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PA 715 Policy Making and Implementation

Fall 2007 Policy Briefing

To: Dr. Sheldon Gen

From: Norman Infusino

Date: December 5, 2007

Re: National Park Service Deferred Maintenance

### **Summary**

The NPS has a backlog of deferred maintenance and current funding is not alleviating the problem. The policy process I outline for this issue is the Stages-Heuristic approach. There is the problem identification, agenda setting, policy formation, but here it stops because of the inherent problems of funding more than operational needs.

There is now a bill in congress that addresses this problem of backlogged maintenance and at the same time celebrates the centennial of the NPS. It is a House bill called H.R. 1731 "National Park Centennial Act" and it is currently in Committees on Natural Resources and House Ways and Means.

The stakeholders I have identified are the members of Congress that are responsible for getting this bill introduced and delivered to the President for signature. There are the congressional staff members that are responsible for making sure that the drafting of the bill and the information is available to their respective representative. There are special interests groups like park associations that have a vested interest in the parks that receive funding from them for special projects, and there is the public that use and insist upon functioning facilities that make their visits enjoyable.

I list the policy models and elements I see that address the issue (Heuristic, Rational Choice, Group and some Elite) and this finally leads my prognosis of how the issue will be resolved and why.

## **Introduction**

The estimate of 6 billion dollars of deferred (backlog) maintenance threatens the very mission of the NPS. Established in August of 1916, the National Park Service (NPS) has been neglecting its mission for at least the last fifteen years. “The National Park Service preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations.”<sup>1</sup> This is not something that the NPS has done willingly; it has been done because of a lack of financial resources and the expansion of the system. If adequate funds are not available to maintain and preserve the existing infrastructure, buildings, and cultural resources, then future generations will not be able to enjoy and achieve inspiration much less utilize the parks for educational purposes.

Park visitors pay higher entrance fees and inflated prices for concessions like food and lodging believing that the income generated will go to the maintenance and upkeep of the national parks. This has not always been the case. Until 1996 these revenues would go into the General Treasury Fund where they can be used for many different purposes; defense being one example. In 1996 Congress granted the Park Service, Forest Service, Bureau of Land Management, and the Fish and Wildlife Service additional powers to levy and increase user fees. It applies to only 100 of the nations more than 325 parks. It also only allows 80% of levied fees to be used within the area that collected them. It was a three year pilot program that has been extended several times and most recently was extended for 10 years in 2004.

Political actors also play a role in the maintenance backlog. According to William Lowery (1994) in 1986 Scranton Pennsylvania congressman, Joe McDade, bypassed the formal

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<sup>1</sup> <http://www.nps.gov/legacy/mission.html>

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procedures of park creation, using his clout as ranking minority member of the House Appropriations Committee to amend a pending omnibus bill. He created Steamtown National Historic Site in Scranton and over the next six years, nearly \$70 million was appropriated to convert an abandoned rail yard, with no original equipment, into what a panel of historians testified to Congress was “little more than a railroad theme park with a eclectic collection of trains.” In the intervening time, plans to preserve natural conditions in other parks remain unrealized for lack of money (pg39).

Political intervention has long been an area of interference in park policy. As identified again by William Lowry (1994), the political intercession has been present but not in the ways that would benefit the NPS. “Members of Congress and political appointees have become increasingly involved through oversight, constituent casework, financial control, manipulation of personnel, and policy decisions (p39).

### **Policy Cycle**

The issue of underfunding through appropriations budgets for the national parks is not something that is new. As a former employee of the NPS, I remember when I first started my employment (1984) at Golden Gate National Recreation Area there were projects that needed to be done that could not be accomplished or even started because the funds were not available. We just did the best we could and tried to keep resources from deteriorating, and it was no easy task to preserve resources in a salt air environment (San Francisco Bay and the coastline from Marin to San Mateo County). This is problem identification at the lowest possible level. When you cannot fix something that the public relies upon (like restrooms) because you do not have a

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couple of hundred dollars for parts, there is a problem. There was money for operating expenses (salaries, gas, phones, etc.) but not for materials.

Agenda setting started with the Clinton administration promising a renewed emphasis on preservation in park policy. At that time there was already an estimated \$2.2 billion dollar backlog of deferred maintenance. Environmental advocates Vice President Al Gore, Interior Secretary Bruce Babbitt, and Assistant Secretary George Frampton, Jr. promised a “substantial increase” in the NPS budget to go along with more emphasis on preservation and expansion.

While the 1993 budget was slightly higher, when adjusted for inflation it bought less services. The same situation occurred in the 1994 budget and the proposed 1995 of increased the operations budget but reduced construction and acquisitions by 26% and 22% respectively. This is the area where formulation of a design should come into being for the NPS to start to reduce their backlog, but it is the area that seems to stay static. No design to reduce the backlog has ever come to pass.

Enter a new administration in 2001 and the deferred maintenance problem is again addressed. In fiscal years 2002-2003 the Bush administration spent \$2.9 billion to reduce the maintenance backlog and proposed the \$1.9 billion to repair roads that is part of the backlog. That plan, contained in the administration's "SAFETEA" transportation reauthorization bill, would push park road aid from \$165 million in 2003 to \$300 in 2004 and \$320 million in 2006 and 2007.<sup>2</sup>

Currently the issue of eliminating the maintenance backlog is to create an Act that does precisely that: eliminates the backlog. There is a bill in Congress, H.R.1731, called the National

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<sup>2</sup> Staff (2003, July). Park Service Maintenance Backlog Is Slowly Reduced. ENR, 251(3), 17.

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Park Centennial Act. “The purpose of this Act is to eliminate the annual operating deficit and the maintenance backlog in the national parks by the centennial anniversary of the National Park System by enabling Congress to focus on overseeing and fully funding the core operations of the national parks in the annual appropriations process.” Mr. BAIRD (for himself and Mr. SOUDER) introduced the bill; It was then referred to the Committee on Natural Resources, and for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. The two house members introduced the bill March 28, 2007 and on April 6, 2007 it was referred to House subcommittee on National Parks, Forests, and Public Lands. It is also in the House Ways and Means committee and has 46 cosponsors.

The length of this particular cycle if you consider it from the length of my own first awareness of it could be twenty years. If the cycle is examined from the first publication that is listed in this paper it would be fourteen years (1993-2007).

The first piece of evidence that leads me to my assessment is the Federal budget process. As stated earlier, the problem of backlogged maintenance was identified in the first Clinton administration (1992-1996) and as far as I can find, there never was a solution offered other than a slight increase in the agency’s budget. That may have sufficed if acquisitions of lands and resources remained stationary and wear and tear could somehow be halted. That was and is not the case. So every year each park submits their budget for operations, projects, and acquisitions and it is reviewed in committee and subcommittee and conference committee and then appropriations are set. The factors of causality, severity, incidence, and proximity that help problem identification for policy actors are reiterated time and again with the outcome remaining the same. One factor of the identification problem that has been ignored is the “crisis” factor.

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Because of its subjective nature, it is harder to determine. Is it a crisis that a group of buildings on the island of Alcatraz, a former federal prison, is deteriorating so that in twenty years it won't be safe to go visit certain areas like the prison laundry or power plant? In terms of national security that example is not a crisis, but to historians and preservationists it just might be a crisis.

### **Stakeholders**

I think the members of Congress are currently the most influential of the policy actors. Their institutional role of defining problems, setting the agenda, and formulating the policy solution is not only critical, but the only way that a legislative proposal can be introduced and eventually passed into law which is what the Centennial Act will become. Currently there are 46 cosponsors of the bill in the House of Representatives which is better than 10% of the total of 435 members. The bill calls for a sunset of funding or more specifically how future funding will be acquired on October 1, 2016 that affects the maintenance backlog, protecting the natural wonders, and protection of the national treasures. These are just a few of the items the members of Congress determine with policy formulation.

The special interest groups are powerful noninstitutional actors with respect to this bill and any projects outside the normal operations that arise in many national parks. These players are the park associations. They not only provide guidance locally but are a large source of philanthropic giving because donors equate the parks with quality of life especially in the more populated areas like San Francisco, New York, Washington D.C., and Los Angeles. Their influence within the parks and with members of Congress is considerable. The associations have a board of directors and many of the board members come from a very social and political elite background, so their input to the institutional actors carries considerable weight.

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According to Theodoulou & Kofinis (2004), the congressional staffs are another set of institutional players that has great influence upon not only the drafting of this bill, but the input from various interest groups, constituents, and lobbyists that want to advocate their policy positions. The staff researches the policy issues and communicates back to the members the concerns of special interests, lobbyists, and constituents (pgs.58-59). They also assist with negotiations between their member and the various other actors (i.e. lobbyist, special interest, the White House, agency officials). With this bill in the committees and subcommittees their influence will be important to assist it on its way towards passage.

The President is another institutional actor whose great influence upon the policy process may have accounted for the Centennial bill coming before congress. Not only had President Bush spent approximately \$3.7 billion since 2002 to reduce the backlog, but on the 90th anniversary of the National Park Service – August 25, 2006 – Secretary of the Interior Dirk Kempthorne outlined President George W. Bush's proposal for the 2016 centennial. I am not sure if the president was part of the problem identification and agenda setting process, but it is clear that the subject of the Centennial initiative was on the mind of the president before it was introduced to congress.

The public is another if not the most important of actors in this process. We are noninstitutional players. Our individual power in most cases is limited, but when combined on an issue of mutual concern then the role of the public can and does lead to some noteworthy political and policy actions. In the case of the Centennial bill, I cannot pinpoint one single moment where the citizenry made it clear to our elected officials that it was time to take action and save our national parks but with the advent of easier way of communicating with elected officials (email, phone, etc.), I am sure officials heard significant concerns about the state of our

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national park system. I can relate one personal instance that prompted me to do my policy briefing paper on this subject in the first place. In the San Francisco Chronicle there is a section called "Chronicle Watch" where the public inquires about worsening conditions they see in municipal settings (i.e. playgrounds, beaches, parks) and this particular day one of the items that caught my eye was the condition of the sea wall along the northern section of Ocean Beach. The concrete is spalled, there is graffiti, and the sidewalks are buckling and cracked. The Golden Gate National Recreation Area, the responsible park for that portion of the coast, said that it was looking towards congress to specially fund a line item construction restoration project for the area because their operations budget could not adequately cover the \$1 million plus cost of the entire project. This seems to be how most of the projects are accomplished, by asking congress to fund line item construction. I do not know if there is a minimum amount that can be requisitioned but with cost rising for labor and materials it is going to be more common to see even little projects being funded by other means than operational budgets.

### **Process Models**

I would say the model that fits the best with this policy is the Heuristic Approach. It seems to have all of the elements. Problem identification where the stakeholders bring the problem before the officials that they feel can best advocate their interests. There is the Setting of the agenda once it has been brought to the attention of the friendly ears of congress, for they have the authority to introduce, discuss, and negotiate the legislative proposals. The policy formulation stage is once again in the hands of different committees and subcommittees within congress and their responsibility to provide a design that will at least begin to resolve the issue. Judging from how H.R. 1731 reads I would say that congress is well under way in the

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formulation stage of how this bill will be funded if it becomes an Act and how those funds will be allocated.

Where I believe the Heuristic model starts to deviate is at the adoption, implementation, and evaluation stages. That is because it has not been signed into law, but the termination stage is already in place because is not a bill that runs into perpetuity but has a sunset to it. This is what I have observed up to this point.

I see some elements of the Rational Choice model approaches also. Mainly from the Institutional portion where there is defined focus by the decision makers and it is easy to measure and gather data (i.e. cost estimates to fund projects; road repair can be measured in miles and halt the decomposing process). There are some action and reformist elements particularly the way it is funded. Part of the Centennial Fund shall be tax payer contributions from over payment of taxes. Congress is planning on amending the Tax Code to include a designation for overpayment and contribution in the Individual Income Tax return.

I do not see Elite models working here. Even though the sharp power focus (institutional players) is reflected, there are too many disadvantages and it contradicts the whole process at least as the NPS is concerned. For instance the NPS is fairly open with how they achieve their goals and outlooks. While I am sure there are decisions trying to be made by a minority of political and economic power brokers, this is a not usually how issues are determined. Although as I mentioned earlier the elite do have a presence in the park associations and these associations provide needed funding for projects, but it is freely available for the public to join in the decision making process. There are open meetings and any and all can participate and speak their mind. The park service took over 6,000 comments as part of the solution for this specific issue after a

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nationwide series of listening sessions. This kind of involvement from many different interests might be more indicative of Group than Elite model.

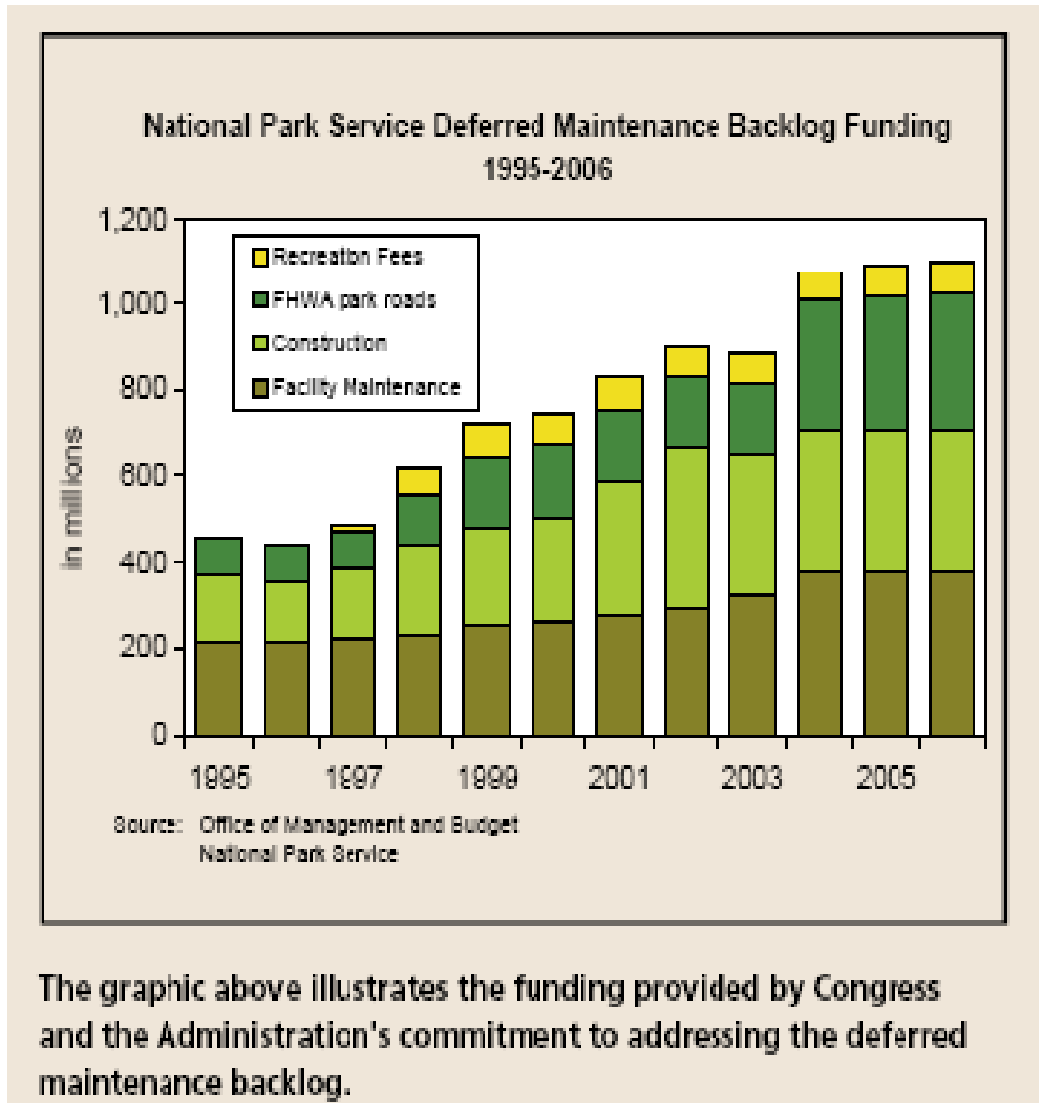
## **Prognosis**

My prognosis with the information that I have now and what I know of the stakeholders and the process model is that we will see this proposed Act come to fruition. I think that after the markup and the legislative language changes and it comes out of committee. Being that the party with the majority (Democrats) introduced the bill, I think that roadblocks that might have occurred will be minimized and it will get to the House floor for action. The Senate might prove to be more difficult to get it through their process since there is not an overwhelming party majority. The President being supportive of the Centennial could sway the votes that are needed to allow the bill to pass within his party. Currently there is disagreement between the White House and Congress on the budget with some talk of a government shutdown similar to what happened in 1995. This had a very negative effect on how Congress was perceived by the public and this could affect how much support the public gives to the party in power. I believe the bill will appeal to both sides of the fiscal process. By allowing tax payers to check a box that designates a portion of their tax refund for park funding, it will give those that participate a feeling of ownership.

I would like to see more media attention directed at this bill. I had not heard anything about it at all until I started to work on this paper and I work for an agency that manages a national park. If those of us that work for the preservation of the parks have not heard about this bill, then I do not believe much of the public has either. In fact there is very little written about it

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in the daily press and most of the current information is from internal documentation. The parks are entities that are used by many different people. They do not only accept the elite or wealthy, but they accept people from around the world. They are used as models for other parks and countries that wish to establish parks and park systems in their respective countries. The governments recognize the need to preserve cultural history, and resources.



This graph was completed in 2003, so the 2004-2006 bars are just projections

## Bibliography

Bomar, Mary A. (2007) U. S. Department of the Interior, National Park Service (2007). Summary of Park Centennial Strategies, A Report to Secretary of the Interior Dirk Kempthorne from National Park Service Director Mary A. Bomar

Bosak, S. (2006, January 5). Washington [Letter to the Editor]. Preserving national parks. *The Washington Times*, Pg. A16

Hotz, Robert Lee (2007, February 11). Across the U.S., public parks are landing private operators. *Los Angeles Times*, Part A; Pg. 17

Lowry, William R. (Dec.1993) Land of the Fee: Entrance Fees and the National Park Service. *Political Research Quarterly*, Vol. 46, No. 4. pp. 823-845.

Lowry, William R. (Fall, 1994). Promises, promises: Will America's national parks be preserved? *The Brookings Review*, Vol. 12, Iss. 4, pg.38

Staff (2003, July). Park Service Maintenance Backlog Is Slowly Reduced. *ENR*, 251(3), pg.17

Summers, Adam B. (April 2005). Funding The National Park System: Improving Services and Accountability With User Fees. Policy Study 325, Reason Foundation, Los Angeles

Theodoulou, Stella Z. & Kofinis, Chris (2004). The Art of The Game: Understanding American Public Policy Making. Belmont, CA: Thomson Wadsworth pgs. 58-59

<http://www.nps.gov/legacy/mission.html>

United States General Accounting Office. (2003) Testimony Before the Subcommittee on National Parks, Recreation and Public Lands, Committee on Resources, House of Representatives  
NATIONAL PARK SERVICE Efforts Underway to Address Its Maintenance Backlog  
Statement of Barry T. Hill, Director, Natural Resources and Environment  
GAO-03- 1177T