

BAILEY, KEYS, AND MAINELLA NOMINATIONS

HEARING BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

ON THE

NOMINATIONS OF VICKY A. BAILEY, NOMINEE TO BE ASSISTANT SECRETARY FOR INTERNATIONAL AFFAIRS AND DOMESTIC POLICY, DEPARTMENT OF ENERGY; JOHN W. KEYS III, NOMINEE TO BE COMMISSIONER OF THE BUREAU OF RECLAMATION; AND FRANCES MAINELLA, NOMINEE TO BE DIRECTOR OF THE NATIONAL PARK SERVICE

JUNE 27, 2001



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Note: Senator Bingaman assumed the Chairmanship on June 6, 2001.

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BAILEY, KEYS, AND MAINELLA NOMINATIONS

WEDNESDAY, JUNE 27, 2001

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 9:32 a.m. in room SD-366, Dirksen Senate Office Building, Hon. Jeff Bingaman, chairman, presiding.

OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR FROM NEW MEXICO

The CHAIRMAN. The committee will come to order. This morning our hearing is on President Bush's nomination of Frances Mainella to be the Director of the National Park Service; John Keys, to be the Commissioner of Reclamation; and Vicky Bailey, to be the Assistant Secretary of Energy for International Affairs and Domestic Policy. Without objection, the written testimony of each witness and the committee questionnaire and the financial disclosure statements will be submitted for the record.

Let me call on Senator Murkowski for any opening statement that he has at this point.

Senator MURKOWSKI. Looks like, Mr. Chairman, we have got some signs up there that suggest we are going to have some members do some introductions, but—

The CHAIRMAN. We are if they arrive. If they don't arrive, we will do without them.

Senator MURKOWSKI. All right. Well, that is fair enough for me. We have got one that has arrived.

The CHAIRMAN. Do you want to make any statement before we hear from the members. Why don't you sit down, Senator Nelson, and you can hear Senator Murkowski's statement and then we will hear from you.

[A prepared statement from Senator Domenici follows:]

PREPARED STATEMENT OF HON. PETE V. DOMENICI, U.S. SENATOR FROM NEW MEXICO

Mr. Chairman, I appreciate these individuals appearing before us today, because these nominations are critical not only to their respective agencies, but also to our state of New Mexico. In particular, the Department of the Interior is still the one cabinet department in which only the Secretary has been confirmed. This is particularly distressing considering the broad mission of the Department and its wide jurisdiction which includes our national parks, water issues, American Indians, public lands, and preservation of our nation's resources.

I firmly believe that the individuals appearing before us today will greatly benefit the Department of the Interior and I fully support each nominee.

With the federal government managing over 30 percent of the land in New Mexico, much of what the Department does directly impacts New Mexico. Both the Park Service and the Bureau of Reclamation play large roles in New Mexico parks and water issues.

New Mexico has been very fortunate having just had Eluid Martinez as the Bureau of Reclamation Commissioner. We are proud of Eluid's service with the Bureau. It was always comforting to know that we had a Commissioner who understood the challenges associated with western water issues. I still believe it is critical that the Bureau administer its numerous initiatives to help the Western states meet their water needs while balancing the multitude of competing uses of water in the West.

I also look forward to working with the two other nominees, Ms. Bailey on energy policy issues and Ms. Mainella on maintaining our National Parks. Given the importance of water, parks and energy to New Mexico, it is vital that the Energy and Interior Departments have experienced, educated and informed officials to carry out desired goals and missions.

I am proud to report that the three nominees before the committee today bring vast amounts of knowledge and experience to the Departments. They have remarkable expertise in their respective fields. I am certain that they will serve the Department of Energy and the Department of the Interior with pride. I look forward to working with each of them on issues critical to New Mexico.

STATEMENT OF HON. FRANK H. MURKOWSKI, U.S. SENATOR FROM ALASKA

Senator MURKOWSKI. Thanks, Jeff. I am certainly pleased that we scheduled this hearing today. I think we have three well-qualified nominees. Vicky Bailey is, of course, no stranger to this committee. She has been endorsed twice before when she served as Commissioner of FERC, at FERC I should say and will certainly be a great asset to the Department of Energy. Her knowledge and contribution has high expectations.

Mr. Keys has testified before the committee and has a long and distinguished record of the Bureau of Reclamation and a record of reaching out on all sides and managing the Bureau's projects in the Northwest. I am pleased to see some of the families here as well.

Ms. Mainella has certainly a distinguished career in park and resource management, including recognition by her peers, and service as president of the National Association of State Park Directors and of the National Recreation and Park Association has worked with our staff on issues over the years. I appreciate the pace at which the committee is attempting to hold these hearings, but I am troubled by the situation on the floor of the U.S. Senate.

It is my understanding that the Majority Leader intends to hold nominations until the organization resolution is resolved, and I could not disagree more with that procedure. I fail to see how hamstringing the Federal agencies advances any public policy. We have a situation currently in the Department of the Interior where we have one individual who has been confirmed, and that is the Secretary. I am even more troubled that the leadership continues to object to a time agreement on Steven Griles, so that once—it seems like we should be able to move that particular nomination.

Let me elaborate for the record on the facts. Steven Griles' chronology suggests that the intent to nominate was on March 9 of this year. The nomination was received on May 1 of this year. Would the staff please pick up Senator Graham's name—thank you.

He was reported favorably out of this committee by a vote of 18-4 on May 23. All this was before Senator Jeffords made his announcement on May 24. We immediately began to try and move

this nomination. The minority also tried to get a time agreement, and in checking with the floor staff, we find that Griles was cleared on the Republican side on May 23. In an executive session on May 23, we moved one nomination. On May 24, we moved 19 nominations. On May 25, we moved 33 nominations. On May 26, we moved eight nominations. In each case, Griles was cleared on our side but objected to by the Democrats.

During this period, a unanimous consent agreement was ordered to allow for 2 hours of debate and a vote. The Democrats had said they needed 2 hours with consideration and as a consequence, the week we returned from the recess, that was rejected again by the Democrats, as was a modification that deleted the time certain and only included the time limitation. At that point it was clear that obviously the Democrats would control the floor, and the timing on our return from that recess.

An Executive Order—on June 14, we cleared three additional nominations, but the Democrats again would not agree on Griles. As of today, Griles has been pending 36 days without even a time agreement. I would also note that even if the Majority Leader wants to hold consideration of further nominees hostage to the reorganization resolution and agreement on time for debate has nothing to do with the resolution and the actual schedule of the debate.

I think the record will note when the Clinton administration was in power, we did move the nominations. We did not attempt to delay them and while I don't dispute the issue on the resolution with regard to the nominations, I think the record is quite clear on Griles. Griles should be cleared because he was moved prior to the takeover by the new majority.

I wanted to make that note so that the record would clearly indicate what's going on here, and that is an effort to withhold nominees and in the particular issue of Griles, use him as an excuse to throw him in with the rest of the nominees and clearly that is unfortunate.

I am also troubled by the fact that we canceled our markup for today and I understand the Democratic leader doesn't even want to move out of committee markups until this resolution is resolved. In any event, I think it is contrary to serving the public and I know they say there is a simple solution, but Griles certainly doesn't fit into that category. Griles should be moved.

I'd like to have our full committee of members in the Senate working together on this, as I know we all would, but I think it is important to point out that the Appropriations Committee is moving markup on the Interior bill tomorrow, so some committees are moving along, but maybe it is different when you are providing the funding for projects back home and when you are approving the President's nominees to administer these programs and projects, but I don't think there is much difference.

That being said, I welcome our fellow Senators. I welcome the nominees, but I did want to express some frustration concerning Mr. Griles, who is anxious to serve the Department of the Interior and the public.

The CHAIRMAN. Why don't we go ahead with statements by various Senators who are here to introduce nominees. I think I'll call on people in the order that the staff has written it down here. Sen-

ator Graham is here to introduce Fran Mainella, and why don't you go right ahead with your statement.

Senator Domenici.

Senator DOMENICI. Excuse me, Senator Graham. Could I put a statement in the record with about seven questions and ask that they be answered. This is in support of all three.

The CHAIRMAN. We will include that in the record.

Senator DOMENICI. Thank you very much, Mr. Chairman.

The CHAIRMAN. Certainly.

Senator Graham.

Senator GRAHAM. Mr. Chairman, with your permission, I would like to defer to my colleague, Senator Nelson, who has a prior commitment.

The CHAIRMAN. We are glad to hear from Senator Nelson.

**STATEMENT OF HON. BILL NELSON, U.S. SENATOR
FROM FLORIDA**

Senator NELSON. Mr. Chairman, I will be very brief, but just wanted to be here personally on behalf of Fran Mainella to tell you what an outstanding appointment this is and I know about which I speak, because in my previous life as the elected State treasurer and insurance commissioner of Florida sitting on the cabinet, elected cabinet of Florida, which was actually the group that was the official bosses of the agencies of government of which Mrs. Mainella was the director of Parks.

Outstanding reviews. It was with great pleasure that Senator Graham and I went to the Everglades, accompanying the President, on the occasion of him making the announcement, and it was certainly an honor for me to be there and participate because this is an excellent appointment, and thanks to my colleague, Senator Graham, to let me get on to these 50 people that are waiting for me. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much for being here.

Senator NELSON. Thank you very much.

[The prepared statement of Senator Nelson follows:]

PREPARED STATEMENT OF HON. BILL NELSON, U.S. SENATOR FROM FLORIDA

Mr. Chairman, it is my privilege to introduce and recommend Mrs. Fran Mainella to the Committee on Energy and Natural Resources.

She is an accomplished and dedicated steward of Florida's parks.

I wholeheartedly support her nomination as Director of the National Park Service.

Mrs. Mainella has an exemplary record.

Under her guidance, Florida's state park system received the National State Parks Gold Medal, designating Florida's parks as the best in America.

Ms. Mainella received the Senator Bob Williams Award for recognition of her public service, which has changed the course of historic preservation in Florida.

She has served as the President of the National Association of State Park Directors and President of the National Recreation and Park Association.

Currently, as Director of the Division of Recreation and Parks for the Florida Department of Environmental Protection, she oversees 155 state parks, eight bureaus, two offices and more than 1,000 employees.

Her vast experience and expertise make her the top candidate for this important position.

Floridians value her service and appreciate the work she has done.

Our congressional delegation supports her nomination and I have received many letters of support for Mrs. Mainella from people across the state.

Floridians know Mrs. Mainella as a leader who works cooperatively and effectively with others.

If confirmed as Director of the National Park Service, Mrs. Mainella will continue to inspire confidence and respect, and our National Park Service and public lands will flourish.

Thank you.

The CHAIRMAN. Senator Graham.

**STATEMENT OF HON. BOB GRAHAM, U.S. SENATOR
FROM FLORIDA**

Senator GRAHAM. Thank you, Mr. Chairman. Mr. Chairman, it is a great pleasure to introduce Mrs. Fran Mainella to this committee. As Senator Nelson has just said, Ms. Mainella is known to us beyond her outstanding service, but also as a close personal friend. Ms. Mainella has many accomplishments. She is the past president of the National Association of State Park Directors. She is the past president of the National Recreation and Park Association.

This year she won the award in Florida in recognition of public service for historic preservation efforts. Currently, Ms. Mainella serves as the director of the Division of Recreation and Parks of the Florida Department of Environmental Protection. She has held this position for 12 years.

In that position, Ms. Mainella oversees 155 parks, consisting of more than 500,000 acres. Under her leadership, the Florida Park Service was the recipient of the 1999-2001 gold medal award, voted America's best State park system. That speaks for the quality of her service.

The Florida State park system has received this recognition as it has become a national model for a number of initiatives that I know Ms. Mainella is interested in pursuing in the national park system, volunteer and partnership programs. She created these programs at all of the major State parks and then created an umbrella group on a statewide basis so that one of the most publicly supported aspects of State government in Florida today are State parks.

She has created a partnership in the parks program, a public-private program that has increased the service capabilities of our State parks. She is aware of the needs of our Nation's national treasures in our national parks. Under her leadership, the Florida State park service has worked closely with the superintendents of the national parks in Florida, as well as with local parks.

Past superintendents of Everglades National Park and Biscayne National Park have praised Ms. Mainella's cooperative work as a model of relationships between State, local, and national park systems. Mrs. Mainella's nomination is fully supported by the Florida Congressional delegation and Mr. Chairman, I have a letter of support from the delegation which I would like to enter into the record, as well as Governor Jeb Bush, and I also have a letter from the Governor in support.

In addition, my office has received numerous letters from local organizations in support of Mrs. Mainella's confirmation. I would ask that those also be included in the record.

I am certain that if confirmed, Mrs. Mainella will provide important expertise and experience for the National Park Service as she has in the State of Florida. I think the President has shown great

wisdom in nominating this experienced American for this very important position, and I urge her early positive confirmation.

The CHAIRMAN. Well, thank you very much. All of those items have you brought with you will be included in the record, and we appreciate your statement very much. Senator Bennett is here to introduce John Keys.

**STATEMENT OF HON. ROBERT F. BENNETT, U.S. SENATOR
FROM UTAH**

Senator BENNETT. Thank you, Mr. Chairman. I have the privilege of introducing John Keys III, who is President Bush's nominee to be Commissioner of the Bureau of Reclamation and while I am sure he did not do this deliberately, Mr. Keys has accumulated a political resume that should stand him in good stead during the confirmation process.

Our friend, Senator Shelby, will be pleased to know that he was born in Alabama. He graduated from Georgia Tech. He spent a number of years in Idaho working where Senator Craig knows him, but he had the wisdom to both begin his career and then retire to the State of Utah, and so that is why we claim him in Utah.

Upon graduation from Georgia Tech, he accepted his first position with the Bureau of Reclamation in Provo, Utah where he worked for the Central Utah Project and after working on the CUP, he worked with the Bureau in North Dakota, Montana, and Colorado. From 1979 to 1980, he left the field to come to Washington and then finished the last 18 years of his 34 year career with the Bureau in the Pacific Northwest Region, where he served as Regional Director from 1986 to 1998.

All the time that he was doing this work in the Bureau of Reclamation, he found time to earn a master of science in civil engineering degree from Brigham Young University. He was awarded the Department's meritorious service award in 1984 during the Reagan administration and the Department's ultimate award, the Distinguished Service Award in 1995 during the Clinton administration, which demonstrates I think that he has the capacity to work with all sides, see all sides, and make everybody feel good about resolving difficulties from all sides.

He has worked with State governments, tribal governments, environmentalists and water users to fashion workable solutions and along the way, has received praise from groups that are as disparate as the Save Our Wild Salmon Coalition and Trout, Unlimited to the Oregon Water Resources Congress of the Idaho Water Users. I think it is a tribute to his willingness to serve that he is willing to come out of retirement from a delightful lifestyle in Moab, Utah, and those of you who have been to Moab know how attractive that can be, to come back into Federal service and accept the assignment as Commissioner of the Bureau of Reclamation.

It is an honor for me to endorse his nomination, and to introduce him here today. I urge the committee to give him favorable and rapid consideration.

The CHAIRMAN. Well, thank you for that strong statement. It sounds to me like his talents are needed in the Middle East instead of in Bureau of Reclamation. But let me—

Senator BENNETT. They do have water problems over there.

The CHAIRMAN. Senator Craig wanted to make a very short statement also and then Senator Bayh wished to make an introduction as well. Go ahead.

**STATEMENT OF HON. LARRY E. CRAIG, U.S. SENATOR
FROM IDAHO**

Senator CRAIG. Mr. Chairman, thank you very much. I did want to recognize, as Senator Bennett has, John Keys in the audience today, and who we are considering for confirmation for the Bureau of Reclamation. Bob has laid it out very well. This man's excellent record in public service. If you look at his span of time in Idaho from 1986 to 1998, that is not quite as long as I have been in public office representing Idaho, but it means that all during that time, Mr. Chairman and members of the committee, I have had the opportunity to interface with John in working within his capacity as Regional Director for the Pacific Northwest. He is fair. He is balanced. He brings great expertise. He will serve us extremely well. I am proud that he comes before our committee.

The CHAIRMAN. Thank you very much. Senator Bayh wished to make an introduction of Vicky Bailey. Go right ahead.

**STATEMENT OF HON. EVAN BAYH, U.S. SENATOR
FROM INDIANA**

Senator BAYH. Thank you, Mr. Chairman. I am pleased to be here today as a member of this committee to urge the confirmation of Vicky Bailey as Assistant Secretary for International Affairs and Public Policy, and Mr. Chairman, I am pleased to report that although he could not join us today because of a scheduling conflict, my senior colleague from Indiana, Richard Lugar, feels just as strongly about Vicky's nomination.

I have known Vicky Bailey for many, many years. As a matter of fact, in my previous life as our State's Governor, I was privileged to appoint her to a second term to Indiana's Utility Regulatory Commission where she served with distinction for 7 years from 1986 to 1993. During that time, she took a leadership role on several of the national associations representing the electricity commissioners from across the country, including the National Association of Regulatory Commissioners and the North American Electrical Reliability Council.

From her service in Indiana, Vicky moved to the national stage as a member of the Clinton administration. The Clinton administration's nominee to the Federal Energy Regulatory Commission, where she presided over a rapidly changing energy industry. In January 2000, she left public service to return to Indiana as president of PSI Energy, a subsidiary of Synergy, and the largest electric utility serving our State.

The position to which Vicky has been nominated is a critically important one, and particularly so at this time. The Office of International Affairs and Domestic Policy will be the United States' primary point of contact on international collaboration on energy policy, including shared research, technology, trade, and international energy goals and energy diplomacy.

As our domestic energy policy comes into focus and the threat of global warming must be addressed in the post-Kyoto environment,

international collaboration has enhanced importance. Joint research ventures, exploring energy sciences and technology, the advancement of domestic energy technologies and the opening of international energy markets are all critical to our energy future.

Domestically the Department of Energy will play a pivotal role in energy research and development, an area in which I am particularly interested, and it will serve as a foundation of innovative, national energy strategy. The Assistant Secretary will be responsible for coordinating all policy and management initiatives affecting science, research, and technology development activities.

These are serious challenges, Mr. Chairman, with far-reaching implications for our energy security. I am confident that Vicky Bailey is up to these challenges. With her experience in the private sector, at the State level, and at the Federal level, Ms. Bailey understands the challenges of making policies and the challenges of implementing and living with them.

She is an excellent choice for the job and has my full support for this position. I look forward to working with Vicky Bailey to help to frame an energy policy that will serve the citizens not only of our State, but of our Nation well in the years to come. Mr. Chairman, I thank the committee for its indulgence, and I urge her swift confirmation.

The CHAIRMAN. Thank you very much. There is a statement that Senator Lugar has prepared. He was not able to be here, but he asked if we would include this in the record, and we certainly will.

[The prepared statement of Senator Lugar follows:]

PREPARED STATEMENT OF HON. RICHARD G. LUGAR, U.S. SENATOR FROM INDIANA

I am pleased to have this opportunity to introduce Ms. Vicky Bailey to the members of the Senate Committee on Energy and Natural Resources.

I have known Vicky Bailey for many years and consider her to be a uniquely qualified candidate for the position of Assistant Secretary of International Affairs and Domestic Policy. Ms. Bailey's credentials and experience range from being a Commissioner of the Indiana Utility Regulatory Commission, a Commissioner to the Federal Energy Regulatory Commission, and currently president of PSI Energy, Inc., the largest electric utility in Indiana, and a leader in helping to formulate national energy and environmental policy.

Throughout her service on both Commissions, in the private sector, and in the community, Vicky Bailey is known to be a true professional—precise, fair-minded, thoughtful, and dedicated. She has extensive leadership and management experience and a keen understanding of the energy and environmental issues confronting our nation.

Ms. Bailey has won broad bipartisan acclaim in Indiana. First appointed to the Indiana Utility Regulatory Commission in 1986 by Governor Robert Orr, she was reappointed by Governor Evan-Bayh in 1990. In 1993, President Clinton appointed her and in 1996, he reappointed her to the Federal Energy Regulatory Commission, where she became an expert on regulation of electric utilities.

Ms. Bailey has established herself as a thoughtful strategic planner and resourceful director and liaison to federal, private, and academic organizations. She has consistently used her talents and intellect to bring people together for a common cause in order to effect positive change. I have always been impressed by her high level of dedication and commitment to public service.

Mr. Chairman, I thank you for this opportunity to introduce Vicky Bailey to the Committee on Energy and Natural Resources.

The CHAIRMAN. Why don't all three nominees come forward if they would at this point and we will swear them in as required by the rules of this committee. Would each of you please stand and raise your right hand.

Do you solemnly swear that the testimony you are about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth and nothing but the truth.

[Chorus of ayes.]

The CHAIRMAN. Please be seated. Before you begin your statements, let me ask three questions of each nominee, will you be available to appear before this committee and other congressional committees to represent departmental positions and to respond to issues of concern to the Congress?

[Chorus of ayes.]

The CHAIRMAN. Second question, are you aware of any personal holdings, investments or interests that could constitute a conflict of interest or create the appearance of such a conflict should you be confirmed and assume the office to which have you been nominated by the President?

Ms. MAINELLA. My investments, personal holdings and other interests have been reviewed by myself and the appropriate ethics counselors with the Federal Government and I have taken appropriate action to avoid any conflicts of interest. There are no conflicts of interest or appearances thereof to my knowledge.

The CHAIRMAN. Does that same apply to you, Mr. Keys?

Mr. KEYS. Yes, sir.

The CHAIRMAN. And to you, Ms. Bailey?

Ms. BAILEY. Yes, it does. Thank you.

The CHAIRMAN. And are you involved or do you have any assets held in a blind trust? Ms. Mainella?

Ms. MAINELLA. No. I do not, sir.

The CHAIRMAN. Mr. Keys?

Mr. KEYS. No.

The CHAIRMAN. Ms. Bailey?

Ms. BAILEY. No, I do not.

The CHAIRMAN. Let me at this point invite each of you if you have any family members who have accompanied you to the hearing that you wish to introduce, you are welcome to do that. Ms. Mainella.

Ms. MAINELLA. Mr. Chairman, my parents were not able to join me today, nor my sister, but I do have a number of friends here with me and other State park directors from across the Nation. I just appreciate having them here with me. Thank you.

The CHAIRMAN. We are glad they were able to come. Why don't we have them all stand up.

Ms. MAINELLA. Thank you.

The CHAIRMAN. Mr. Keys, did you have anyone you wish to introduce? All right. Ms. Bailey?

Ms. BAILEY. Yes, Mr. Chairman. My immediate family members were unable to travel with me, but I do have today with me a number of friends who have either worked with me in a professional capacity and have thus become close relationships since then, and then a few personal friends as well. With me is Kathy Cobb, Ester Cosby, Jackie Simmons, Larry Smith, Mark Schaffer, Larry Bruneel, Phillip Fralin, and Jackie Caul, and I hope they all stood up.

The CHAIRMAN. Well, I hope they will all stand up. All right. At this point, let me just give each nominee a chance to make your

opening statement. As I indicated at the first, we will include your full statement in the record, but any comments you would like to make. Ms. Mainella, why don't you start.

**TESTIMONY OF FRANCES MAINELLA, NOMINEE TO BE
DIRECTOR OF THE NATIONAL PARK SERVICE**

Ms. MAINELLA. Good morning, Mr. Chairman, Senator Murkowski and members of the committee. It is just a great privilege and honor to be sitting in front of you as the President's nominee as National Park Service Director. It is like a dream come true with our great 384 wonderful units, our crown jewels of natural and cultural resources available to over 285 million people. To be able to serve those resources if confirmed will be such a great honor.

My dream of being involved with park and recreation began as a child when I was in Groton, Connecticut, and was in scouting, in Girl Scouting, by first camping and hiking. And from there went on to be my first job in park and recreation as a playground counselor working with children in playgrounds as I worked my way through college.

From there, I had my, I continued to work part-time in park and recreation, as I taught school. I was a physical education teacher and did that for about 7 years and then moved to Florida, which is where I moved into park and recreation not only at a State level but in the local level and also in the private sector.

I had a chance to be the executive director of the Florida Recreation and Park Association, which also gave me that good private sector experience which I think has benefited me in many ways. My educational training from the University of Connecticut and then my masters from Central Connecticut State College, now university, helped me I think have the skills to work with groups and bring people together. That has been some of the, I think one of the key assets I have had when I have been in Florida, and I hope to be able to if confirmed apply that here on the national parks level.

As Senator Graham indicated, one of the top accomplishments that we have had in Florida State parks, and as he said I was there, I have been there for 12 years under three administrations and they are both Democrat and Republican administrations that I have served under, has been that we did achieve the greatest award, which is being voted the best State park system in this country, and in doing that, what it recognized is the fact of our resource management, our citizen involvement, our ability to work well with our volunteers, and of course, our visitors services.

But in doing that we found that you needed to bring a team together, and that is a whole team, a dynamic team, and it is not just our great Park Service employees, but again, bringing together groups from outside local governments and other State entities, as well as our Federal partners that Senator Graham mentioned as far as working with our Federal, our national parks and other entities.

We have found that that team development has been so critical in the success for Florida State parks. Again, our challenges are probably—we're smaller than the National Park System obviously and we have accomplished those so much and so many of those

techniques that are bringing teams together, bringing groups together, consensus building is what is I think applicable as we move forward with the National Park Service efforts.

As you probably heard a number of times, Secretary Norton foresees that communication, the ability to cooperate with each other, consultation, and of course, all under the name of conservation has been a theme that I believed in for a long time, long before I even had a chance to meet Secretary Norton and believe this is an important effort.

Our National Park System is the envy of this world. People from all across the country and international visitors enjoy our parks. And I want to commend all those that have served our national parks, all our employees, all our partners as we have gone forward. Our national park foundation and other stakeholders, if I am confirmed, I look forward to working with those groups.

As we reach out to people beyond just the folks that maybe we have normally dealt with, we need to be able to do that so that we know that all have had good communications, all have been listened to and also that we have continued to put and meet the major challenges ahead of us. Our ecosystem, our whole protection of our ecosystem, the general park management issues, our outdoor recreational opportunities to make sure they will continue to be improved and of course our infrastructure issues as we have addressed that through our maintenance backlog.

I pledge to each and every one of you that I will commit to making sure that I reach out to those stakeholders, open up channels of communication with everyone, including all of our elected leaders and making sure we have a good effort in that direction.

I want to work on volunteer development. I want to work further on improving our partnerships and enhancing them even beyond where they are today, and of course, also accountability, and I think that is an important part through our performance goals and other methods of accountability.

The President has really put a focus on our national parks, the natural resource challenge, the elimination of the backlog, maintenance backlog and the establishment of partnerships through the land and water conservation fund or similar efforts. I believe this is a commitment that all of us will be very beneficial to our national parks. I believe and hope that I can play an integral part in that effort of moving things forward, carrying forth the Organic Act of 1916 and making sure that we are really in position as we move through this 21st century.

I want to thank each and every one of you who have been able to meet with me or visit with me. You have been a great support, and so many of you, even members that are outside of this committee, have reached out to me. Also the support of both State and local officials, leaders from organizations from across this Nation, and I do pledge to you, I pledge to all of my supporters, to the President and to the American people, that I will be ready to meet these challenges that are ahead of us and further enhance the ability for the National Park Service to move forward through the 21st century. I just thank you for this opportunity, Mr. Chairman, and welcome any questions.

[The prepared statement of Ms. Mainella follows:]

PREPARED STATEMENT OF FRANCES MAINELLA, NOMINEE TO BE DIRECTOR OF THE
NATIONAL PARK SERVICE

Mr. Chairman, Senator Murkowski, and Members of the Committee, it is a great privilege and special honor to appear before you today as the President's nominee for Director of the National Park Service, in the Department of the Interior. To be responsible for America's 384 special places, her crown jewels, is an awesome challenge. Working to preserve and protect their natural and cultural resources for the over 285 million visitors that enjoy them each year is a dream come true.

My love of the outdoors began as a child in Groton, Connecticut, where through scouting, I went on my first camping trip and hiked my first trail. While I attended the University of Connecticut, I launched my 36-year career in parks and recreation as a summer playground counselor. Upon graduation, I taught junior and senior high school physical education and worked part-time for the Southington Connecticut Park and Recreation Department. I also completed my master's degree in counseling at Central Connecticut State College. My academic training and overall work experience has allowed me to develop the skills that are necessary to work well with a variety of groups, building consensus and developing very important partnerships.

My park and recreational experiences in Florida have been on the local, state and private sector levels. As Executive Director of the Florida Recreation and Park Association, a non-profit organization, I worked with the many hundreds of volunteers, citizens, and numerous other organizations and groups to further the Association's goals.

For the last 12 years I have served as Director of Florida State Parks under both Democrat and Republican administrations. Most notably, Florida State Parks were voted the best in the nation, achieving the Gold Medal Award for 1999-2001. This award is given by the National Sporting Goods Association, and the National Recreation and Park Association. This prestigious recognition reflects most positively our approach to resource management, citizens' involvement, innovative funding concepts, and the emphasis we place on visitor services. Building a dynamic team and working closely together to accomplish our mission were essential components for the award which includes our great employees, our 1900 partners including our concessioners and friends groups, our volunteers and many others.

Florida parks, with 155 units and 16.7 million visitors, have only some of the challenges that face the National Park Service. Yet the successful techniques involved in establishing partnerships and bringing all stakeholders together for meaningful discussion and consensus building benefits all land managers. As Director of Florida State Parks, I biannually schedule interactive meetings with environmental leaders and recreation users to discuss challenges and goals. This process parallels Secretary Norton's 4 c's—consultation, cooperation, and communication, all in the name of CONSERVATION.

America's National Park System is the envy of the world. I commend all those dedicated public servants that serve at our national parks. If confirmed, I look forward to working with staff, our partners such as the National Park Foundation, and other stakeholders. With the support of the Congress, I look forward to the challenges this position holds as we address park management, protection of ecosystems, improvement of outdoor recreational opportunities, and improving park infrastructures. I pledge to this Committee, Mr. Chairman, that I will work closely with all stakeholders, open channels of communication with all, including elected leaders, and all those that have a common interest in making our national parks the best they can be.

Also, I pledge to work hard to improve our partnerships, volunteer development, and accountability through meaningful performance goals. The President has made a strong commitment to our national parks by supporting the Natural Resource Challenge, the elimination of the maintenance backlog, and the establishment of partnerships as reflected through the Land and Water Conservation Fund. I believe that by working with all partners and staff to achieve success, I can play an integral role in having the National Park Service meet the goal described in the Organic Act of 1916: of conserving "... the scenery and the natural and historic objects and the wildlife and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

I am also extraordinarily grateful and appreciative of the support my nomination has received from Members of Congress, state and local officials, leaders from organizations with which I have worked and served. I pledge to you, to my supporters, to the President, and to the American people my best efforts to meet the challenges ahead, and further enhance the ability of the National Park Service as we move through the 21st century.

Thank you. I am happy to answer any questions the Committee may have.

The CHAIRMAN. Thank you very much. Mr. Keys, why don't you go ahead with any statement you have.

Mr. KEYS. Senator Craig and Senator Bennett, thank you for the generous——

The CHAIRMAN. You might pull one of those microphones over there, please.

**TESTIMONY OF JOHN W. KEYS III, NOMINEE TO BE
COMMISSIONER OF THE BUREAU OF RECLAMATION**

Mr. KEYS. Senator Craig and Senator Bennett, I certainly appreciate those generous comments in the introduction. Mr. Chairman and Senator Murkowski, it is certainly an honor and a privilege to be here today, and appear before you and ask for your confirmation to be the next Commissioner of the Bureau of Reclamation. I would like to ask that my full written statement be made part of the record.

The CHAIRMAN. It will be.

Mr. KEYS. Mr. Chairman, I retired from Federal service in 1998, after working with the Bureau of Reclamation for 34 years. During that time, I worked in the Great Basin in the Missouri, Columbia, and Colorado River basins. I worked at all levels of the Bureau of Reclamation, at the project office level, at the regional office level, in the engineering and research center and at the Commissioner's office. I enjoyed and learned from every one of those assignments and I believe that they prepared me well to handle the job of Commissioner of Reclamation.

During those years of service, I had the opportunity to work with 10 different Commissioners of Reclamation. And I learned something from every one of them. Commissioner Domini taught me to work with the Congress. He was very successful with that. Commissioner Higginson taught me to work with the States. Commissioner Underwood taught me to work hard. Commissioner Beard taught me to respect the resource and how to change, and Commissioner Martinez taught me humility and service.

The Bureau of Reclamation is a grand organization. It has great people there. And they have great potential to serve this country. In cooperation with the States, tribes, local water users and other stakeholders, Reclamation has a major role to play in the future management of the West's scarce water resources. It has served this country well for the past almost 100 years and I look forward to the opportunity to help launch it into its next 100 years of service.

If confirmed as Commissioner of Reclamation, I will consult with you and work with you. I will communicate with and work with your constituents, and I will look for cooperative, collaborative and innovative solutions to the water resources problems that challenge us in the Western United States. Above all, I will try to keep you from being surprised by any water resource issue that involves the Bureau of Reclamation. Thanks again for the opportunity to be here. I would look forward to answering any questions that you may have today.

[The prepared statement of Mr. Keys follows:]

PREPARED STATEMENT OF JOHN W. KEYS III, NOMINEE TO BE COMMISSIONER OF THE
BUREAU OF RECLAMATION

Mr. Chairman, Senator Murkowski, and members of the committee, it is an honor and indeed a privilege to appear before you today and seek your confirmation of my nomination to be the next Commissioner of the Bureau of Reclamation.

Mr. Chairman, my entire professional career was spent working with the Bureau of Reclamation throughout the Western United States. The experiences gained working in the Great Basin, the Missouri River Basin, the Colorado River Basin, and the Columbia River Basin have been invaluable to prepare me for the challenges of working with future water resources problems, conflicts, and demands that we face in the West. I believe that I can work with all of the water users around Bureau of Reclamation projects to meet those challenges—the traditional water users who have contracts for the delivery of irrigation water, the municipal water users whose demands continue to increase, the instream flow water needs that are becoming more critical (for fish, wildlife, recreation, water quality control, etc.), the increasing demands for hydro-electric power generation, and water requirements that we don't even know about yet. And I believe that water deliveries from those facilities can be made in compliance with state water rights and laws and the applicable Federal rules, regulations, and laws.

The last eighteen years of my work with Reclamation were spent in the Pacific Northwest, dealing with water service, droughts, Endangered Species Act requirements for stream flows, rebuilding of an aging infrastructure, and the changing water requirements of our society. Working closely with the State Legislatures (Idaho, Washington, Oregon, Montana, and Wyoming), the Congressional delegations, the water users, the Native American Indian tribes, and other water related organizations, we were able to meet these demands. I believe that I can bring that same cooperative spirit and attitude to the Bureau of Reclamation for its future work throughout the Western United States.

With that background, let me share a few of my basic beliefs and guiding tenets with you:

1. I believe in the Bureau of Reclamation. Its people and the institution itself have the character and capability to work with all of the water users within, around, and throughout the basins of the Reclamation projects to meet their water requirements. Those water requirements can and should be compatible. I believe that I have the experience, ability, and "work togetherness" to make that happen.

2. I believe in State Water Rights. Bureau of Reclamation projects were built within them and are operated within them. Reclamation should work closely with the states for the best use of the projects and their water resources.

3. Bureau of Reclamation facilities are a valuable asset of the Federal government. Generally speaking, Reclamation's dams, reservoirs, and hydro-electric power plants should remain in that ownership. Ownership of other project facilities may be appropriate for transfer to project beneficiaries.

4. The Bureau of Reclamation can work within existing Federal rules, regulations, and laws that govern those projects and their operations. Some of these rules, regulations, and laws may need changes—if so, I would work with you to accomplish those changes.

5. I believe in Bureau of Reclamation people. I will work with them, the Administration, the Congress, the states, other agencies, and other organizations to get Reclamation's job done and help those people do their jobs to their potential.

With that said, there are a number of challenges that the Bureau of Reclamation faces and will have to deal with on a long and short term basis:

1. Managing the limited water resources in Bureau of Reclamation projects for the needs of traditional water users and the expanding water needs of our society (domestic and municipal water use, instream flows, power production, fish, wildlife, water quality control, etc.)

2. Maintaining an aging infrastructure to continue the delivery of water for multiple uses, provide for the generation of power, and other project benefits, and to protect public safety in those project areas.

3. Dealing with power supply in the Western United States—coordinating Reclamation power plants, power generation, and power marketing with other Federal agency and private power plants to meet project uses and power customer demands, and to provide system reliability.

4. Working with other Federal agencies to meet applicable Federal laws, regulations, and requirements (i.e. National Environmental Policy Act, Endangered Species Act, Clean Water Act, water quality standards, etc.).

5. Enhancing the role of the Bureau of Reclamation as a leader in the management and conservation of water in the Western United States—such role would certainly go beyond the delivery of project water—

- conservation of water and encouragement of its judicious use.
- finding innovative and effective ways to deal with the drought.
- development of recycling technology and acceptance for waste water reuse.
- working with other agencies, organizations, etc. to make many uses of the same water.
- give water users and planners a place to turn to for technical advice.
- work with the states on water allocations from Western rivers and deal with those rivers that may be over allocated.

Mr. Chairman, there are no magical answers or silver bullets that will make the West's water resources problems go away or make these tasks any easier to solve. If confirmed, I will work hard to make us both successful in dealing with the challenges of managing the scarce water resources of the West. Secretary Norton has outlined a vision for the Department of the Interior that includes strong support for conserving and maintaining our water resources. With her support and a strong commitment to consultation, cooperation, and communication, I believe that we can get the job done, and get it done right.

Thank you for the opportunity to be here today. If there are any questions, I would be pleased to try to answer them.

The CHAIRMAN. Thank you very much. Ms. Bailey, why don't you go right ahead with your statement.

TESTIMONY OF VICKY A. BAILEY, NOMINEE TO BE ASSISTANT SECRETARY FOR INTERNATIONAL AFFAIRS AND DOMESTIC POLICY, DEPARTMENT OF ENERGY

Ms. BAILEY. Thank you, Mr. Chairman. I would ask that my statement be entered into the record, please.

The CHAIRMAN. It will be.

Ms. BAILEY. My opening comments are very brief. It is a huge honor and privilege to be asked to join the Bush administration. I hope that my experience in my present position and my background, especially as a former State commissioner in Indiana and also as a Federal regulator at the Federal Energy Regulatory Commission will be helpful to the Energy Department.

Our country faces a lot of important decisions with respect to future energy policy. Our Nation's economic engine depends on the availability of (1) reliable and (2) affordable energy. My mission in private industry has been the same.

In addition to its importance to our economy, energy policy affects every citizen in our country, especially our Nation's seniors and citizens struggling to make ends meet. It is also important to demonstrate common sense and maintain a balance between our energy and our environment. And as we move forward to provide energy security, we need also to protect our Nation's resources.

If confirmed as Assistant Secretary of Energy for International Affairs and Domestic Policy, I would be prepared to develop a team of people to give thorough analysis and advice to the Secretary, basically be an analytical clearing-house, provide expert analysis and opinion on policy proposals, and hopefully keep the debate from being polarized, and also as we go along, look at how proposals affect producers, as well as consumers. And with those remarks, I thank you and offer myself for any questions.

[The prepared statement of Ms. Bailey follows:]

PREPARED STATEMENT OF VICKY A. BAILEY, NOMINEE TO BE ASSISTANT SECRETARY
FOR INTERNATIONAL AFFAIRS AND DOMESTIC POLICY, DEPARTMENT OF ENERGY

Mr. Chairman and Members of the committee, I am honored for the opportunity to appear before you today. President Bush has nominated me to serve as Assistant Secretary, for International Affairs and Domestic Policy, United States Department of Energy. I accept his nomination with great pride and respect, and a great deal of humility. I pledge to serve the American people with all of the skill and dedication I can muster. They deserve no less.

This is not the first time I have appeared before this Committee. In 1993, I first appeared before this Committee to receive its confirmation of my nomination to serve as a Member of the Federal Energy Regulatory Commission. As a FERC Commissioner until early 2000, I made subsequent appearances before this and other Congressional Committees to discuss various topics concerning energy policy. However, at no point during the past several years—perhaps not since the Middle Eastern oil embargo and gas lines of the 1970s—have energy issues dominated the headlines as they do now. In a recent poll, conducted by CNN/Gallup/USA Today, 94% of the American people now agree that the country is in a serious “energy crisis.”

The reasons for public concern are familiar to us all. California is now threatened every day this summer with rolling blackouts, and much of the rest of the West is similarly at risk. Consumers have experienced sharp increases in the price of gasoline, home heating oil, natural gas, and electricity. Pipelines, transmission lines, and refineries are aging and increasingly incapable of serving a growing and energy hungry population. Indeed, the health of our nation’s economy, to which we have all grown to take for granted, is now threatened by energy shortages and prices.

The challenges presented to government officials—federal, state, and local—with authority to address pending energy issues are truly daunting. I look forward to returning to Washington, D.C., and again taking on these challenges.

I believe that I possess a varied—and possibly unique—perspective on current energy challenges. In particular, I understand the issues well based on the last 15 years of my professional career. Those years have placed me in positions of responsibility at the state and federal level, as well as in private industry. I will briefly explain those positions, and how they have offered me the opportunity to influence the development of energy policy.

For seven years, starting in 1986, I served as a Commissioner on the Indiana Utility Regulatory Commission. (I was originally appointed by Governor Orr, and then reappointed by Governor Bayh.) The Indiana Commission regulates the retail and intrastate aspects of electricity and natural gas service, as well as other utility services. I know first hand how a decision to increase utility rates or site a generating plant or transmission line will affect consumer interests. I have always viewed the concerns of individual consumers of utility service as no less important than the concerns of corporate providers of utility service.

For seven more years, starting in 1993, I served as a Commissioner on the Federal Energy Regulatory Commission. As you know, the FERC regulates the wholesale and interstate aspects of electricity and natural gas. It also exercises jurisdiction over oil pipeline rates, the certification of natural gas pipelines, and the licensing of hydroelectric facilities. During any years of service, the FERC moved dramatically away from its traditional (and litigation-intensive) review of utility revenue requirements and cost structures. In its place, the FERC now relies on its assessment of competitive markets and the opportunity to exercise market power. In my years as a FERC Commissioner, I supported efforts to promote non-discriminatory, open access to alternative energy suppliers, with the goal of allowing consumers additional choices and service options.

I returned to Indiana in February of 2000. Since that time, I have served as President of PSI Energy, Inc. PSI, headquartered in Plainfield, is Indiana’s largest supplier of electricity, serving 69 of its 92 counties. It is the Indiana operating company of Cinergy Corp. Cinergy serves more than 1.5 million electric customers and 500,000 gas customers located in a 25,000 square mile service territory encompassing portions of Indiana, Ohio and Kentucky.

As President of PSI, I make business and operational decisions every day that affect the fortunes and lives of the Indiana businesses and residents it serves. My responsibility to utility consumers is to provide the most reliable, highest quality of utility service at the lowest possible rates, and with the least possible impact on the environment. My responsibility to utility employees and shareholders is to develop and grow a business that can adapt to the changing competitive landscape.

I do not leave these responsibilities and tasks easily. I leave Indiana and return to Washington, D.C. only because of the opportunity to assume new challenges and to confront the energy demands of all Americans.

Despite recent setbacks, I continue to believe that American energy consumers are best served by the competitive market. I have maintained this belief ever since I first joined the Indiana Commission in 1986. My 15 years in the business of regulating and providing energy services have only served to reinforce my conviction that consumers demand choice. I remain committed to the judgment that consumers can best realize competitive options and obtain lower rates and higher quality service through reliance on market forces.

This is not to assume that a competitive market for energy products and services operates in all 50 states. Certainly, some regions—most notably California—suffer from markets that are not competitive and, perhaps, were not designed to be competitive. The goal confronting both legislators and regulators is to move malfunctioning markets in the direction of competition, and not retreat and embrace traditional concepts that serve only to stifle individual initiative and choice.

I offer a Midwestern example. In the summer of 1998, the cost of wholesale power in portions of the Midwest skyrocketed to, at times, several thousand dollars per megawatt-hour. (In contrast, wholesale electricity prices typically average between 30 to 50 dollars per megawatt-hour.) The reasons for the price spikes were many and complex, but at bottom they rested on the simple notion of inadequate supply and increasing demand.

Fast forward three years. The Midwest now has proposed ample supplies of power, and prices have reverted back to historical levels. This is all due to the fact that the energy industry has learned from the summer of 1998. Prices charged during that summer served as a signal to induce interest from investors of capital who wanted to build new generating facilities to serve pent-up demand. Lawmakers and regulators, chastened by the events of that summer, committed to provide the authorizations and incentives necessary to attract investment in new infrastructure. This is exactly how the market is supposed to work.

Nevertheless, as more recent events demonstrate, responsible officials need not—and oftentimes must not—simply wait for competitive circumstances to improve as the economics textbooks say they inevitably will. There is much that officials can do to promote competition in the supply of energy services. In the short-term, consumers must be assured that suppliers will not be able to take undue advantage of developing or dysfunctional markets. Anticompetitive or other forms of improper behavior must be detected and remedied; market rules must be vigorously enforced. In the long-term, consumers must be assured that there will be an adequate supply of all forms of energy products. They must also be assured that there will be an adequate infrastructure in place that will enable the delivery of these products throughout the country.

For these reasons, I am heartened by the efforts of this Committee and this Congress to advance various legislative solutions to the pending energy crisis. I am also encouraged by the vision and direction of the Administration in packaging together a portfolio of policies and initiatives, as enumerated in the National Energy Policy Report addressing both the supply and demand side of the problem, that will serve to promote the energy independence of the United States. I am particularly pleased to see that consensus has developed that the best way to ensure our nation's long-term energy security is to embrace, rather than reject, the competitive market. I agree that any short-term fixes must not jeopardize the long-term health of that market.

Experience has taught me that the energy business is cyclical. To be sure, recent peaks and valleys have been more pronounced and volatile than in prior years. But I remain confident that today's headlines will attract—and indeed already have attracted the investment dollars and consumer attitudes that will allow present-day energy worries to recede. The task for governmental and private energy officials will then be to advance and carry out policies that focus on the long-term and that ensure that certain regions do not become overly reliant on only certain fuels or neglect necessary infrastructure enhancements.

A related task for officials is to ensure that the United States does not become insular and overly isolated in its thinking on energy policy. As for myself, I have remained active in organizations, such as the European Institute, Aspen Energy Forum, The Keystone Center Energy Project and the Harvard Electricity Policy Group, that have focused on both domestic and international energy policy. The Administration has laid out a strategy with the National Energy Policy where several components focus on international concerns. If I am confirmed, I look forward to supporting the task force's recommendations as well as working with Congress on any directives they deem appropriate.

Thank you for this opportunity and I look forward to your questions.

The CHAIRMAN. Thank you very much. Let me start with a few questions. Ms. Mainella, let me ask you about this Park Service proposal to significantly reduce the use of snowmobiles in our national parks. I gather there are specific proposals at Denali National Park and Preserve, at Yellowstone, at Grand Teton National Park. Are you familiar with that proposal and if so, do you support it?

Ms. MAINELLA. Mr. Chairman, as you know, snowmobiles are appropriate in some of our parks and our plans are based off of each case by case unit and looked at in that manner. I know that some are also under litigation. I think there are some dealing with Yellowstone and Tetons that are under litigation and may be moving towards some type of settlement, but that is as much as I know at this time, but I look forward to working with you further as we better understand the roles of snowmobiles in our national parks, but again right now, they are being looked at on a case-by-case basis.

The CHAIRMAN. Let me ask you about a particular project or program that I think has value that I have been urging more resources for for several years, and that is the Youth Conservation Corps. Back in, at the end of the 1970's, Youth Conservation Corps received about \$60 million a year, enrolled about 32,000 young people each summer. We commit much less than that now, a few percent of that now, and enroll very few young people in the program.

I would be interested in knowing your thoughts about that program and whether you would be willing to support higher levels of funding for the Youth Conservation Corps and give that a higher priority in the efforts of the Park Service?

Ms. MAINELLA. Mr. Chairman, the youth involvement in our national parks is absolutely critical on all levels and the Youth Conservation Corps I have had experience with in the State of Florida as well and has done many beneficial efforts. I don't know, not being familiar with the actual establishment of the budget and hopefully I'll be working with you in the future in that effort, what the funding levels, what they can be and how we can move that forward, but I certainly believe that the projects the Youth Conservation Corps are so important, they parallel back to our Civilian Conservation Corps, which is the start I know of our Florida State park system and very instrumental in so many of our other both State and national parks throughout this Nation.

The CHAIRMAN. Mr. Keys, let me ask you about what role, if any, you think the Bureau of Reclamation can play in dealing with the depletion of underground aquifers that, that in many cases straddle State boundaries. One in particular that we have a problem with in New Mexico is the Ogallala Aquifer, which of course Texas, Oklahoma, Kansas, Colorado and various other States have problems with the depletion of that underground aquifer. Do you believe that there is any role for the Bureau of Reclamation in assisting with a solution to that problem?

Mr. KEYS. Mr. Chairman, yes, there is. The Bureau of Reclamation has a great body of expertise in dealing with groundwater, both the monitoring of existing conditions, trying to determine trends that are happening, and trying to solve any problems there, and we would certainly work with the States involved, and with

the basin commissions that might be involved, and see what could be done there, working closely with you.

The CHAIRMAN. Let me ask, there is a lot written and stated these days about the fact that the time for construction of large water projects in the West is behind us, and that as a general matter, the Bureau of Reclamation has to have a different mission. How would you describe the mission of the Bureau of Reclamation as you see it?

Mr. KEYS. Mr. Chairman, the Bureau of Reclamation has a great history of being the great collaborator, working with the States, working with the tribes, working with the other Federal and State agencies in the water resources problems that we encounter. There have been several times in the Bureau's history where we made shifts from the large projects to working with water resources management. I think that is been done.

There may still be some large projects out there. I don't think we should ever rule out that, but certainly we have a role in managing the water that is there, providing the work with the international community also. I think the Bureau has a great future in helping our country manage those water resources and how they are used, both for water and energy generation.

The CHAIRMAN. Thank you. Ms. Bailey, let me just ask you, the administration is evidently in the early stages of trying to develop a policy that would be the administration's climate change policy. Secretary Abraham indicated that to us at a hearing we had a couple of weeks ago. What role do you expect to play in this new position? What role would you expect to play in the formulation of that policy, and what are your views on that?

Ms. BAILEY. Thank you, Mr. Chairman. I believe that in my position as Assistant Secretary of Energy for the International Affairs this is where this comes up the most, that is the issue of global climate change. I believe that my Department will have an instrumental role in looking at the proposals, what is put forward. I believe there is a cabinet level task force that is working on looking at alternatives to the present proposal.

The President has said that the present proposal is not something that he can support, and has been in discussions with the other countries involved in the Kyoto, original Kyoto protocol, so I would look to my role being supportive, being an area where we would analyze the proposal, try and look at all sides of the issue, and be able to advise the Secretary accordingly.

The CHAIRMAN. Thank you very much. My time is up.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman. Let me comment relative to concerns that have been expressed when we had Governor Gray Davis here about overcharges and alleged price spiking and so forth by various utility companies and there was an identification of about 505 million that was in dispute, and about 270-some-odd million of that was sales from BC Hydro, and in your capacity, Ms. Bailey, relative to the international aspect, can you tell us a little bit about how that works in relationship to the authority of the Department of Energy to oversee vis-a-vis FERC to set rates but when we are becoming so dependent on foreign

sources and not that Canada is necessarily foreign in the sense of being a distant neighbor.

We still have a situation where you have a willing seller and a willing buyer and this allegation of overcharging by BC Hydro is part of the falderal associated with the allegations but what's in your opinion the likelihood of collectibility from a foreign source when they are saying here is the price of our energy, take it or leave it?

Ms. BAILEY. I think it is very difficult from the standpoint of oversight and jurisdiction. I think these are the issues that come up. FERC has limited jurisdiction from the standpoint of—I believe BC hydro, there is a marketer that FERC has jurisdiction over in the California area. Not being there and not being intimately aware of all the issues in the details, it is difficult for me to respond, so I think I will say this.

I think it is very difficult when you talk in a sense of refunds, knowing that probably BC Hydro and other generators in that area have incurred accounts receivables in that area, so it is very difficult to talk strictly about refunds without also looking at probably what is due that generator. I think FERC's actions last Monday in their order will help the Western States greatly, and I know in their settlement process, they are going to be addressing the issue of which you speak. Without having further knowledge, intimate knowledge of the situation, that is about all I think I can safely say.

Senator MURKOWSKI. Thank you. With the international aspects of your new position, why obviously, you will have an opportunity to get in there. A little weather report from Mr. Keys relative to your familiarity and background in the Northwest and the reality that so much of it is dependent on hydro and our understanding that levels are down 50 percent from what they ordinarily are and the realization of what that means, the balance of summer months where your run-off is probably pretty much over for this year and you are still required to maintain levels for the salmon on certain rivers.

Can you predict all things being equal, assuming we have a normal summer and so forth, what we are likely to see in October and November and perhaps December and January as a consequence of our dependence on this source traditionally and the realization that it might be half as much power as you ordinarily would get. What are we looking at with California, Oregon, Washington, Idaho? Anybody else. Maybe Colorado. Montana, Wyoming, New Mexico, Hawaii, Alaska. We are okay.

Mr. KEYS. Senator Murkowski, my crystal ball is no better than anyone else's.

Senator MURKOWSKI. You have more knowledge than anybody on this panel, though.

Mr. KEYS. But the crystal ball of how much water is coming is pretty shallow at times. What I would tell you is that the system was used to its maximum as I understand during this past winter to help California and other areas out of a bind. That greatly stressed the system. I understand with the current water situation there, there is little help that can be available into some of those areas during this fall.

Senator MURKOWSKI. And? There is little help. So what happens?

Mr. KEYS. Well, sir, we generate power at our facilities. First pull on that power is for the project purposes, and then if there is some surplus power, we will send it to those areas that need it.

Senator MURKOWSKI. We'll say I am an aluminum company, and I can make more money reselling my part than I can making aluminum. Do you have any emergency authority to interrupt that agreement and make that available direct for public consumption as opposed to reselling?

Mr. KEYS. Senator Murkowski, I don't have any objection to that, but we don't market the power. Bonneville Power Administration is in charge of those contracts. They market all the power from Reclamation facilities.

Senator MURKOWSKI. Well, from your comments, I appreciate your caution, but clearly there is reason to be concerned. My last question will be for Ms. Mainella, and it is concerning one of the crown jewels in the Park Service, and that is Glacier Bay National Park, and I understand you have been there.

Ms. MAINELLA. I have, sir.

Senator MURKOWSKI. And recognize there is a great demand from Memorial Day to Labor Day and the way you see the park is on the deck of a cruise ship and the foot print might be a cigar thrown over the side, but it is very minor in relationship to what you would have if you had other access. The Park Service has had an eagerness to develop its own EPA capability and monitoring as opposed to letting the Federal agencies and the State agencies monitor.

We have always tried to initiate at least two ships a day in there, figuring it was the best way to see the park. I think we are down to 130 ships for a 90-day season. We should be at 180. There is great reluctance not to make this another Yellowstone or Yosemite. In our point of view, they are entirely different, and you know, the best way to see it is a cruise ship. The public wants to come in.

Two a day seems to be reasonable but the Park Service is just absolutely opposed to it for any reason conceivable that they can possibly come up with, and they claim that they are better off to establish their own monitoring, as opposed to using the Federal agency monitoring capability that the EPA has and the Coast Guard has and so forth.

And it seems to us an effort to build another bureaucracy within the Park Service is totally unnecessary. I don't expect you to have definitive views on this, but I would like you to consider the merits that some of these parks have for visitors to see, not necessarily for the enjoyment of the Park Service personnel to manage. There has got to be a balance there and with the very short season we have, it seems to us there is a way to have a more reasonable approach and accommodate more of our visitors. Any comments?

Ms. MAINELLA. Senator, I'll be glad to look further into that. I was under the impression that the National Park Service had been working on an agreement that had, where there were more cruise boats coming in, but that it went around legal concerns, lawsuits were filed and at this point, that their—legal is taking a look at how to move forward from here.

Senator MURKOWSKI. The environmentalists are very much opposed to two a day. I can tell you that.

Ms. MAINELLA. I'll be glad to look into that further, Senator.

The CHAIRMAN. Senator Akaka.

**STATEMENT OF HON. DANIEL K. AKAKA, U.S. SENATOR
FROM HAWAII**

Senator AKAKA. Thank you very much, Mr. Chairman. I would like to add my welcome to the nominees, to congratulate all of you for your outstanding credentials that you bring to this hearing. I would also like to welcome your friends who have joined you here today.

I have had the pleasure of meeting with Ms. Mainella, and I look forward to hearing your comments. Mr. Keys, I know of your experience with the Pacific West and I want to talk with you some day about the water problems in Hawaii. We do have droughts, too. And as you may know, last year, legislation was enacted making Hawaii a reclamation State. And I'd like, Mr. Chairman, to have my statement included in the record, my full statement.

[The prepared statement of Senator Akaka follows:]

PREPARED STATEMENT OF HON. DANIEL K. AKAKA, U.S. SENATOR FROM HAWAII

Thank you, Mr. Chairman, I would like to add my welcome to the nominees and to congratulate them on the outstanding credentials they bring to this hearing. I would like to welcome their families as well. I have had the pleasure of meeting with Ms. Mainella, and I look forward to hearing her comments today.

It is nice to see Mr. John Walton Keys, III, nominee for Commissioner of the U.S. Bureau of Reclamation. Mr. Keys, with your experience in the Pacific West, you may be aware that various areas throughout Hawaii have been experiencing severe drought, affecting farmers, ranchers, and residents on several islands. In addition, many of Hawaii's irrigation systems which were developed to service sugar cane fields are deteriorating and are not properly maintained to provide water to Hawaii's farms and ranches. As you may know, last year, legislation was enacted making Hawaii a reclamation state.

I look forward to working with you on the study of Hawaii's reclamation needs and drought assistance planning. It is my hope that some of Hawaii's water concerns will be resolved with the assistance of the Bureau. Mr. Keys, I look forward to working with you and the Bureau on these issues.

I would also like to welcome Ms. Vicky A. Bailey, the nominee for the Assistant Secretary for International Affairs and Domestic Policy in the Department of Energy. I look forward to working with Ms. Bailey in developing appropriate policies to address our nation's energy problems.

Senator AKAKA. I have some questions for Ms. Mainella. My first one since I have heard Senator Murkowski ask you whether you have been to Glacier, is if confirmed, can we count on your visit to our beautiful national parks in Hawaii?

Ms. MAINELLA. Senator, that is an easy yes, and would be very pleased to do that. Yes, sir.

Senator AKAKA. Over the last 10 years, I have been an advocate for an increased recognition of diversity within the National Park System. The previous administration made a major commitment to reach out to diverse communities around the country so that our parks and those who serve as stewards of these places are truly reflective of our Nation.

I have initiated studies for Park Service units that tell the story of Japanese-American internment camps, historic and cultural trails and parks in Hawaii, as well as the story of west coast immigration and the building and the peopling of America. I believe that

the interpretation of how America has become a diverse Nation is important for us all.

My question to you is do you see this as an important issue with regard to long-term preservation for our national parks and if so, would you make this a priority under your leadership?

Ms. MAINELLA. Senator, the cultural diversity is an important part of our national parks and I know in Florida, it was an emphasis that we placed heavily in our Florida State park system. In fact, we had a cultural initiative underway in Florida that reached out not only to our historic sites and cultural sites but also to diverse groups, bringing them into our parks and making sure that we had that diversity as best as we could. I would look forward to working with you in that effort. I think it is very critical, particularly in the 21st century as we see our demographics continue to change, to work more closely on our cultural diversity efforts in the national park system.

Senator AKAKA. During both Republican and Democratic administrations, Congress authorized new parks to conserve our natural and cultural heritage. In the 106th Congress, four new units were created and several park expansions authorized, including Great Sand Dunes National Park in Colorado and Hawaii Volcanoes National Park. What is your view of the need to continue adding nationally significant resources to our national park system, and do you intend to place a limit on recommending new units?

Ms. MAINELLA. Senator, the diversity, our opportunities for diversity in our resources and being able to have those in our national parks is so important to I think all of us here. At this time, though, as you know, we are putting a great emphasis on our park maintenance backlog and some of those particular areas, so the administration has asked that we wait, or at least recommend to you depending on what you choose to do, if we can wait for at least maybe through this session of Congress before we add new units.

Now, looking at expansions and looking at getting into studies of those potential new units would be done on a case by case basis, and again, your guidance, you folks make those final determinations but I look forward to working with you but I do know we do need to continue to also work on that maintenance backlog. Thank you.

Senator AKAKA. I believe that eliminating the backlog of maintenance is important, but I also believe we must not jeopardize funding for the every day management and interpretive needs of the national parks. While visitorship is growing, funding to provide a quality visitor experience is shrinking. It has become clear that we cannot solely depend on appropriated monies for the day-to-day needs of the Park Service.

We need to discuss a variety of different ways to assist the parks to raise monies. The national park stewardship bill includes a provision to explore a mechanism called NAFIs, or nonappropriated fund instrumentalities. In the past, the idea of parks bonds has been considered. Also the recreational fee demonstration program has been authorized as a pilot.

I believe we need to assess the successes and weaknesses of this program, and to build on them where necessary, and I am interested in your views on this pilot program. What are your views and

priorities for identifying mechanisms, including recreational park and other fees for augmenting the funds for national parks, and in addition, to increase appropriations, would you look favorably on them as options, user fees or other financial innovations?

Ms. MAINELLA. Senator, thank you for being interested in not only the acquisition efforts, but also the operational sides of our national parks, not only our maintenance backlog, but the general every day operations. I know the people in the field greatly would appreciate those concerns. Also, though, I think that there is a lot of innovative funding. In fact, when we won the gold medal award in Florida, I think it is partly not only for our resource management and citizen involvement, but also for innovative funding concepts and I think there is a number of different ways, funding, working with our volunteers and partner organizations that may be able to help us as well as we instituted in Florida a Challenge Program where our friends groups, where if they raised a certain amount of money in the case of Florida with \$60,000, then State of Florida matched it with \$40,000 and it had to be projects, though, that were reflected in the unit management plan in our parks for Florida.

It is been a real success story, and those kind of innovative concepts—bonding is something Florida has used for land acquisition. We have not done as much in our actual being able to do facilities that way but it is certainly something I am familiar with from other areas in the Nation working on it. I would look forward to working with you a lot further in that effort. Thank you.

Senator AKAKA. Thank you very much for your responses. Thank you, Mr. Chairman. I have other questions that I would like to submit.

The CHAIRMAN. We will have all those other questions submitted for the record.

Senator Campbell.

Senator BURNS. May I ask to submit questions. We have a couple of questions that we want to submit both to Mr. Keys and Ms. Mainella.

The CHAIRMAN. Those certainly will be included. Thank you.

**STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL,
U.S. SENATOR FROM COLORADO**

Senator CAMPBELL. Thank you, Mr. Chairman. I have a few questions, too, but let me just make a couple of statements beforehand. I think all three nominees are just eminently qualified and certainly support all of them and I am somewhat distressed that we have not been able to move some of them that are already on the table. I would hope that we would move these because I know there is a lot of important issues awaiting them.

I was particularly interested in reading their backgrounds and I had a nice talk yesterday in fact with Fran. I was interested in your background and all the skills you bring, I have to tell you that in dealing with bringing people together and resolving disputes should hold you in good stead with Congress as a playground counselor. The last 3 days, I think in the eyes of many of the American people, that is what this place has looked like, as you probably know.

Also I was interested in Senator Akaka's comments on expanding cultural—and I think diversity too within the parks. It is long overdue. But I think they have made great progress, too. I mentioned to Fran yesterday, I just came back from Senator Burns' State just a day before yesterday where we commemorated the 125th anniversary of the so-called Custer battle at the Little Bighorn National Monument. That is the place where Custer found out the Indians really wanted to be involved in diversity, and the Park Service up there is doing a marvelous job. I mean, they have, I think the interpretive center they have, the people they have working there.

They have done a terrific job and I think that its also been reflected in the increase of people that are coming in the gate. It is been going up 10 to 15 percent per year. Americans want to know those stories and I just would encourage you to pursue that as Senator Akaka has suggested. I think it is really extremely important.

I had a couple of questions that I wanted to ask you about water in a minute, but John Keys' background in the American West, John, you know the markup of this committee. A lot of us are from the West. A lot of us subscribed to Mark Twain's statement years ago that whiskey was for drinking and water is for fighting. You know, you have been out there. You know what it is like.

Mr. KEYS. Yes, sir.

Senator CAMPBELL. In that 182 that you fly, I am sure you are going to have lots of opportunity to get around to try and put out some of those disputes. You were here, involved in some of the battles we had on the, at the ongoing battle about the Animas La Plata Water Project, so important to Senator Bingaman's State and mine where nine agencies, two tribes, both States all reached agreement in 1988 to revise what had been passed the first time in 1968, even before you got here.

Well, we haven't turned a shovel of dirt since you have been gone. We passed another bill in the year 2000 last year. Still haven't done one single thing. And part of it I really do believe is because in the past 10, 12 years the Bureau of Reclamation has kind of gone soft. Every time they get a threat of a lawsuit or any accusation or anything they just sort of melt in the opposition's face which is primarily the environmental community and they just go soft on us.

I would hope when you take over that position that you are going to really take the leadership in getting that thing built. It is long overdue. It is getting more expensive and smaller all the time and there is no doubt in my mind that the people that are opposed to that, they don't want an agreement. They don't want a compromise. They want to kill the project. It is as simple as that. That is come through to us over and over and over. Those tribes have been waiting over 100 years, about 120 years in fact for water they are entitled to under the treaties and under the law, too, and they have not got it yet.

I know you know the problem we faced out there, and I just want to tell you I hope that you really take the leadership in that and get the dirt moving. Let me say to either one of you, I don't know who I should ask about national park status and I thought we had it written pretty carefully dealing with water. There was, there was

no reserved right that was quantified, but there was an implied right as there is with all the parks.

Well, now we have in those waning days in the Clinton administration, a filing on water. It is in the State water courts now. We have had over 385 letters of opposition and complaint, and I just wanted to know if had you had a chance to visit that since we talked about it?

Ms. MAINELLA. Senator, I have not had a chance to visit that, but I promise you I will and we will get further briefing. I just, I am aware now of the issue and we will certainly look forward to working with you in the future in that effort.

Senator CAMPBELL. Well, as it is now, it is going to create one heck of a mess, not only on people that believe they have a priority right. There is some question about if more water is released through the canyon, would it affect the flood plains of the towns of Delta and Montrose. Would it effect the gold medal fishing that is in the streams now. It is going to be extremely complicated, but I'd certainly appreciate it if you would deal with that.

Ms. MAINELLA. I will. Thank you.

Senator CAMPBELL. Mr. Chairman, I really have no further questions. I would like to submit some, though, in dealing primarily with water and the parks, too, that could be answered in writing if you could. Vicky, I have no questions for you but I am sure you are going to do a terrific job.

The CHAIRMAN. Senator Craig.

Senator CRAIG. Mr. Chairman, thank you. Ms. Mainella, John, Ms. Bailey, thank you all very much for your willingness to serve the American people. It is gratifying to see people of your integrity and quality come before us with a willingness to serve. We hope that it won't be dashed by an inability to get you into service.

I understand there was an alumni gathering last night of those who might serve. Very frustrated because they would like to have their children into school by August. They are in the middle of selling houses and buying houses, and the Senate of the United States seems to be ignoring them, and that is really tragic. So I hope that you don't fall victim to that. Those who live in the city and are choosing different services are okay. Those who are in transition from homes outside of the city to our Nation's Capital are finding tremendous personal difficulties at this moment, and I hope that the Senate and our new leadership understand that here and we can move forward.

Yvonne, it is nice to see you in the audience, immediate past director of the State park system. I trust that you are here in support of this fine lady. We don't have national parks in Idaho, Ms. Mainella, but we have national monuments. In fact, we have more national monuments today than we had a year ago, and that in itself produces some problems.

While those monuments are loved and enjoyed, because of a former President's decision to expand them without thorough background and research, we are in some conflicts at the moment that you and I and others will have to resolve. For example, our colleague from Hawaii mentioned internment. We have an internment site in Idaho that we want to recognize and set apart for the American people and our heritage and culture to understand.

Unfortunately, the declaration that produced it did not produce any resources to allow it to be planned, organized, and therefore administered. And that is a problem that we are going to have to deal with once you designate or you recognize and you anticipate an influx of citizens, it is tragic that you don't provide for the management of those citizens in reference to the potential damaging of a resource. That is a problem we are going to have to deal with and one that I'll visit with you about in the short term.

Another short-term problem in the expansion of the Craters of the Moon National Monument, there we have done an interesting overlay of conflict between the BLM and the Park Service. Park Service through the monument system manages the rocks, but the BLM manages the grass, except that the rocks and the grass somewhat intermingle. There is a management plan attempting to be devised at this moment, and that will be key to some historic uses that Idahoans anticipate and our Nation anticipates ought to go on, that are not traditional to the culture of the Park Service, but are traditional to multiple use management within the BLM, and those are some conflicts that you and I must resolve, and I think this committee will work with you to get resolved, because those are valuable assets and resources, but we shouldn't create bureaucratic nightmares that do not serve the public or the resource well. They have been created, now we will have to resolve them.

John, you are a person who has solved a tremendous amount of problems in your days in service to the Bureau of Reclamation. We have a crisis in the West at this moment. It is in the Klamath Basin of Oregon and California. A marvelous reclamation program created by our government that provides water for over 1,500 farm families and an entire area was shut off this year by a court order in conflict over a fish that I once considered a trash fish. The sucker.

Environmental groups filed suit. The water—courts acted. The water was cut off and an entire region and economy are collapsing as we speak. Trees are drying. Agriculture no longer exists there this year, a community is questioning whether it can survive. That is an issue that you will have to manage on your watch. Those of us outside the Klamath Basin in the West in Idaho are fearful that this kind of disease could creep upstream and that the historic management of reclamation programs might be totally superseded by a decision in the courts to give a fish a priority, and shut off water to thousands of citizens in my State.

Somehow, there has to be a balance. I have watched you help create those balances over time as it relates to continuing to manage reclamation projects for their original intent, but spreading the water and sharing it with other uses and other needs. What steps do you think you could take to avoid future Klamath Basin crises?

Mr. KEYS. Senator Craig, since I have been thinking about this job for several months, I have tried to find out what happened at Klamath, why it happened, and how it happened. I have been successful in finding out what happened. But so far, I don't know why it happened or how it happened. What I would tell you is that yes, sir, there has to be a change and people cannot afford nor can we afford the surprise that happened this spring again. I think it would be disastrous to us as a people and to my organization or

to the Bureau of Reclamation should I be confirmed as Commissioner.

I would promise to go to the people. I would promise to work with the other agencies, with the States, both of the States involved, and come up with a way that we can use that water more than once as we have done in Idaho, and the Northwest in the past.

That is about as specific as I can be right now on what we will do, but you are absolutely right. It has to be solved under my watch, and it will be probably the top priority when I get on the job.

Senator CRAIG. Well thank you very much, John. Mr. Chairman, I see the red light. Let me just mention in closing, Arrow Rock Reservoir and how we manage some of the changes there in light of fish versus users, or water for recreation versus users. Ms. Bailey, the national engineering environmental laboratory is in Idaho. You will play a key role in the overall management of it. We look forward to working with you in that, and I must say, Ms. Mainella, I am appreciative of the fact that you will ask for at least a small hiatus of time before we add any more additions to our park system that we manage what we have well and we serve people adequately who come to those so that we can protect the resources of them without just the politics of adding more to make it look nice on some public legislator's resume. Thank you.

The CHAIRMAN. Senator Thomas.

Senator THOMAS. Thank you, sir. I'll be very brief because as you know, there is a vote pending. I congratulate all three of you. I am glad you are here. I am certainly supportive, certainly great backgrounds for doing this job. Very briefly, Ms. Bailey, what would you say you are in there to be what, a national policy?

Ms. BAILEY. Yes.

Senator THOMAS. We have no policy from the Department. What will a national policy be?

Ms. BAILEY. Well, the administration, the task force has put out the National Energy Policy. Obviously, I have not been there for all the internal discussions but I hope to play a significant role in working with the other agencies and working with Congress in order to put something forward in implementing that policy.

Senator THOMAS. So in your view, there will be a policy, a national policy that comes from the Department?

Ms. BAILEY. Yes, Senator.

Senator THOMPSON. Mr. Keys, again, very briefly, how do you intend to work with the endangered species, with EPA to accomplish the mission of the—of your agency?

Mr. KEYS. Senator Thomas, I have been successful in the past in accomplishing reclamation's goals, missions and so forth, and at the same time accommodating all of the Federal and State laws, rules, regulations that we have to operate under. Without a specific, I will tell you that I think we can do that.

Senator THOMAS. Why does the Platte River study go on for years and years and years?

Mr. KEYS. Senator Thomas, I am not familiar with the Platte River study.

Senator THOMAS. Well, my point is, not you, you have not been successful all the time in determining what the mission is and then bringing in these other things which detract from that mission and resolving them among the agencies.

Mr. KEYS. Senator Thomas, again, I am not familiar with the Platte situation but certainly I would go to the States. I would go to the other agencies and find out what the problem is and see if there is not some way to accommodate it. I just I don't know the specifics and I would certainly be willing to work with you on trying to find that out.

Senator THOMAS. My point is, same with energy. We have an Energy Department, but the fact is Interior and EPA have as much to do with progressing as does the Department of Energy, and the same is true with your Department. You talk about water missions, but these other folks have equally as much—which Senator Craig just talked about, so we need to work, of course, with that.

I am very much interested in the parks, as you know, having been chairman of that subcommittee. We have a bill that we passed that has to do with employee training, that has to do with research, more information on the resources, has to do with concession management and prospectuses, has to do with business plans. Do you think you will be able to work with us to implement that law? There has been some movement, but we have not done all the things that are required in the law.

Ms. MAINELLA. Senator, I look forward to working with you on that, and I, as you and I talked yesterday, business plans are very important. National Park and Conservation Association has assisted us I believe in some of that effort and look forward to working further on the business, business plan concept and also we brought in I believe, National Park Service brought in, some private sector help on our concession, tried to move our concessions a little bit quicker so that that can move along, and so hopefully when I see that report, if confirmed, I will be ready to move forward and help you as much as I can to make sure that that Act is properly completed.

Senator THOMAS. That is good. I know it is not easy to make movement in a large department. But I think number one, it is the law, and number two, it has things in there that will make it even better. We have one final comment. It has to do with access. It is already been mentioned.

But one of the examples of access and the necessity of access I think is the winter access to Yellowstone Park and Grand Teton. And we had the Clinton administration decision administratively where the Department moved in and made a decision single-handedly right at the end of a study, and now we have assurance from the manufacturers that there can be changes in machines. You can manage them—they have not been managed, and it seems clear that we can provide that access without doing damage to the environment if we are willing to make the changes necessary. What's your reaction to that?

Ms. MAINELLA. Senator, I guess I go back to the comments earlier. I know that we in the national parks, if I would be confirmed, would be looking at everything on a case-by-case basis and also as technology changes by the industry, certainly as we look at it on

a case-by-case basis, certainly is going to play in, and I do know that more specifically again on the Yellowstone and I guess Tetons also there is a lawsuit situation and we will just have to follow what comes out from that particular guidance from the lawsuit, and if there is a settlement.

Senator THOMAS. Yes, well, you don't have to be guided by the lawsuit entirely. You can also make some decisions in the Department that have to do with management. You can divide snowmobiles from cross country skiers. You can do some things on size. I hope we don't manage our world just on lawsuits. That will be a guide, of course, and you will be directed to do that. So I appreciate your consideration. I think it is very important that we have, if we are going to have these facilities that the owners have access to enjoy those facilities. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much. Let me thank all the nominees for your testimony. I think you are well aware that the committee is not fully constituted now and will not be until we complete the organizing activity here in the Senate. We hope that happens soon, and once it is completed, we will try to act quickly on your nominations. Thank you very much. The hearing is concluded.

[Whereupon, at 10:50 a.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Responses to Additional Questions

July 3, 2001.

Hon. JEFF BINGAMAN,
Chairman, Energy and Natural Resources Committee, Dirksen Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I want to thank you and Senator Murkowski for the opportunity to appear before the Committee on Energy and Natural Resources as the Assistant Secretary nominee for International Affairs and Domestic Policy at the U.S. Department of Energy.

Enclosed for the record are the answers to the post hearing questions submitted to me in writing by members of the committee.

Please let me know if I can be of any further assistance.

Sincerely,

VICKY BAILEY.

[Enclosure.]

RESPONSES OF VICKY BAILEY TO QUESTIONS FROM SENATOR BINGAMAN

CLIMATE CHANGE

Question 1. Do you agree that climate change policy must play a central role in any energy policy bill?

Answer. Yes, I would agree that climate change must be an important consideration in any energy policy bill. I believe the Administration is considering several policy options in this area. If confirmed as the Assistant Secretary for Policy and International Affairs at the Department of Energy, I would be ready to consider the options and advise the Secretary accordingly. My consideration of the options would follow an approach that (i) would be flexible to adjust to new information as we learn more from science and build on it, (ii) would be consistent with the long-term goal of stabilizing green house gas concentrations in the atmosphere, and (iii) would be based on global participation. I believe that we should pursue market based incentives and spur technological innovations.

ELECTRICITY

Question 2. In your prepared statement, you say that “consumers must be assured that suppliers will not be able to take undue advantage of developing or dysfunctional markets. Anticompetitive or other forms of improper behavior must be detected and remedied; market rules must be vigorously enforced”—How might the FERC’s ability to detect and remedy market abuses be strengthened? Will the Administration’s electricity bill propose anything in this regard?

Answer. FERC already possesses significant authority to detect and remedy market abuses. FERC has authority to conduct investigations, order refunds, set just and reasonable rates, rescind authority to charge market-based rates, and impose cost-of-service rates. With regard to transmission, FERC can order wheeling and enforce open access transmission tariffs. This year, FERC has acted aggressively to mitigate high electricity prices, ordering refunds, and imposing market mitigation and monitoring. Final decisions have not been made on the elements of the Administration’s electricity bill, but one goal will be to promote effective competition in wholesale power markets.

TRANSMISSION SITING

Question 3. What are your views on federal eminent domain for transmission siting? Do you support the development and use of regional authorities to site new transmission lines, either as an alternative to, or a necessary first step before, the use of federal domain authority?

Answer. The Administration believes it is important to expand the strained transmission systems and remove bottlenecks. One reason the transmission system is constrained is the siting process. Currently, States site transmission facilities, even though the transmission grid is North American in scope. Many State laws require that the benefits of a transmission project accrue predominantly to the State providing the siting authorization. However, the benefits of grid expansion are often more diffused and are more regional in nature. Federal siting is currently available to other interstate energy projects, such as natural gas pipelines, oil pipelines, and hydropower projects. Legislation providing for Federal transmission siting need not preempt State siting, but could allow for Federal siting of facilities used for transmission of electric energy in interstate commerce in certain circumstances. The concept of regional siting authorities is an interesting one that might be successful in tackling the problem if States were willing to voluntarily cede their authority to these regional bodies.

June 28, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington,
DC.

DEAR MR. CHAIRMAN: Enclosed you will find my responses to the written questions following my confirmation hearing before the Energy and Natural Resources Committee on Wednesday, June 27, 2001.

If I can be of further assistance, please let me know.

Sincerely,

JOHN W. KEYS III,
Commissioner, Bureau of Reclamation, Designate.

[Enclosures.]

RESPONSES OF JOHN KEYS TO QUESTIONS FROM SENATOR BINGAMAN

ENDANGERED SPECIES

Question 1. In your role as Regional Director for the Pacific Northwest, you were heavily involved in issues relating to the Endangered Species Act and water resources.

As Commissioner, will you commit to working with the Fish and Wildlife Service and the National Marine Fisheries Service so as to effectuate the goals and requirements of that Act?

Answer. Yes, the Bureau of Reclamation will work cooperatively and collaboratively with the Fish and Wildlife Service, the National Marine Fisheries Service, Bureau of Reclamation contract holders, the States, other water users, other stakeholder organizations, and other interest groups to effectuate the goals and requirements of the Endangered Species Act and to meet other obligations of the involved projects contracted water deliveries, power generation, minimum stream flows, etc.

WATERSHED RESTORATION

Question 2. I understand that you have had substantial involvement in several initiatives pertaining to watershed restoration. Please describe your experience in this area. As Commissioner, would you expect to pursue these types of watershed efforts throughout the West?

Answer. The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. At the heart of Reclamation's program is the daily operation of Reclamation's projects to provide irrigation and municipal and industrial water supplies, hydroelectric power, flood control and recreation and fish and wildlife benefits. Watersheds provide a geographic context for local communities to address economic and environmental goals. Reclamation is uniquely positioned and skilled to address water resource issues and multiple water needs of the West.

Previously as Regional Director, I worked extensively with local watershed groups to address water related issues within the Pacific Northwest. Some of these restora-

tion and improvement efforts were associated with traditional Reclamation projects and others were focused on threatened watersheds outside of those project areas. Examples of those efforts associated with Reclamation projects are Cascade Reservoir (Idaho) watershed and water quality improvement, Henry's Fork (Idaho) river and watershed protection improvement, Umatilla River Basin Project (Oregon), and the Yakima River Basin Water Enhancement Project (Washington). Examples of those efforts that focused on threatened watersheds outside of Reclamation project areas are Lemhi River Basin watershed improvement program (Idaho), Deschutes Resources Conservancy (Oregon), and Grande Ronde River watershed improvement program (Oregon). Work in these areas focused on replacement and consolidation of diversion structures, provisions for fish passage, acquisition and provision of water for instream flows to assist in protecting fish and wildlife resources, water conservation, water quality improvement, etc. I understand that all of these programs and projects are still in operation and have all been successful.

Yes, as Commissioner, I will pursue these types of watershed efforts throughout the West. Reclamation's technical expertise and partnering capabilities can help facilitate local communities to find integrated solutions to complex water resources issues, and I will seek innovative ways to encourage these cooperative efforts.

MIDDLE RIO GRANDE

Question 3. What do you believe is the solution to the difficult set of issues that are presented in the Middle Rio Grande? How do you propose to approach these issues?

Answer. Reclamation believes that the best opportunity for a long-term solution to these complex issues is through continuation of the Collaborative Program. This program, which began in January 2000, has brought together the stakeholders of the basin and is actively working toward creating an enduring process that will lead to effective solutions. The Collaborative Program will likely require Congressional legislation to provide the necessary authority and funding so that solutions can be implemented.

Reclamation will continue to support the Collaborative Program and work with the many other stakeholders to create workable solutions that can be implemented with broad support and remain sustainable so that the existing communities and their economies can continue to enjoy the benefits of the Rio Grande, while protecting the Silvery Minnow and the Southwest Willow Flycatcher.

WORKFORCE DIVERSITY

Question 4. As the head of the Bureau of Reclamation, what steps do you plan to take to promote diversity in the work force?

Answer. I am advised that the Bureau of Reclamation is presently engaged in many diversity efforts. If confirmed as the Commissioner of Reclamation, I will commit myself to working toward a diverse and representative work force.

TITLE XVI

Question 5. What are your views of the Title XVI water reclamation and reuse program? Do you believe that additional projects should be undertaken? What do you think is the role of wastewater recycling and reuse in western water policy?

Answer. Water reclamation and reuse, or recycling, is an important tool for water conservation and an effective and efficient means to increase water supply availability and reliability for local water users, particularly in the Western United States. This new water can help reduce the use of imported water, and offer concurrent benefits such as environmental and drought protection. The potential exists to use this technique Westwide to increase the available water supply.

I understand there are currently about 25 projects authorized for construction through the Title XVI Water Reclamation and Reuse program, which enjoys strong state and local support. Reclamation has been providing funding for 17 of these projects, and has also provided funding for a number of additional feasibility studies for other projects not yet authorized for construction. Given the existing demand for funding for the currently authorized projects, and Reclamation's limited budget for this program, the authorization of additional projects would be a challenge to its resources. However, water reclamation and reuse will most likely play an expanding role in western water resources management, and Reclamation should try to support these types of projects to the best of its ability.

SCIENCE PROGRAMS

Question 6. What is the status of the research and science programs at the Bureau of Reclamation? What will be the focus of these programs during your tenure?

Answer. Reclamation is confronting water management challenges of the 21st Century by employing new knowledge and new technologies gained through research. Reclamation's project activities and responsibilities rely on the application of science and research to produce strong, supportable water management decisions and flexible solutions for an aging infrastructure.

The Science and Technology (S&T) Program is instrumental in developing tools, technology, and skills that will assist Reclamation in future activities. The Snake River Decision Support Systems and Riverware are two examples of watershed and river system management tools developed through the S&T Program. These elements are now used as the tools and cutting edge technologies in completing complex impact analysis and decision making in Reclamation.

Additional areas of attention include research in hydroelectric infrastructure protection and enhancement, advanced water treatment, desalination, and water purification.

PLATTE RIVER

Question 7. What is the status of work on the Platte River Program? Please provide an update and time line for future action.

Answer. It is my understanding that on July 1, 1997 the states of Wyoming, Nebraska, and Colorado, and the Department of the Interior entered into a "Cooperative Agreement for Platte River Research and Other efforts Relating to Endangered Species Habitats Along the Central Platte River, Nebraska." In the past three years, the partners in the Cooperative Agreement have put together a general Water Action Plan to provide the remaining water and a proposed process for acquiring and managing the land. I have been informed that in December of 2000 the Governors of the three States and the Secretary agreed to a three-year extension of the Cooperative Agreement, to June 30, 2003, as well as the following milestones:

- Governance Committee determines proposed program—September 2001
- Publication of the Draft Environmental Impact Statement—January 2002
- Publication of the Final Environmental Impact Statement and Record of Decision—December 2002
- Phase 1 program implementation to achieve the first increment of river and habitat improvement—2003-16

PRIORITIES

Question 8. What will be your three highest priorities as Commissioner?

Answer. (1) As Commissioner, I believe it is fundamental that Reclamation operate and maintain its projects in a safe and reliable manner that protects the health and safety of the public and its employees. I would place great emphasis on operating and maintaining projects to ensure continued delivery of water and power benefits to the public consistent with environmental and other requirements, and to honor state water rights, interstate compacts, and contracts with Reclamation's users. As the single largest provider of water in the West and second largest hydro-power utility in the Nation, many communities depend on Reclamation and I take this responsibility seriously.

(2) As the West continues to grow rapidly, the competition for scarce water resources is great and will continue to grow. Reclamation has an important role to play. In the near term, Reclamation should be responsive to drought issues that arise due to weather conditions and work in partnership with states, tribes, water users, and others to seek creative solutions to meeting immediate water needs and exercise Reclamation authorities for emergency drought response if necessary. In the longer term, I am committed to Reclamation playing an appropriate, but important, role in meeting future water supply needs in partnership with these interests. These solutions include improving operational efficiency, assisting with water conservation measures and water recycling, assist in contingency planning for drought, and in selected cases increasing water supply.

(3) The Bureau of Reclamation has experienced a great loss in technical capability in the last decade. In order for Reclamation to address the complex water management issues in the West, it needs to nurture its people and work to form the best team to address Western water issues. I will seek to bring new energy into Reclamation by recruiting young people who have the scientific, engineering, and organizational expertise to help Reclamation enhance its effectiveness in meeting the contemporary challenges in the West.

RESPONSES OF JOHN KEYS TO QUESTIONS FROM SENATOR DOMENICI

Question. Several New Mexico communities have rights to San Juan Chama water. However, many of these communities have not yet developed these rights. Working with the Bureau of Reclamation, would you help ensure that communities are allowed to develop these very important water rights?

Answer. Yes.

Question. The Bureau of Reclamation's mission is to provide water for irrigation and some municipal and industrial uses. With the current water situation in New Mexico the activities of the Bureau of Reclamation remain critically important.

Would you continue to promote traditional irrigation and municipal and industrial uses, while encouraging the Bureau of Reclamation to work in cooperation with other affected agencies and users?

Answer. Yes.

Question. This past July, Interior Solicitor Leshy issued an opinion which allowed the Bureau of Reclamation to take over irrigation works from two irrigation districts in New Mexico. The Bureau of Reclamation later agreed not to take over the works of one of the districts, but such assurances were not given for the other district.

Would you work to find other solutions to these issues, in compliance with state water law, that do not involve a government takeover of irrigation works?

Answer. As Commissioner I would work to find solutions that will maintain the integrity of the Reclamation projects so that the water users can continue to receive the benefits they provide. Central to these successful solutions will be the need to assure compliance with appropriate state and federal law. It is the desire of Reclamation to continue to have the districts operate the projects. I believe that the best solutions are likely found in the collaborative stakeholder processes which can lead to sustainable project operation and compliance with the law.

Question. You are aware that few issues are as contentious or complex as those surrounding water in the West. New Mexico, in particular, is a very arid state suffering from increased demands on limited water supplies. The past year brought even greater challenges to New Mexico's water situation due to endangered species issues on our two main rivers. Western states in general continue to strive toward the goal of assuring water availability for human consumption while remaining in compliance with state water law, compact requirements and the Endangered Species Act.

Will you work to help achieve long term solutions to problems arising from limited water supplies, while protecting states rights, interstate and international compact obligations and the preservation of endangered species?

Answer. Yes.

Question. In helping to create and advance solutions to western water issues, will you strive to be aware of the sensitivity of all users and work to ensure fairness to all parties who may be affected by agency decisions?

Answer. Yes.

Question. Communities must be allowed to continue development for human use and provisions must be made to allow for future development and growth. Are you willing to support water policies and programs that will allow for this type of growth and development?

Answer. Yes.

RESPONSES OF JOHN KEYS TO QUESTIONS FROM SENATOR CAMPBELL

Question. Can the both of you commit to work together with the other water users, power interests, and the water rights to finish the Black Canyon water right quantification?

Answer. Yes, Bureau of Reclamation people and I will work closely with the National Park Service Director and her people to finalize the Gunnison River quantification of water for the Black Canyon of the Gunnison National Park.

Question. Can the both of you commit to resolving this within the next two years?

Answer. There are many actions, factors and parties that may affect the schedule for resolving this issue. Bureau of Reclamation people and I will cooperate fully with the National Park Service Director and her people to expedite the issue's resolution.

Question. My next question is in regards to information sharing. Could you provide me and the State of Colorado your justification for quantifying this right you have filed and can you commit to me to provide the proper and appropriate information to me and all of the interested parties?

Answer. This question is most appropriately answered by Director of the National Park Service—Designate Mainella. I refer you to her answer to this question.

Question. Secretary Norton has made local participation mandatory on decision making at the Department of Interior. So, can you commit to seeing that all affected

water users are allowed to participate in all technical meetings to resolve this issue instead of mandating from Washington?

Answer. This question is most appropriately answered by Director of the National Park Service—Designate Mainella. I refer you to her answer to this question.

Question. Can you commit to ensuring that any water right the National Park Service pursues is consistent with the McCarran Amendment, state water laws, interstate compacts and state court cases that make up our water laws?

Answer. This question is most appropriately answered by Director of the National Park Service—Designate Mainella. I refer you to her answer to this question.

Question. Given the nationwide power crunch, are you willing to subordinate their water right to the Aspinall Unit so as not to disrupt power production?

Answer. This question is most appropriately answered by Director of the National Park Service—Designate Mainella. I refer you to her answer to this question.

Question. In the documents that the Park Service filed, how did it quantify the impact on power production?

Answer. This question is most appropriately answered by Director of the National Park Service—Designate Mainella. I refer you to her answer to this question.

Question. Has the Park Service complied with the Bush Administration's May 18 Executive Order that requires it to consider power impacts before taking action? Please describe how the Service intends to comply with this order.

Answer. This question is most appropriately answered by Director of the National Park Service—Designate Mainella. I refer you to her answer to this question.

Question. The Park Service has stated that it intends to negotiate Black Canyon water rights settlements with affected parties. Given that over 300 parties have intervened in the Colorado court case, what process does the Service plan to use to pursue those negotiations?

Answer. This question is most appropriately answered by Director of the National Park Service—Designate Mainella. I refer you to her answer to this question.

Question. Are you aware that the Western Area Power Administration (WAPA) has serious concerns about the impact of those flows on hydropower generation at the Colorado River Storage Project and that WAPA says it did not have sufficient time to analyze the recommendations before they were filed?

Answer. This question is most appropriately answered by Director of the National Park Service—Designate Mainella. I refer you to her answer to this question.

RESPONSES OF JOHN KEYS TO QUESTIONS FROM SENATOR BURNS

Question. Irrigators have repaid the Federal investment on some of our state's older Reclamation projects and local irrigation districts have successfully managed the Federal properties, some for over 50 years. In these cases, the Bureau has encouraged the transfer of title to the districts, but there are conditions that do not make the transfer feasible for them. (For instance, the Bureau's conditions for Lower Yellowstone Reclamation Projects call for removal of the community pumping units from the Pick-Sloan power system). What will your position be on title transfers?

Answer. Transferring title to projects and facilities makes sense and should be continued as it is an opportunity to move facilities from Federal ownership to more appropriate local control into the hands of those who know them, benefit from them, and in most cases have operated them for years. At times, the system in place for title transfer is cumbersome and takes a long time to accomplish. I will certainly work with any constituent that is interested in title transfer and do all that I can to minimize the time required to accomplish those transfers.

Question. Economic development is a requirement in our state for our communities to survive. The Bureau of Reclamation has provided a great service in developing water resources in the past like irrigation and hydropower. But there is a lot more that can be done such as additional irrigation projects, assistance in conservation measures to extend the resource, rural domestic water systems, and modifications to existing facilities to meet today's safety and environmental standards. There is a backlog of projects that have been authorized and need funding. Will you work with me to find a way to make sure the BOR is able to reach these goals?

Answer. Yes, I would be glad to look into this issue and work with you.

Question. The Bureau's Pick-Sloan Missouri River Program is a great system with the purpose of fostering economic development by developing the river's water resource. I understand that rural and municipal water systems, and new irrigation concepts employing the use of the system's hydropower resource is possible under this program. I also understand that a great deal can be done with minimal impact on the basin's power rates. Will you be receptive to promoting the intended use of the Pick-Sloan program?

Answer. I agree that the Pick-Sloan Missouri Basin program has been a tremendous economic stimulus to the states in the Missouri River Basin. I am also aware that only a small part of the development envisioned under that program has been realized. I am receptive to working with Congress, the Missouri River Basin states, and others to explore avenues for making the intended benefits of the Pick-Sloan program available to areas in need of assistance.

June 28, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington,
DC.

DEAR MR. CHAIRMAN: Enclosed you will find my responses to the written questions following my confirmation hearing before the Energy and Natural Resources Committee on Wednesday, June 27, 2001.

If I can be of further assistance, please let me know.

Sincerely,

FRANCES P. MAINELLA,
Director, National Park Service, Designate.

[Enclosures.]

RESPONSES OF FRANCES MAINELLA TO QUESTIONS FROM SENATOR BINGAMAN

Question. The National Park Service Organic Act of 1916 provides that the purpose of national parks is to "conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." One of the major management challenges for the Park Service has been how to properly balance the two legislative mandates of conservation and recreation.

The current Park Service management policies interpret the Organic Act to mean that "when there is a conflict between conserving park resources and values and providing for enjoyment of them, conservation is to be predominant."

Do you agree with this policy, that the conservation of park resources and values is the primary mission of the National Park Service?

Answer. It seems reasonable that the Park Service would not allow activities that would deprive future generations of the ability to enjoy park resources or values. I am advised that the courts have consistently interpreted the Organic Act this way. Therefore, I would agree that the resource is always the primary focus.

Question. The Park Service has published a rule eliminating personal watercraft (commonly referred to as "Jet Skis") in many parks. Do you support this proposal?

In your opinion, under what circumstances, if any, is motorized recreation appropriate in national park areas? Is this an issue of finding and implementing appropriate new technologies or are there simply some uses that are incompatible with national parks?

Answer. I understand that the rule identifies 21 areas where some Personal Water Craft (PWC) use may be permitted to continue through a special rule. I am also advised that evaluations are underway at several of these areas to determine whether to propose a special regulation to allow PWC use to continue. These determinations are appropriately made on a case-by-case basis. I will look forward to reviewing any proposal that results from this process. Motorized recreation should be evaluated on a case-by-case consistent with park purposes, the protection of resources, and the quality of visitors experience.

Question. Under the recreation fee demonstration Program, the National Park Service is given very broad authority to charge whatever visitor fees it deems appropriate. The revenues from these fees has helped to address critical funding needs throughout the National Park System. However, as a result of this, fees have significantly increased at most parks, in many cases doubling. Are you concerned that as a result of the push to generate increase revenues, larger segments of our population will be excluded from using our national parks?

Answer. Charging fees is appropriate and the revenues are needed. However, I certainly do not want to see fees exclude segments of population from parks. At this point, I am advised that the NPS fee programs do not appear to be having such an effect. I will watch the impact of these fees closely to assure that this does not happen. I understand the NPS has retained McKinsey and Company, an outside consultant, to review the fee program, with the objective to optimize revenues, keep fees from being confusing to public, and to assure that monitoring occurs to track

critical information, including whether the program excludes segments of the population. I look forward to learning more about this study and want to work closely with Congress on the fee issue.

Question. New authority was provided by Congress last year to the land management agencies to use youth conservation corps to complete post fire rehabilitation and erosion control work as well as urban/wildland interface hazardous fuel reduction work. From the information we have received from the department to date, it appears that the Park Service and other land management agencies have focused almost solely on hiring new federal employees rather than developing new, or expanding existing, cooperative agreements with youth corps to complete some of the work.

What do you believe should be the appropriate balance between hiring new federal employees and using partnerships with State, local, tribal, or non-profit youth corps to conduct this type of work?

Answer. I understand that there is a greatly expanded wildland fire program, particularly to deal with reduction of hazardous fuels near communities at risk. The program is built on a partnership between the Federal land management agencies, the states, and communities at risk. NPS has been successful with partnerships and I support making use of contracts and cooperative partnerships with youth groups and others to the greatest extent possible consistent with safety and getting the job done.

Question. Over the past few years, the National Park Service has been using a portion of its Recreation Fee Demonstration Program funds to engage youth in conducting service projects in the parks through partnerships with non-profit and conservation corps pursuant to the authority of the Public Land Corps Act of 1993. In FY2001 alone, the Park Service used nearly \$12 million in fee revenue and partner matching funds to carry out 360 maintenance and restoration projects in 148 parks with 46 youth corps.

Given that reducing the backlog of maintenance in the parks is a top priority of the current administration, and since funding the Public Land Corps with a portion of Recreation Demonstration Program funds is at the discretion of the Director, will you commit to continue funding for the Public Land Corps?

Answer. I understand the Public Land Corps is an exciting new addition to youth programs of the NPS. I support making use of this program and similar ones such as the Youth Conservation Corps, the Student Conservation Association, and others at every opportunity. These programs engage the interest and energy and develop the skills of our nation's youth in the conservation of our nation's treasures, develop their work skills and ethic, and contribute enormously to accomplishing critical work in the national parks.

RESPONSES OF FRANCES MAINELLA TO QUESTIONS FROM SENATOR DOMENICI

Question. This past year was one of the worst fire seasons in over 50 years. In NM alone, there were over 1,000 fires consuming over 400,000 acres of land. With the arid conditions in much of the west, fires will continue to pose a threat. Congress was successful this past year in securing funding for Interior to help with efforts that will, among other things, thin forest growth, increase fire fighting capabilities and identify communities who are particularly at risk from fires. The legislation specifically states that local businesses be given priority for contracts and other ventures that will be needed to carry out the intended efforts.

Are you willing to do what you can to protect western communities from fire threats?

Answer. Yes. I have been informed that the National Park Service (NPS) is actively engaged in implementing the National Fire Plan. Fuels treatment projects that are associated with the wildland urban interface are a high priority and many projects are currently being implemented. In addition, planning has begun for projects that will be implemented in future years.

Communities are participating in Firewise workshops throughout the West. I understand the National Park Service is sponsoring many of the workshops, or is participating with other agencies in conducting these workshops.

I also have been told that the National Park Service is aggressively hiring fire-fighting personnel for this upcoming wildfire season and that Secretary Norton and the Oak Ridge Boys prepared a series of public service announcements to recruit wildland firefighters. The National Park Service hired a consulting firm to aid in their recruitment efforts for firefighters.

If confirmed, I intend to affirm the direction that the Acting Director of the National Park Service issued on June 18, 2001 asking regional directors and park su-

perintendents to ensure that NPS employees and equipment are ready for another potentially difficult fire season.

Question. Are you willing to help ensure that National Fire Plan funds are used rationally and that local businesses within these communities are given these priorities?

Answer. I understand that many geographic areas are conducting collaborative meetings to prioritize wildland/urban interface projects and where we have park units we are participating. Many of these projects are using local labor sources to implement the projects. The National Park Service is also exploring and utilizing contracting capabilities for all phases of the project from planning to actual implementation. I agree with this approach to utilize the capabilities of the local businesses and if confirmed, I will continue these endeavors.

I support the assistance the National Park Service is able to provide through the Rural Fire Assistance program. I understand that this program can provide money for training and equipment so that rural fire departments can assist in the wildland firefighting efforts, where appropriate.

Question. One of the worst fires last year was the Cerro Grande fire near Los Alamos, New Mexico. This fire began as a controlled burn by the National Park Service. Unfortunately, the fire raged out of control and burned over 400 homes and businesses in the area. Many reports and studies conducted as a result of this fire, concluded that many of the park service policies were flawed.

Will you work to ensure that the Park Service has adequate, well-defined policies so that disasters such as the Cerro Grande fire can be avoided in the future?

Answer. I have been informed that the Acting Director for the National Park Service (NPS), on May 30, 2001, gave authorization to parks to implement new prescribed fire guidelines.

Additionally, a number of workshops for NPS employees have been held to communicate the changes in prescribed burn policies, plans, required analyses and practices.

In recent years, fire has been a concern in Florida as well. If confirmed as Director, it will remain a personal priority of mine.

Question. National Park Service spending needs to be brought under control. We need better accounting (the Denver Service Center has been notorious for cost overruns, outrageous costs in construction, etc.).

Are you willing to do what is necessary to help control spending?

Answer. Yes. With respect to the construction program, I am committed to the continued implementation of changes such as those that were recommended in 1998 by the National Academy of Public Administration (NAPA), following its independent review of the agency's construction program.

Question. Local impact of fee structure at parks is also problematic. Currently Carlsbad, NM has reported that the high costs at Carlsbad Caverns is driving off tourism.

Will you study these local impacts and work to ensure that fee structures are rational and designed to benefit the park and the overall community?

Answer. I am unfamiliar with the situation at Carlsbad Cavern, but will certainly look into it. I support a rational fee program that is not confusing to the public, optimizes revenue without excluding segments of the population, and does not have an undue impact on adjacent communities.

RESPONSES OF FRANCES MAINELLA TO QUESTIONS FROM SENATOR AKAKA

Question. Over the last ten years I have been an advocate for increased recognition of diversity within the national park system. The previous Administration made a major commitment to reach out to diverse communities around the country so that our parks, and those who serve as stewards of these places, are truly reflective of our nation.

I have initiated studies for Park Service units that tell the story of Japanese-American internment camps, historic and cultural trails and parks in Hawaii, as well as the story of West Coast immigration, and a bill on the Peopling of America. I believe that the interpretation of how America has become a diverse nation is important to us all.

Do you see this as an important issue with regard to long-term preservation for our national parks? If so, would you make this a priority under your leadership?

Answer. Diversity in our parks is an important issue and I believe it is crucial given the high regard in which the American people hold our national parks. The broad sweep of America's panoramic history is a remarkable story. I firmly believe that national parks should tell the complete story about America. If confirmed, I will make this a priority.

Question. How do you think the Park Service can foster a greater appreciation of our national parks to a wider constituency and broaden the identification and interpretation of new parks that tell the story of all our peoples?

Answer. Americans care deeply about their national parks. We need to continue to reach out to ensure that the National Park System represents the diversity of our American culture.

Question. During both Republican and Democratic Administrations, Congress authorized new parks to conserve our natural and cultural heritage. In the 106th Congress, four new units were created and several park expansions authorized, including Great Sand Dunes National Park in Colorado and Hawaii Volcanoes National Park. What is your view of the need to continue adding nationally significant resources to our national park system? Do you intend to place a limit on recommending new units?

Answer. The National Park System has been growing and evolving from the time the first national park was established at Yellowstone in 1872, and it will continue to do so for as long as our Nation exists. However, at this particular moment, we have a serious backlog of maintenance needs at existing park units, and the President has rightly focused attention on addressing those needs rather than on expanding the system. The Administration's policy of asking Congress to defer action on the designation of new units is in effect for this session of Congress.

Question. An important issue facing the national parks is what types of access and amounts of access should be provided for motorized vehicles, including SUVs, and snowmobiles, of course, but also regarding personal watercraft. And as you know, the air tour Management Act now requires the Park Service and the FAA to undertake planning for flights over national parks.

What are your views regarding motorized access to national parks?

What about snowmobiles? Do you support the existing rule to phaseout snowmobiles in Yellowstone and Grand Teton National Parks?

Answer. I support the use and enjoyment of national parks consistent with maintaining the conservation values for which the units were created. Motorized recreational access must be evaluated on a case-by-case basis.

I look forward to learning about snowmobile use and its impacts in national parks and expect to focus quickly on the use of snowmobiles at Yellowstone and Grand Teton National Parks.

Question. The National Parks Air Tour Management Act was passed last April to help protect national parks from the noise and disruption that can be caused by commercial air tours. The National Park Service will cooperate with the Federal Aviation Administration to develop air tour management plans in parks where air tours occur.

Right now, the program charged with developing air tour management plans is scheduled to receive the same level of funding in FY 2002 as it did in FY 2001, yet the office will have much greater responsibilities. I am concerned whether the Park Service has the resources needed to manage park visitorship whether on the ground or in the air above the parks.

What are your thoughts on providing additional resources to this office and on the priority for managing air tours over parks that need it?

Answer. I recognize the need for air tour management plans for a number of national parks. If confirmed, I will look into the program and whether the level of funding is sufficient to move forward with these plans.

Question. I believe that eliminating the backlog of maintenance is important, but I also believe we must not jeopardize funding for the everyday management and interpretive needs of national parks. While visitorship is growing, funding to provide a quality visitor experience is shrinking.

It has become clear that we cannot rely solely on appropriated monies for the day-to-day needs of the Park Service. We need to discuss a variety of different ways to assist the parks to raise monies.

The National Parks Stewardship bill includes a provision to explore a mechanism called NAFIs or Non-Appropriated Fund Instrumentalities. In the past the idea of parks bonds has been considered. Also, the Recreational Fee Demonstration Program has been authorized as a pilot.

I believe we need to assess the successes and weaknesses of this program and to build on them where necessary, and I am interested in your views on this pilot program.

Question. What are your views and priorities for identifying mechanisms, including recreational and other fees, for augmenting funds for national parks? In addition to increased appropriations, would you look favorably on such options as increased user fees or other financial innovations? How do you propose to ensure that the

Park Service has an adequate financial base to meet the basic infrastructure demands and provide quality visitor facilities and interpretation?

Answer. I believe the Recreation Fee Demonstration Program has been very beneficial for the National Park System, allowing parks to accomplish a range of activities to improve parks and enhance the experience for visitors that otherwise would not have occurred. I look forward to working with the committee on the future of the fee program to consider other means of generating funding that will help further the NPS mission. Another relatively new development that I believe will help parks with the funding they need is the development of business plans, which NPS is piloting at some of the parks.

Question. Pu'u'honua o Honaunau as you know, the parks in Hawaii and the Pacific are very important to me. I have introduced a bill to authorize an expansion of Pu'u'honua o Honaunau National Historical Park, a premier cultural historical park on the Kona coast of Hawaii. The park has the opportunity to acquire a parcel of land containing significant archaeological and historical resources from a willing seller and with widespread support of the community.

Would you be willing to share your views on expansions of existing parks?

Answer. I believe the expansion should proceed, where appropriate, to ensure the protection of important natural and cultural resources. The Administration's policy with respect to park expansions is that it will consider such proposals on a case-by-case basis, with a critical eye toward the budgetary impacts of any addition. The Administration's priority is to address the deferred maintenance backlog at existing units, and for that reason it is taking a cautionary approach to supporting proposals that would expand the responsibilities and financial obligations of the National Park System at this time.

Question. As you may know, the highest funded priority on the National Park Service's Land and Water Conservation Fund acquisition for FY 2002 is for Kahuku Ranch, adjacent to Hawaii Volcanoes National Park. I am pleased with this prioritization, and I hope I can count on your support to see this purchase completed.

Answer. I understand that the President's proposed budget for fiscal year 2002 included \$4 million for acquisition of 18,600 acres of the Kahuku Ranch. If these funds are ultimately included in the final appropriations bill for the Department of the Interior, acquisition of this important property could move forward, affording protection to its diverse ecosystems.

Question. I am concerned about cultural interpretation—the ability of the NPS to use histories, ethnographies, and the knowledge of elders who are living in or near parks to assist in the interpretive materials for the Park Service. There is a great deal of knowledge that can be helpful in interpreting the historical, archaeological, and ethnographic records of parks areas. I believe the Park Service can be a bridge to people who can be resources for the park.

I would like to know your thoughts on the value of local knowledge and also on the Park Service's ethnography program in support of cultural interpretation.

Answer. Our national parks as well as public lands managed by other Federal agencies and by State and local governments must not be thought of as isolated preserves cut off from the communities surrounding them. I believe that local knowledge is invaluable to the cultural interpretation of these places. If confirmed, I look forward to incorporating historical knowledge where such local knowledge is not part of the existing interpretive programs.

RESPONSES OF FRANCES MAINELLA TO QUESTIONS FROM SENATOR GRAHAM

Question. What are some ways to address the current operations and maintenance backlog in our national parks?

Answer. The President has made a commitment to spend \$4.9 billion over the next five years to eliminate the deferred maintenance backlog in our national parks—\$2.2 billion for facilities at parks, and \$2.7 billion related to transportation needs. With Congress' support for this initiative, we will make significant progress toward addressing maintenance needs in the parks. As we make these investments, it will also be necessary to invest in routine maintenance to avoid the need for major rehabilitation costs in the future.

Question. How would you apply your positive experience with public-private partnerships to the National Park Service?

Answer. Successful partnerships have been critical to the positive experiences I've had in Florida. These same concepts should benefit the National Parks. A partnership must be a win-win for all involved. The public-private partnerships that have worked well include volunteers, friends groups, concessions, Partnership-in-Parks and many others. Volunteers help with projects and reduce our operation cost or

allow us to do a project that we could never afford. The friends groups being non-profit organizations seek grants that benefit the park. I've worked effectively with concessions for all my 12 years at Florida State Parks. Recently we awarded the building and operating of 143 new cabins to the private sector. The most unique is the partnership-in-parks where through our friends groups they raise \$60,000 or more then the state matches with \$40,000 (60-40 match). The project must be in the management plan for the park. I would hope some of these concepts could apply to the National Parks.

Question. Some park resources require more specialized care than others. One example is the lighthouse at Biscayne National Park in south Florida. The Vanishing Treasures Program is one way to insure that these unique resources remain for the public. What are your suggestions for protecting these resources?

Answer. I have been informed that the Boca Chita Lighthouse at Biscayne National Park has been closed to the public for several months while undergoing restoration and repair. The upgrades to handrails and other components are nearly complete and the National Park Service is now working with engineers to determine if it is structurally stable enough to be reopened to the public. This is an example of the backlog maintenance needs in the National Park Service that the President is committed to resolving. If confirmed, I would support the President's effort to make the maintenance backlog a priority. This would help the NPS to preserve historic structures and improve visitor facilities.

While the Vanishing Treasures initiative is focused on prehistoric and historic ruins in the American Southwest, there are other programs that can assist with the preservation of historic resources throughout our Nation. One example is the Save America's Treasures program, which is proposed in the FY 2002 budget. Upon confirmation, I will try to maximize the historic preservation efforts in the National Park Service. In addition, we should continue to work to identify non-Federal resources for these purposes.

Question. The National Park Service is most commonly associated with its famous parks. However, the park service has an important responsibility to protect and preserve some of our nation's most historic places and artifacts. However, for a variety of reasons, this preservation is not being carried out as it should be. As an historic preservationist, do you have any ideas for improving the way the park service carries out this duty?

Answer. The NPS has developed the Natural Resource Challenge. This comprehensive strategy may provide us with better scientific data that will enhance cultural preservation efforts. Also, NPS has a Vanishing Treasures Program. I would hope, as we did in Florida, a cultural initiative can be address in NPS. In Florida, we established a training program and a legislative budget request for our historic sites to better fund and care for these important areas. I will be interested, if confirmed, in exploring similar efforts in the national parks and better understanding what is already underway. As you know, I just received the Senator Bob Williams award for making a difference in historic preservation in the state of Florida.

Question. As you know, this years marks the first year of an historic project to restore the Everglades. Everglades National Park is the principle beneficiary of this project. If you are confirmed as Director of the National Park Service, what steps will you take to ensure that this restoration effort is effectively coordinated among the Department of the Interior, Army Corps, and the State of Florida?

Answer. The Everglades restoration project is a model of an effective cooperative partnership. I understand that representatives of all the agencies involved in the effort meet frequently. In addition, I understand that Park Service officials from the Everglades, the Southeast Regional Office in Atlanta, and the Washington office have met with Interior Secretary Norton's staff to bring them up to date on the progress thus far. One of the continuing challenges is to make sure that agency roles are clearly defined and that water is allocated equitably to meet the park's needs as well as those of the South Florida Water Management District. If confirmed, I will ensure that the NPS will continue to actively participate in the coordination process.

RESPONSES OF FRANCES MAINELLA TO QUESTIONS FROM SENATOR CAMPBELL

Question. Can the both of you commit to work together with the other water users, power interests, and the water rights to finish the Black Canyon water right quantification?

Answer. Yes

Question. Can the both of you commit to resolving this within the next two years?

Answer. I am told that resolving the water right is a complex issue that is intertwined with other equally complex issues (endangered fish species and Aspinall Unit

Operations). I understand that NPS is making a concerted effort to work with the other water interests in the basin to develop an agreeable resolution of the water right quantification as expeditiously as possible.

Question. My next question is in regards to information sharing. Could you provide me and the State of Colorado your justification for quantifying this right you have filed and can you commit to me to provide the proper and appropriate information to me and all of the interested parties?

Answer. As this water rights claim is now pending, decisions involving the sharing of information fall within the purview of the Department of Justice. However, I am told that the NPS and the Department of Justice intend to work with the basin water interests to negotiate a resolution of the quantification and understand that sharing information will be necessary during the course of negotiations.

Question. Secretary Norton has made local participation mandatory on decision making at the Department of the Interior. So, can you commit to seeing that all affected water users are allowed to participate in all technical meetings and negotiations? That way everyone is at the table to resolve this issue instead of mandating from Washington.

Answer. It is my philosophy that the NPS must commit to work and consult regularly with local interests. While I am not yet familiar with the details of this issue, I will urge the Department of Justice to involve representatives of affected water users in technical and other meetings.

Question. Can you commit to ensuring that any water right the National Park Service pursues is consistent with the McCarran Amendment, state water laws, interstate compacts and state court cases that make up our water laws?

Answer. Yes. I can commit that any water right the NPS pursues is consistent with all applicable state and federal laws.

Question. Given the nationwide power crunch, are you willing to subordinate their water right to the Aspinall Unit so as not to disrupt power production?

Answer. As stated earlier, I am not familiar with the details surrounding this matter. If confirmed, I am committed to a balanced approach to resolving what I am advised is a complex issue.

Question. In the documents that the Park Service filed, how did it quantify the impact to power production?

Answer. At this point, I am unable to comment adequately as I have not yet had the opportunity to see or review the documents that the Park Service filed in this matter.

Question. Has the Park Service complied with the Bush Administration's May 18 Executive Order that requires it to consider power impacts before taking action? Please describe how the Service intends to comply with this order.

Answer. I am told that the NPS has not taken any action that would affect power generation since the Bush Administration's May 18 Executive Order. As I indicated previously, the NPS will comply with all applicable legal requirements.

Question. The Park Service stated that it intends to negotiate Black Canyon water rights settlements with affected parties. Given that over 300 parties have intervened in the Colorado court case, what process does the Service plan to use to pursue those negotiations?

Answer. I understand that there have been meetings with water user organizations to deal with the issue of the large number of parties. It is anticipated that this will facilitate involvement of representatives of affected water users in the negotiations.

Question. Are you aware that the Western Area Power Administration (WAPA) has serious concerns about the impact of those flows on hydropower generation at the Colorado River Storage Project and that WAPA says it did not have sufficient time to analyze the recommendations before they were filed?

Answer. I am told that the NPS is aware of WAPA's concerns.

APPENDIX II

Additional Material Submitted for the Record

GOVERNOR OF THE STATE OF FLORIDA,
February 19, 2001.

Hon. GALE NORTON,
Secretary, U.S. Department of the Interior, Washington, DC.

DEAR SECRETARY NORTON: It is with pleasure that I submit this letter of recommendation for Fran P. Mainella, who is interested in serving the administration as National Park Service Director.

Fran has served as the Director of Florida State Parks for the past twelve years. As Director, Fran manages the administration of 153 state parks, preserves, historic sites, recreation areas, wildlife parks and trails consisting of over 500,000 acres. She has proven to be a motivational leader, creative thinker, effective manager, and accomplished director. As a result of Fran's hard work, perseverance, and ability to lead a successful team of over 1,000 dedicated employees in eight bureaus, Florida was voted as having "America's Best State Park System," receiving the 1999-2001 Gold Medal Award. Last year, the National Recreation and Park Association's 2000 Kudo's Award also recognized Florida's State Park System for Best Web Site and Best Promotional Video.

In addition to her fine work with the State of Florida, Fran has been an active member and leader with national associations including her service as president of both the National Association of State Park Directors and the National Recreation and Park Association.

While Fran's departure would prove to be a great loss for our State, I was pleased to learn of her interest and willingness to serve in your agency, as I am confident that she would serve with pride and distinction. For your reference, I am enclosing a copy of Fran's resume, letters of recommendation, and articles of interest.

Thank you and please do not hesitate to call with any questions,
Sincerely,

JEB BUSH.

FLORIDA CONGRESSIONAL DELEGATION,
March 7, 2001.

Hon. GALE NORTON,
Secretary, Department of Interior, Washington, DC.

DEAR SECRETARY NORTON: It is a great honor for the Florida Congressional Delegation to support Fran P. Mainella, Director of Florida State Parks, Florida Department of Environmental Protection, for the position of National Park Service Director.

Under Fran's leadership during the last 12 years, the Florida State Park system has worked tirelessly with State and county officials to achieve the highest standard of excellence. As you are probably aware, Florida State Parks rank as the second most desirable destination for visitors to our state. Only visitors to Walt Disney resorts and theme parks exceed the 16.5 million annual visitors to Florida State Parks. Even with the high volume of visitors, our parks boast superior resource management and service. Florida State Parks has won on the best resource manager of the year 7 out of the last 8 years.

In a testament to her skills as a creative administrator, Fran has brought a number of innovative funding ideas to the table. Florida State Parks has become a leader in outsourcing services, working with over 1900 partners to move the state park system forward. One example, "Partnership-in-Parks", funds the park system thru private dollars matched with state dollars on a 60-40 basis. We know of no similar program in any other state park system. Over \$4 million worth of projects are un-

derway at a cost of only \$1.6 million to the state. This example of public/private cost sharing demonstrates Fran's ability to broker positive relationships between the government and private sector interests.

Fran has been able to connect local communities to the park system by enlisting the support of the citizens that enjoy its services. Volunteerism is at an all time high in Florida State Parks with over 837,000 hours donated in this past year, equaling over 400 full-time employees for our system. Our Citizen Support Organizations (CSO), volunteer friends groups who support our parks, have grown from 5 in 1989 to now currently 70 CSO's. This means that 1 out of every 3 people visiting Florida State Parks is a volunteer. Additionally, our visitation for state parks has grown 13.5% over the last year and 32% since 1996, as has our revenue that has increased since 1996 by 32%.

While Florida has greatly benefited from her talents, Fran has also shared her extensive experience and leadership skills with prominent national organizations. She served as president of the National Recreation and Park Association and president of the National Association of State Park Directors. Recognized as one of the top leaders in this nation for natural resource and park and recreation efforts, Fran has testified on numerous occasions before U.S. Congressional committees.

Our state takes great pride in its park system, and Fran's efforts have consistently draw in praise and recognition from colleagues across the nation, the most notable instance being Florida State Parks' selection as the 1999-2001 Gold Medal Award recipient presented by the National Recreation and Park Association and National Sporting Goods Association. In addition, our outstanding visitor services, resource management, innovative funding programs, and citizen involvement led to Florida State Parks being named "America's Best State Park System".

We are proud of Fran's leadership and achievements on behalf of all Floridians. She has demonstrated, her ability to manage the operations of a large organization of over 1000 employees and 155 parks, and she has steered our park system into a position of unparalleled excellence. Her knowledge and "can do" attitude would be a great asset to the National Park System. We are pleased to join together in recommending Fran P. Mainella for the position of National Park Service Director.

Sincerely,

Congressman Clay R. Shaw, Jr., District 22; Congressman C.W. Bill Young, District 10; Senator Bob Graham; Senator Bill Nelson; Congressman Joe Scarborough District 1; Congressman Allen Boyd, District 2; Congresswoman Corrine Brown, District 3; Congressman Ander Crenshaw, District 4; Congresswoman Karen Thurman, District 5; Congressman Cliff Stearns, District 6; Congressman John L. Mica, District 7; Congressman Ric Keller, District 8; Congressman Michael Bilirakis, District 9; Congressman Jim Davis, District 11; Congressman Adam H. Putnam, District 12; Congressman Dan Miller, District 13; Congressman Porter Goss, District 14; Congressman Dave J. Weldon, District 15; Congressman Mark Foley, District 16; Congresswoman Carrie P. Meek, District 17; Congresswoman Ileana Ros-Lehtinen, District 18; Congressman Robert Wexler, District 19; Congressman Peter R. Deutsch, District 20; Congressman Lincoln Diaz-Balart, District 21; and Congressman Alcee L. Hastings, District 23.

SAGAMORE PUBLISHING,
Champaign, IL, June 5, 2001.

DEAR SENATOR BINGAMAN: I would like to lend my support for Fran Mainella for the appointment of Director for the National Park Service. I have known Fran for over 30 years. She has a distinguished career in the area of Parks, Recreation and Conservation. She has done an outstanding job in the state of Florida in managing the natural resources and conservation programs. She is highly recognized by her peers for her dedication and energy for our field. Most recently she was the Elected President of the National Recreation and Park Association by her peers. I am in hopes that the committee will support her nomination.

Sincerely,

JOSEPH J. BANNON, PH.D.,
Publisher and CEO.

CITY OF ALBANY, OREGON
ALBANY PARKS & Recreation,
Albany, OR, June 6, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. BINGAMAN: This letter is to express my strong support for Fran Mainella's nomination for the Director of the National Park Service. I know of no other person with the exceptional qualifications, commitment and enthusiasm that Fran possesses.

I have worked with Fran for nine years on the Board of Trustees of the National Recreation and Parks Association. Fran also served as President of that organization at a time when we were raising funds to build a new headquarters and had several other projects in progress. As Director of Florida parks system, Fran continues to demonstrate outstanding leadership qualities. She has a deep understanding of the needs of parks and recreation and knows how to develop them effectively. Fran has an exceptional ability to share her vision and enthusiasm and to get people to work together.

I congratulate the National Park Service should Fran become their new Director. They would be getting a great leader and a truly fine person in Fran.

Sincerely,

DAVE CLARK,
Parks & Recreation Director.

CITY OF ANAHEIM, CALIFORNIA,
COMMUNITY SERVICES DEPARTMENT,
Anaheim, CA, June 6, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR BINGAMAN: I am writing this letter in support of President George W. Bush's nomination of Fran Mainella as our next National Park Service Director. I am a 32-year park and recreation professional and currently employed as the Director of the Community Services Department for the City of Anaheim, California. During my career I have served as president of the California Park and Recreation Society and of the National Recreation and Park Society in addition to many other leadership positions. I have traveled internationally and, in the course of my work and volunteer efforts, have had the opportunity to work with the very best professionals in our field.

Without reservation, Fran Mainella is one of the highest regarded park and recreation professionals in the nation. She has demonstrated through her work in the State of Florida her unique ability to build coalitions and build a nationally award-winning department. She is well respected by environmental advocates and has a way of working with people to create unique and lasting solutions to tough problems. She has endless energy as demonstrated by her volunteer efforts with a number of national organizations. She served as president of the National Recreation and Park Association and of the National State Recreation Liaison Officers organization. She has been active in her state associations and has served in many different capacities as a parks and recreation professional.

Fran Mainella's appointment to the National Park Service directorship would benefit our nation and the Park Service because of the energy, creativity, credibility and innovation that she would bring to the job. I cannot think of an individual more deserving of this appointment or more worthy of the challenge. I urge you and the members of the Committee on Energy and Natural Resources to unanimously recommend Fran Mainella to the full Senate as soon as it is reasonable to do so.

Sincerely,

CHRISTOPHER K. JARVI,
Director.

CITY OF TAMPA,
RECREATION DEPARTMENT,
Tampa, FL, June 6, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN BINGAMAN: It is with great pleasure that I would like to support the nomination of Fran Mainella for the Director of the National Park Service.

I have known Fran for over fifteen (15) years and worked with her when she was the Executive Director of the Florida Recreation and Park Association. She has always served the profession with dedication and a strong commitment to our cause. She is the ultimate leisure professional.

I know she will bring the same enthusiasm and dedication to the National Park Service as she has given to the Florida Department of Recreation and Parks. I can think of no one who is more qualified to serve in this position than Fran.

I urge you to support the confirmation of Fran Mainella as Director of the National Park Service.

Sincerely,

JOE ABRAHAMS,
Director.

NORTHERN SUBURBAN SPECIAL RECREATION ASSOCIATION,
Northbrook, IL, June 6, 2001.

Hon. JEFF BINGAMAN,
Chair, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR BINGAMAN: I was thrilled to see that President George W. Bush has nominated Fran Mainella to the post of the Director of the National Park Service. I write to urge that your committee recommend that her nomination be confirmed.

I know Fran well. She has an outstanding reputation as an administrator, having guided the Florida Department of Natural Resources for many years. She is fair and knowledgeable, and would truly hold the conservation and park interests of our country as her number one priority. Fran is acknowledged as a leader in the field of parks and recreation, and served recently as President of the National Recreation and Park Association. She is conversant in every aspect of park planning and management, including accessibility for persons with disabilities. I can think of no better candidate for this post.

As a former New Mexican, I can assure you that support for Fran will be rewarded with good management, innovative service, and thoughtful planning. I hope that your Committee agrees.

If I can answer any questions or provide any further information, please contact me at 847/509-9400 or at jmcgovern@nssra.org. Thank you for your consideration.

Sincerely,

JOHN N. MCGOVERN,
Executive Director.

LAKE COUNTY FOREST PRESERVES,
Libertyville, IL, June 6, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN BINGAMAN: I am respectfully requesting your approval of the nomination of Fran Mainella for Director of the National Park Service. Having known and worked with Ms. Mainella for the past seven years, I am confident that she is the best possible choice for meeting the many challenges faced by National Park Service.

Our service together as judges for the National Gold Medal Awards selection committee has enabled me to see first-hand Fran's thorough understanding of what it takes to lead a conservation, park and recreation agency that provides excellent service to its visitors and proper protection of its natural and historical resources. She has put this knowledge to good use as director of the National Gold Medal Award-winning Florida State Parks.

I also have served with Ms. Mainella on the board and committees of the American Academy for Park and Recreation Administration. She has the ability to work

effectively with people of varied interests to build the consensus needed to get things done. Additionally, Fran was elected as President of the National Recreation and Park Association, duties that she fulfilled with great distinction. That term of service gave her the opportunity to learn about the varied needs and concerns of people nationwide about access to parks and conservation of natural resources.

As Executive Director of a 23,000-acre conservation, park and recreation system in the northern suburbs of Chicago, and through my previous experiences in California, Michigan and Virginia, I have met few people as capable as Ms. Mainella. I know that she will make an excellent Director of the National Park Service and will faithfully fulfill the wishes of Congress and the dreams of the American people.

I would like to express my appreciation for your leadership in ensuring that our nation's tremendous natural resources are preserved and improved for the benefit of all citizens.

Sincerely,

STEVEN K. MESSERLI,
Executive Director.

LAKE COUNTY FOREST PRESERVES,
ENVIRONMENTAL EDUCATION AND PUBLIC AFFAIRS,
Libertyville, IL, June 6, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN BINGAMAN: I am writing in support of the nomination of Fran Mainella for Director of the National Park Service. Ms. Mainella is well-respected within the conservation, park and recreation profession for her many accomplishments as director of the award-winning Florida State Park system. She also has served a distinguished term as President of the National Recreation and Park Association, which gave her an overview of issues facing our parks and preserves across the nation.

In my 20 years of professional experience with regional conservation, park and recreation agencies; I have met many outstanding park directors and visited the wonderful park systems they lead. Fran Mainella and the Florida State Parks system she leads are among the best. I am confident that Ms. Mainella's experience in serving the diverse populations and protecting the diverse ecological communities found in Florida will help her effectively meet the challenges facing our National Park System.

Your leadership in protecting our nation's natural resource for the benefit of current and future generations is truly appreciated.

Sincerely,

ANDREW S. KIMMEL,
Director.

JOLIET PARK DISTRICT,
Joliet, IL, June 6, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR BINGAMAN: It is with great pleasure that I support the nomination of Ms. Fran P. Mainella for the Director's position with the National Park Service. Having known Fran for many years, she possesses quality leadership and management skills required to administer the National Park Service.

Together with her strong work ethic, she is a visionary, innovator and can easily create collaborative environments that would be beneficial to the future of the National Park Service.

Fran's leadership positions include being President of the National Park and Recreation Association and the Board of Directors of the American Academy for Park and Recreation Administration. She is regularly called upon to speak at nationally recognized conferences and workshops.

Fran has a national reputation which will assist her in managing the National Park Service.

Sincerely,

RONALD H. DODD,
Executive Director.

BOARD OF PARK COMMISSIONERS,
PARK DISTRICT OF HIGHLAND PARK,
Highland Park, IL, June 6, 2001.

Senator JEFF BINGAMAN,
Chair, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR BINGAMAN: My name is Scott Chovanec and I am President of the Board of Park Commissioners for the Park District of Highland Park in Highland Park, Illinois.

I am writing to urge your support of Fran Mainella for the position of Director of the National Park Service. Fran has been a supporter of and involved in Parks and Recreation for many years. Fran has extensive administrative and public affairs experience that she will use to benefit the National Park Service. Please support her nomination. She will be a great asset to the department.

Sincerely,

SCOTT A. CHOVANEC,
President.

CITY OF NORTH MIAMI BEACH, FLORIDA,
North Miami Beach, FL, June 7, 2001.

Hon. BOB GRAHAM,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR GRAHAM: I am so pleased that President Bush has nominated Fran Mainella for National Park Services Director, and I am asking for your support in her confirmation.

For many years, I have known Fran in her capacity as Florida Park Services Director. As you know, she has significantly improved the State Park System. She is quite personable, and I have every confidence that she will work well with Democrats and Republicans alike because among her many attributes is a great knack for consensus building.

It would be a credit to our state to have her in a position of national prominence. Your help would be truly appreciated.

Sincerely,

JEFFREY A. MISHCON,
Mayor.

NATIONAL SOCIETY FOR PARK RESOURCES,
Ashburn, VA, June 7, 2001.

Hon. JEFF BINGAMAN,
Chairperson, Energy Commission, U.S. Senate, Washington, DC.

Re: Recommendation for NPS Director Nominee, Fran Mainella

DEAR SENATOR BINGAMAN: This letter is being sent unsolicited in support and recommendation of Ms. Fran Mainella as President Bush's nominee for the Director of the National Park Service.

I represent over one thousand members of the National Society for Park Resources, a professional branch of the National Recreation and Park Association. The members of the Society have requested that I write a letter of support for Ms. Mainella. I have personally known and worked with Ms. Mainella for over 14 years. Ms. Mainella is of excellent character and possesses superb qualifications and impeccable integrity. She has a "can do" attitude and the tenacity to get the job done. Ms. Mainella has the innate ability to work with people of all walks of life and varying opinions in bringing about consensus. Ms. Mainella will serve the National Park Service and our country well.

I, along with all of the National Society for Park Resources members support the nomination of Ms. Fran Mainella and urge you to vote yes on her confirmation.

Thank you in advance for your support.

Sincerely,

JERRY HOVER, PH.D. CPRP,
President.

SAINT LOUIS COUNTY PARKS,
PARKS & RECREATION,
Saint Louis, MO, June 7, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR BINGAMAN: I have been informed that Fran Mainella has been nominated as the National Park Service Director.

Fran brings over thirty years of experience in the field of parks. Her distinguished career most recently includes her administering the Division of Recreation and Parks for the Florida Department of Environmental Protection.

I would urge the Committee to give serious deliberation to Fran as our next Park Service Director. She has proven to be a leader in the field of Parks, Recreation and Environmental Services. As past president of the National Recreation and Park Association, she traveled the country meeting and serving the needs of our many members.

Thank you for your consideration of my request.

Sincerely,

GENIE ZAKRZEWSKI, CPRP,
Director.

CITY OF LARGO, FLORIDA,
RECREATION AND PARKS DEPARTMENT,
Largo, FL, June 8, 2001.

Senator BOB GRAHAM,
Hart Senate Office Building, Washington, DC.

DEAR SENATOR GRAHAM: I am a recreation and parks professional in the State of Florida and have had the wonderful experience of working with Fran Mainella for over fifteen years. During 1987, I served as President of the Florida Recreation and Park Association, and Fran Mainella was the Executive Director of the association. Fran developed a strong and vital foundation for the association which has continued to grow with well over 1,300 members. As an active leader with the State Legislature, Fran took the recreation and parks profession to a more recognized role and asset to the state.

As Ms. Mainella moved to her next challenge, Director of the Florida state park system, she displayed that same leadership and professionalism to improve and enhance Florida state parks, and the state parks received a gold medal. Fran has also been the President of the National Recreation and Park Association. All of these accomplishments and strengths can only benefit the national parks. Fran's experience will benefit the citizens of the United States through her leadership and direction. I strongly endorse Fran for the position of the National Parks Service Director, and I know our national parks and all of the national parks' employees will excel under her leadership.

Sincerely,

CATHY B. SANTA,
Director.

CITY OF DALLAS,
FAIR PARK,
Dallas, TX, June 11, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

MR. BINGAMAN: This letter is written in support of Fran Mainella as she is considered for the position of National Park Service Director.

I have worked with Fran over the past 12 years through the National Recreation and Park Association, American Academy for Park and Recreation Administration and the National Symposium.

I have found her leadership and organizational skills to be some of the best I have ever encountered. Fran is also an accomplished public speaker and will be a credit to the National Park Service.

EDDIE C. HUESTON,
Executive General Manager.

EAST BAY REGIONAL PARK DISTRICT,
Oakland, CA, June 13, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR BINGAMAN: On behalf of the East Bay Regional Park District I wish to express support for the nomination of Fran Mainella for the position of National Park Service Director. I have known Ms. Mainella for many years through her participation in, and presidency of the National Park and Recreation Association.

The District, a regional parks agency, operates 59 parks exceeding 90,000 acres of open space and 100 miles of inter-park regional trails, in the highly urbanized San Francisco East Bay area. We know that Ms. Mainella has a thorough understanding of the needs and values of parks and recreation, reflected in part by her commitment to the Land and Water Conservation Fund. She achieved no small feat in working her way up from local parks in Lake Park and Tallahassee, Florida to become the Director of the Florida Department of Environmental Protection. Her career also includes service in the parks private sector as Executive Director of the Florida Park and Recreation Association. This is a candidate who is balanced, knowledgeable and professional based on the broad spectrum of her 30 years of experience in the park and recreation field.

We respectfully request your favorable consideration of her nomination.

Sincerely,

PAT O'BRIEN,
General Manager.

WILLIAM PENN MOTT, JR. MEMORIAL FUND,
Orinda, CA, June 15, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Hart Building, Washington, DC.

DEAR SENATOR BINGAMAN: I am honored to write you in support of President George Bush's nomination of Fran Mainella as our next National Park Service Director.

I have known and worked with Fran Mainella on park programs and issues for many years and I can recommend her without any reservation.

For 22 years I was General Manager of the highly regarded East Bay Regional Park District (Alameda and Contra Costa Counties). When my friend and mentor, the late Bill Mott served as National Park Service Director, I was appointed by President Reagan and Mott to serve on the President's Committee on Americans Outdoors and have since been a consultant to many park agencies in this country, as well as Canada, Denmark, New Zealand and Australia.

Fran Mainella has served with distinction as Director of the Division of Recreation and Parks for the State of Florida. She has been President of the National Recreation and Park Association as well as the NRPA's Natural Resources Association. She is among the highly regarded park and recreation and environmental leaders in the United States. She is a proven administrator and is known for her ability to work with people to create unique and lasting solutions to very difficult problems. Her work in Florida helped her department win a nationally award winning department.

Fran Mainella would serve the National Park Service with distinction as its Director and would benefit both our nation and the park service. She has boundless energy, credibility, creativity, and innovation.

I know of no one more deserving of this appointment or more worthy of the challenge. I urge you and your Committee to recommend her to the full Senate as soon as possible.

Sincerely,

RICHARD C. TRUDEAU,
Chairman.

SALISBURY PARKS & RECREATION DEPARTMENT,
Salisbury, NC, June 21, 2001.

Senator FRANK MURKOWSKI,
Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR SENATOR MURKOWSKI: I would like to express my support for the nomination of Fran Mainella as Director of the National Park Service. Fran is a proven leader who brings extensive experience and a broad understanding of the public Parks and Recreation field at the local, state and national level.

I have served with Fran as a member of the National Recreation and Park Association Board of Trustees, where Fran was elected President of the Board. She provided leadership on the association's policy actions, communications, education and membership service. During Fran's tenure as Association President, NRPA designed and built a new National Headquarters that now serves as a focal point for Parks and Recreation professionals and citizens nationwide.

Under Fran's leadership the Florida Division of Parks and Recreation was the 1999-2000 Gold Medal Award winner in the National Sports Foundation's biennial competition for exemplary state recreation and park agencies. She has also served as the Executive Director of the Florida Recreation and Park Association.

Fran encourages excellence through hard work and dedication, and will bring out the best in employees to sustain the National Park Service. She is a professional who will provide solid leadership for the National Park Service and I would highly recommend her confirmation by your committee.

Sincerely,

GAIL ELDER WHITE, CPRP,
Parks and Recreation Director,

YUMA MESA IRRIGATION AND DRAINAGE DISTRICT,
Yuma, AZ, June 26, 2001.

Hon. JEFF BINGAMAN,
Chairman, Senate Energy and Natural Resources Committee, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Yuma Mesa Irrigation and Drainage District strongly supports the nomination of John Keys as Commissioner of the Bureau of Reclamation, Department of the Interior.

The District has worked closely with the Bureau of Reclamation for the last 60 years in the development and operation of our project in the Yuma, Arizona area.

John Keys is well known and respected by project beneficiaries along the Colorado River through his able management of the salinity control projects authorized by Congress in the Salinity Control Act.

John's involvement and experience in the issues relating to water and power are well recognized by constituents throughout the West and his leadership capabilities will be extremely beneficial to the Bureau of Reclamation and its associates.

John Keys is a very capable professional and the District strongly supports his confirmation to the very important position of Commissioner of Reclamation.

Sincerely,

ELDON PAULSEN,
President.

CENTRAL ARIZONA PROJECT ASSOCIATION,
Phoenix, AZ, June 26, 2001.

Hon. JEFF BINGAMAN,
Chairman, Senate Energy and Natural Resources Committee, Hart Senate Office Building, Washington, DC.

DEAR SENATOR BINGAMAN: This is to express the strong support of the Central Arizona Project Association (CAPA) for the confirmation of John Keys as Commissioner of Reclamation.

The CAPA has been dealing with the Bureau of Reclamation for more than 50 years in support of the largest project the Bureau has built, the Central Arizona Project.

We have followed John's long and very productive career in the Bureau of Reclamation for many years. His knowledge of western water, power and people qualify him especially well for this important post. John will bring strong leadership qualities to Reclamation that will assist in strengthening its constituent relationships.

John Keys is a proven, energetic and imaginative professional and citizen, deserving of our full support for the very important position of the United States Commissioner of Reclamation. We strongly urge his confirmation.

Sincerely,

N.W. "BILL" PLUMMER,
President.

AMERICAN SOCIETY OF CIVIL ENGINEERS,
Washington, DC, June 26, 2001.

Hon. JEFF BINGAMAN,
Chairman, Senate Committee on Energy and Natural Resources, Dirksen Building, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the more than 123,000 members of the American Society of Civil Engineers (ASCE), I write to recommend the confirmation of John W. Keys, III as Commissioner of the Bureau of Reclamation (USBR).

Mr. Keys has 34 years of experience with the USBR. He enjoys an outstanding reputation for integrity and for being able to develop coalitions and mutually satisfying solutions to water challenges.

As Pacific Northwest regional director from 1986-1998, Mr. Keys managed 24 irrigation projects, 61 major dams, 11 hydroelectric plants and other facilities in Idaho, Washington, Oregon, and portions of Montana and Wyoming. He developed coalitions that improved management of the Columbia River Basin, working closely with the Idaho Legislature, irrigation districts, and other federal agencies to meet Endangered Species Act water requirements for salmon in the Columbia River system, Bull trout in Idaho, snails in the Snake River and others. He worked on solutions among Yakima River Basin water interests including fisheries, tribes, and farmers. In receiving Interior's highest honor—The Distinguished Service Award—in 1995, Keys was commended for maintaining open lines of communication and keeping interest groups focused on solutions.

We believe Mr. Keys is superbly qualified to serve as Commissioner of the Bureau of Reclamation, and we enthusiastically recommend his confirmation to that position.

Thank you for your attention to our concerns and for your interest in ASCE. If the Society can be of further assistance in this matter, please do not hesitate to contact Brian Pallasch, Director, Government Relations, at our Washington Office, 202-789-2200, or by e-mail at bpallasch@asce.org.

Sincerely yours,

ROBERT W. BEIN, P.E.,
President.

NATIONAL RECREATION AND PARK ASSOCIATION,
Ashburn, VA, June 26, 2001.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: It is my pleasure to support the nomination of Fran Mainella to be director of the National Park Service. We urge the Committee to report the nomination favorably and to recommend early consideration by the Senate.

Ms. Mainella will bring a diversity of experience and high level of expertise to the National Park Service. She has worked professionally in public park and recreation systems at municipal and state levels, and is well versed on the missions, roles, opportunities and challenges that define the work of the director of the Service. Her leadership of the Florida Division of Recreation and Parks and the State Outdoor Recreation Liaison Officer make her fully aware of statutory objective of the Land and Water Conservation Fund—to enhance the health of the American people through resource-based recreation. She will be especially sensitive to the park restoration objective of the Urban Park and Recreation Recovery Program. The implementation of these statutes has been delegated to the director of the National Park Service and we believe she will assure their stewardship.

Ms. Mainella has had exceptional success in creating and sustaining intergovernmental and public/private partnerships to extend the value of recreation and park services available to Florida's citizens and visitors. Similarly, she has fostered a significant increase in volunteerism throughout the Florida State Park System and in other areas.

Ms. Mainella is a natural leader with great energy. She has been elected by her peers to leadership positions in several park and recreation, public management and other organizations. She served the National Recreation and Park Association as national president in 1997.

As a trustee she helped strengthen the Association's education in training, communication, and public policy activities. She has been a leader in our annual giving program.

It is my personal privilege to recommend the confirmation of Fran Mainella to be the sixteenth director of the National Park Service.

Sincerely,

R. DEAN TICE,
Executive Director.

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