recreation

Increase involvement of children and youth in outdoor recreation

Value of outdoor activities in promoting mental and physical well-being

Background: The WSTPC participated in the Great Outdoors Initiative "Listening Session" in Annapolis, MD, on June 25th and submitted recommendations calling for greater priority for tourism and recreation in Federal land agency plans, programs and budgets.

The Obama administration launched a new multi-agency comprehensive conservation with a White House Conference on America's Great Outdoors on April 16, 2010. Few budget or program details were revealed but both Interior Secretary Salazar and Agriculture Secretary Vilsack promised the new initiative would focus on the many challenges to our natural resources in order to "protect the places Americans love" and to repair the "lost connection between some Americans and the outdoors."

It is noteworthy that the new initiative will apparently be multi-agency. In contrast, the previous Centennial Parks Initiative was devoted only to the national parks. Park advocates, of course, have already made clear that they try to secure sufficient funding in the new program to bring the national parks up to needed standards by the 2016 centennial.

Following a notable lack of enthusiasm from the Obama Administration for the $1 billion Centennial Parks Initiative championed by the Bush Administration, no legislation has been introduced in the 111th Congress to authorize the centennial initiative program although Congress did include modest centennial funding in the 2009 and 2010 appropriations bills ($25 million and $15 million respectively).

New Approach to Funding Emergency Forest Firefighting

Congress authorized the FLAME Act as a rider to the Fiscal Year 2010 Interior Appropriations Bill. This legislation includes an appropriation of $474 million for FLAME in Fiscal 2010, with $413 million for the Forest Service and $61 million for the Interior Department – amounts based on agency calculations of 2009 expenditures. Overall, for Fiscal 2010, Congress appropriated more than $3.5 billion for fire fighting. Congress must still appropriate money each year after Fiscal 2010.

The FLAME Act, H.R. 1404, was added by the Senate to the 2010 Interior Appropriations Bill about to be considered in conference committee. While the firefighting account would receive $834 million, the money would be simply transferred from existing firefighting programs already in the bill. Since the House earlier approved H.R. 1404 as separate legislation, the Senate action is likely to be approved in the conference committee.

H.R. 1404, the successor to last year's FLAME Act, passed the House of Representatives on March 26 as co-sponsored by Representatives Nick Rahall, Chairman of the House Natural Resources Committee, and Representatives Mike Simpson, R-ID, and Greg Walden, R-OR. A Senate version, S. 561, introduced by Senators Jeff Bingaman, D-NM, Chairman of the Senate Energy and Natural Resources Committee and Lisa Murkowski, R-AK, Ranking Republican on the ENR Committee, with twelve other cosponsors, received a positive hearing by the Senate Energy and Natural Resources Committee on July 21, 2009.

Both bills had significant support, including five former chiefs of the Forest Service and a coalition of industry and environmental groups as well as the Western Governors Association. The legislation would establish the Federal Land Assistance, Management, and Enhancement Fund as a separate account to be withdrawn by the Secretary of the Interior to pay the costs of catastrophic emergency wildland fire suppression activities that are separate from amounts annually appropriated for the predicted annual workload for such activities. In a significant change from the 2008 FLAME Act, however, neither bill specifies the amount of money to be included in the new supplemental fund, which would be subject to annual appropriations.

For more than a decade, the cost of fighting wildfires on Federal lands has been a growing burden on the operating budget of the Forest Service. In 1995, fire fighting costs were about 15 percent of the operating budget, while in 2008 those costs were nearly 45 percent.

The WSTPC consistently supported the FLAME Act since its initial introduction.

Recreation Fee Program

Congressional action that would significantly change the recreation fee program was not taken up by the 111th Congress. When the 112th Congress convenes in 2011, however, the program is expected to receive a careful review since it is scheduled to expire in 2014.

Background: In April, 2009, Senator Max Baucus (D-MT) reintroduced legislation in the 111th Congress to repeal the recreation fee program for all Federal land agencies except the National Park Service. S. 868, the Fee Repeal and Expanded Access Act of 2009, was introduced by Senator Baucus, with Senators Mike Crapo (R-ID) and Jon Tester (D-MT) as cosponsors. S. 868 was referred to the Energy and Natural Resources Committee and no hearings or further action have been scheduled. There is no companion bill in the House. There have been no additional cosponsors in the Senate.

In the 110th Congress, Senator Baucus, with Senators Salazar, Tester and Crapo, introduced S. 2438, the Fee Repeal and Expanded Access Act (FREAA), which would have virtually eliminated recreation fees for all Federal land agencies except for National Park Service entrance fees as authorized by the Federal Lands Recreation Enhancement Act of 2004 (FLREA). Although the House National Parks, Forests and Public Lands Subcommittee held a June 18, 2008, hearing on FLREA implementation, neither the House nor the Senate held any hearings on S. 2438. No companion bill was introduced in the House in the 110th Congress.

On a related issue, Forest Service Chief Tidwell withdrew a December 1, 2009, proposal that called for a set of changes for privately operated campgrounds on the national forests (about half of all forest campgrounds). In addition to reducing the senior citizen reduction, it also would have required concessioners to eliminate day-use fees at day-use sites where visitors hold annual passes. Under existing policy concessioners may charge fees. Numerous Members of Congress and seniors groups had objected to the proposed changes.

National Park Service Tourism Plan

The WSTPC organized a tourism industry meeting on September 30th with NPS Deputy Director Mickey Fearn to urge that implementation of the 2008 National Parks Tourism Strategy be expedited. Also participating in this meeting were Clyde Hart of the American Bus Association, Steve Richer of the National Tour Association and Todd Davidson of the WSTPC.

Background: The WSTPC and five other major tourism and recreation organizations have urged key Congressional leaders to increase funding for the National Park Service Office of Sustainable Tourism. In a joint industry letter initiated by the WSTPC, the chairmen and ranking members of the House and Senate Appropriations Subcommittees responsible for the NPS budget have been asked to provide a modest $1 million for the NPS Tourism Office. Although the mission of the NPS from its beginning nearly a century ago has included a commitment to ensure that the national parks provide for the enjoyment of the public, the current agency tourism office budget only allows one staff position and includes no money to implement the comprehensive national tourism strategic plan adopted in 2008. Other industry organizations joining the WSTPC in this letter are the National Association of RV Parks and Campgrounds, the National Tour Association, the American Bus Association, the Southeast Tourism Society and the National Parks Promotion Council.

At a February 4th tourism industry meeting with NPS Director Jon Jarvis and other agency leaders organized by the WSTPC, the case was made by participants for increased funding for the NPS Tourism Office.

The WSTPC and other tourism organizations were gratified in October, 2008, when the National Park Service adopted a new, progressive strategy to foster closer and more effective collaboration between the agency, the tourism industry and local gateway communities. It promises to be a major step towards reversing the two decades trend of declining visitation in the national parks. The challenge is now to secure sufficient budge and staff resources to implement the new tourism strategy. Highlights of the new plan include:

(a) proactive engagement of the tourism industry and local gateway communities at all NPS organizational levels in building sustainable cooperative marketing partnerships to define the message, extend the reach of the park awareness and leverage the park's interpretation, education, conservation and responsible use messages;

(b) better understanding of consumer awareness, expectations and motivations for travel to parks through research and analysis;

(c) use of marketing tools to address visitor distribution strategically;

(d) cultivation of visitor centricity in training of a new generation of park leaders;

(e) use of the tourism strategic plan as a blueprint for the implementation of agency objectives, such as bringing children and families into the parks;

(f) increasing awareness of and visitation to lesser known parks.

The WSTPC is working with the National Tour Association, the American Bus Association, the Southeast Tourism Society and other tourism organizations, along with the Congressional Travel and Tourism Caucus to urge increased funding for the NPS Tourism Office.

Snowmobiling in Yellowstone

For the winter of 2010-2011, the NPS will continue to enforce its interim rule limiting snowmobiles 318 per day and snowcoaches to 78 per day.

In the meantime, the NPS has announced six alternatives for future snowmobile use beyond next winter:

Alternative 1 – No over snow vehicles allowed
Alternative 2 – Continue present 318/78 limits
Alternative 3 – Return to 2004 limits of 720 snowmobiles with 78 snowcoaches
Alternative 4 – Mixed use. 100 snowmobiles and 30 snowcoaches only from south entrance with some roads plowed for bus and van access
Alternative 5 – Snowcoaches only beginning in 2014-2015 season
Alternative 6 – Mixed use. Varying level of snowmobile use up to 540 snowmobiles and 78 snowcoaches per day

The entire issue remains intensely controversial as it has for more than a decade.

In his remarks at the January 11, 2010, WSTPC Meeting in Yellowstone National Park, YNP Deputy Superintendent Colin Campbell explained the substantial reduction to 318 snowmobiles per day from the previous cap of 720. Although NPS studies show no incremental environmental impact from snowmobiles compared to snowcoaches, the reduction was necessary because this is an "Interim Rule" for winter use management and under the National Environmental Protection Act (NEPA), the least impactful option is mandated for interim rules.

The National Park Service on November 20, 2009, announced it would reduce by more than half the daily number of snowmobiles allowed in Yellowstone National Park to a cap of 318 snowmobiles per day for the winter 0f 2009-2010, beginning December 15th and a cap of 78 snowcoaches per day. The plan would apply for the next two winters while the NPS prepares a more permanent plan. The 318 snowmobile cap is down from 720 snowmobiles per day allowed last winter under a Bush Administration rule. The peak number of daily snowmobile visitors last winter was 426. An average of 205 snowmobiles daily entered the Park in 2008-2009. The NPS maintains these new requirements are necessary because conflicting Federal circuit court decisions over the last decade have nullified past regulations. The NPS rejected the suggestion that snowmobiles should be banned altogether from the Park and replaced by all snowcoaches because its most recent environmental analysis "demonstrated that guided snowmobile groups and snowcoaches are roughly equivalent in terms of environmental impact per visitor."

Although the State of Wyoming filed a new lawsuit on November 15th in the U.S. District Court for Wyoming challenging the latest NPS snowmobile rule, it has said it will not try to block implementation of the new rule this winter. The National Parks Conservation Association has asked the court for permission to intervene in this lawsuit.

Park Overflight Rules

Legislation (H.R. 1586) to re-authorize the Federal Aviation Administration, which has been delayed for some time, finally passed the House and Senate in March, including an amendment by Senator Ron Wyden (D-OR) to make clear that the Park Service has the lead in determining the impact and appropriate level of noise in the parks from air tours flying over them. Wrangling between the NPS and FAA over the issue has held up completion of the air tour plans required by law for more than a decade. Senator Tom Coburn (R-OK) introduced an amendment that was adopted requiring the cost of preparing air tour plans to be paid for through a fee to tour operators.

The situation was complicated by a Grand Canyon air tour amendment sponsored by Majority Leader Reid (D-NV) and Senator McCain (R-AZ). That amendment would have effectively locked in the status quo regarding air tours over the park, preventing changes in the level of allowed noise from air tours. It was strongly resisted by environmental groups. Shortly before a vote on the amendment was expected to occur, faced with wide opposition, including that of Senator Jeff Bingaman (D-NM), Chairman of the Senate Energy and Natural Resources Committee, which has jurisdiction over national parks, McCain withdrew the amendment. The Wyden and Coburn Amendments were then accepted in the bill.

The question now is whether these amendments will be retained by the House-Senate conference committee that will reconcile the differences between the House and Senate FAA bills. The House version did not include these air tour provisions.

Recreation Industry Concern Over Draft Forest Service Planning Rule

The recreation industry is concerned that the draft Forest Service Planning Rule will give insufficient attention to recreation. Industry representatives led by the American Recreation Coalition have met with FS Chief Tom Tidwell and Department of Agriculture Under Secretary Harris Sherman to convey their concerns. The proposed Planning Rule is expected to be published for public comment by the end of the year. Both Tidwell and Sherman reassured the industry representatives that recreation would receive attention although the Planning Rule is not intended to be full and complete in its guidance. Future agency "Directives" will provide more detail.

Background: In happier days, the FS announced on July 23rd that it would give recreation priority in its new Planning Rule that will guide future Forest Plans and related implementing forest rules. According to the agency then: "We view the experiential, educational, spiritual, health and economic (among many others) of recreation, and the value of recreation for connecting people to our lands, as extremely important. Few other activities provide people a sense of place like recreation in the outdoors."

This commitment followed release earlier in July by the Secretary of Agriculture report that concluded that Forest Service recreation generates about $13 billion per year in gateway communities within 50 miles of national forests.