

WSTPC NATIONAL ISSUES BULLETIN

NOVEMBER, 2007

An e-mail service for members of the Western States Tourism Policy Council by WSTPC Washington, DC, Representative Aubrey King (301.464.8060), who can provide more details on any of the issues reported here. Comments or suggestions are always welcome. New information since the last National Issues Bulletin is in bold.

CONTENTS

<i>Travel Promotion Act</i>	<i>1</i>
<i>Tourism Development Legislation</i>	<i>3</i>
<i>Immigration Reform</i>	<i>3</i>
<i>President's National Parks Centennial Initiative</i>	<i>5</i>
<i>Recreation Fee Program</i>	<i>8</i>
<i>President's 2008 Budget for Federal Lands</i>	<i>9</i>
<i>Senate Approps Committee and House Vote Increased Land Budgets</i>	<i>10</i>
<i>Facilitation of International Travel: WHTI</i>	<i>10</i>
<i>Facilitation of International Travel: Visa Waiver Program</i>	<i>12</i>
<i>Federal Highway 2007/2008 Budget Outlook</i>	<i>12</i>
<i>National Surface Transportation Policy and Revenue Study Commission</i>	<i>13</i>
<i>Funding for National Park Service Tourism Office</i>	<i>14</i>
<i>New National Park Service Tourism Policy</i>	<i>14</i>
<i>Forest Service Recreation Site Analysis</i>	<i>14</i>
<i>Snowmobiling in Yellowstone</i>	<i>15</i>
<i>New Approach to Funding Emergency Forest Firefighting</i>	<i>16</i>

Travel Promotion Act

Neither the Senate nor the House has taken further action to advance the Travel Promotion Act. Industry efforts have been focused on obtaining additional cosponsors for the House bill (H.R. 3232), which now has 128 cosponsors, including several committee chairs and ranking minority members. (The WSTPC has secured Representative Jim Oberstar (D-MN) as a cosponsor of H.R. 3232.) No floor or committee action is scheduled at this time in either the Senate or the House.

TIA, TBR and NTA have surveyed likely voters in two key 2008 Presidential primary states – South Carolina and Florida – and found that 9 out of 10 realize the importance of travel and tourism and believe that airport wait times can be reduced without jeopardizing safety and that the Federal government can do more to improve the travel process. No Presidential candidate in either party has yet made an issue of travel and tourism concerns.

S. 1661, *The Travel Promotion Act of 2007* was introduced June 19, 2007, by Senator Byron Dorgan (D-ND), Chairman of the Commerce Committee's Tourism Subcommittee

on Interstate Commerce, Trade and Tourism, with Commerce Committee Chairman Daniel Inouye (D-HI) and Ranking Member Ted Stevens (R-AK). The bill was approved by the full Commerce Committee on June 27, 2007, with minor technical amendments.

A companion bill, H.R. 3232, was introduced July 31, 2007, in the House by Representatives William D. Delahunt (D-MA) and Roy Blunt (R-MO). Delahunt is a member of the Judiciary Committee and the Foreign Affairs Committee, where he chairs the Subcommittee on the Western Hemisphere. Blunt is Minority Whip, the number two Republican party post in the House. The House bill was referred to the Energy and Commerce Committee, the Judiciary Committee and the Homeland Security Committee.

This bill will establish a private corporation to promote and market the U.S. as an international travel destination. The corporation and its programs would be financed by public and private sector funds. The Federal share would be funded by a fee on visitors from visa waiver countries. The WSTPC worked closely with Senate staff drafting the bill and made several recommendations that were incorporated in the bill as introduced, including a prominent role for state tourism directors, strong representation for rural areas and small businesses, an enhanced role for the new Under Secretary of Commerce for Tourism Promotion that would entail making an annual report to Congress on the facilitation of international travel to the U.S. and a stronger research role for the Office of Travel and Tourism Industries.

A significant industry effort has been underway for the past year and a half to develop support for two broad goals. In September, 2006, the Department of Commerce's U.S. Travel and Tourism Advisory Board published *Restoring America's Travel Brand: A National Strategy to Compete for International Visitors*. In January, 2007, the new Discover America Partnership (formed in September, 2006, by the Travel Industry Association, the Travel Business Roundtable and other industry corporations) published *A Blueprint to Discover America* to advocate modernizing and securing U.S. ports of entry for more recreational and business travel and a national marketing campaign to increase international visitation to the U.S. Some of the Partnership members are Roger Dow of TIA, Jay Rasulo of Disney, Joseph A. McInerney of the American Hotel and Lodging Association and Steve Porter, president of Inter-Continental Hotels.

Three 2007 Congressional hearings have considered these issues. On January 31st and March 20th the Senate Commerce, Transportation and Science Committee held hearings featuring industry leaders decrying the declining share of global tourism and urging action to improve the facilitation of international travel and the establishment of a marketing campaign to attract more visitors. WSTPC Secretary Rex Johnson testified at the 3/20 hearing.

Also on March 20th, a hearing of the House of Representatives Foreign Affairs Subcommittee on International Organizations and heard testimony from Charles Merlin and Geoff Freeman for TBR and DAP respectively affirming that travel and tourism is America's greatest tool for combating its increasingly negative image around the world.

The Bush Administration is opposed to any new tourism initiatives that would relax security requirements or require Federal budget support for new marketing initiatives. A particularly difficult issue that has historically split major portions of the industry is the identification of a stable, long term funding source for an international tourism marketing program.

Tourism Development Legislation

The Improving Public Diplomacy through International Travel Act, H.R. 3670, was introduced in the House of Representatives on September 26, by Representatives Sam Farr (D-CA), Jon Porter (R-NV), Willam Delahunt (D-MA) and Roy Blunt (R-MO). It was referred to the House Energy and Commerce Committee and to the Foreign Affairs Committee. The bill now has 20 cosponsors.

H.R. 3670 would authorize a \$10,000,000 per year five-year competitive matching grant program to promote international travel to the United States. Grants would range from \$150,000 to \$1,000,000. Beginning with Canada in the first year, Mexico, the United Kingdom, Japan and Germany would be successively phased in during the following years.

Eligible grant recipients are not defined but they would have to match 100 percent of the grant, with not more than 25 percent of the match provided through in-kind goods and services.

Immigration Reform

Legislation that would have allowed youthful illegal immigrants to go to college and qualify for citizenship fell short in the Senate in October in probably the last attempt to enact even limited immigration reform in the 110th Congress. The issue of illegal immigration appears, however, to continue to generate passionate debate and there have been a variety of attempts in different cities and counties to enact punitive legislation targeting illegal immigrants. A proposed Administration crackdown on U.S. companies hiring illegal immigrant workers by using Social Security data has been suspended by a Federal judge in California following strenuous objections by an unlikely coalition of civil liberties and business organizations. The issue has now been brought into the Presidential primary campaigns and seems likely to continue as a divisive issue into the 2008 national campaigns.

Following two failed attempts in early and late June to get the bipartisan immigration reform legislation onto the floor of the Senate, this issue is now dead for the balance of the 110th Congress. Broad immigration reform is not expected to be revisited in Congress until at least 2009 and, until then, the law will essentially remain the same as today.

President Bush and a bipartisan group of Senators reached agreement in May on comprehensive immigration reform legislation and was viewed as the best prospect for significant immigration legislation in the 110th Congress. Although it appeared to conform generally to the positions advocated in recent years by the WSTPC, the Western Governors Association, and the tourism and hospitality industries, no one claimed it to be a perfect solution for this vexing problem. For example, some in the hospitality and tourism industries believe it was not a good approach to meeting future workforce needs.

Participating in a May 17th Capitol Hill media conference announcing the agreement were: Senators Ted Kennedy (D-MA), Arlen Specter (R-PA), Ken Salazar (D-CO), John McCain (R-AZ), Dianne Feinstein (D-CA), Jon Kyl (R-AZ), Lindsay Graham (R-SC), Johnny Isakson (R-GA), Saxby Chambliss (R-GA) and Mel Martinez (R-FL). They were joined by DHS Secretary Michael Chertoff and Commerce Secretary Carlos Gutierrez.

The proposal was considered as S. 1348. It included a path to citizenship for illegal immigrants already in the country, a temporary worker program for future immigrants, stronger border control enforcement and better identification verification tools to help employers screen out illegal immigrants. Major features of the legislation included:

- All illegal immigrants who arrived before January 1, 2007, could stay and work after paying a \$5,000 fine, a \$1,500 processing fee, passing a criminal background check and showing a strong work record; heads of households would have to leave the U.S. and reenter legally.
- After eight years these illegal immigrants could apply for a green card.
- A new visa category would be created for parents of U.S. citizens, allowing them to visit for up to 100 days per year.
- A temporary worker program would allow 400,000 immigrant workers to enter on two year visas, after which they would have to return home for a year before reapplying; these temporary worker visas could be renewed up to three times. (The hospitality industry is not happy with this provision because of concern that these two year visas requiring returns home for renewals would not help meet future workforce needs.)
- A new point system would add factors for green card eligibility to lessen the “chain migration” of family members; instead points would be granted to migrants with work experience in high-demand occupations.
- Before any of the foregoing provisions could take effect, the Federal government must deploy 18,000 new Border Patrol Agents, add four unmanned aerial vehicles, build 200 miles of vehicle barriers, 370 miles of fencing, 70 ground based radar and camera towers, provide funds for the detention of 27,500 illegal

immigrants a day and complete reliable and verifiable new identification tools to help employers check job applicants.

This proposal was immediately criticized by liberals such as Senator Barack Obama (D-IL) and Senator Dorgan who expressed concern over its impact on American jobs and wages, and from conservatives such as Representative Tom Tancredo (R-CO) who accused it of being a giant amnesty program that will endanger U.S. security.

Senate Majority Leader Harry Reid (D-NV) expressed reservations about the proposal, calling it a “starting point,” for legislation. He cautioned, however, that: “I don’t know if the immigration legislation is going to bear fruit and we’re going to be able to pass it.”

A bipartisan proposal for comprehensive immigration reform that would allow millions of illegal immigrants to participate in a guest-worker program and possibly gain citizenship was earlier introduced in the House in March by Reps. Jeff Flake (R-AZ) and Luis V. Gutierrez (D-IL), the first immigration legislation to be submitted in the 110th Congress. This bill differs dramatically from the measure passed by the House in the 109th Congress, which relied almost solely on tough enforcement action to reduce illegal immigration. The bill would clamp down on illegal border crossings from Mexico, while allowing some illegal workers and their family members already in the U.S. to legally remain for up to six years if they pay a \$1,000 fine for breaking the law and continuously hold a job.

The WSTPC has supported comprehensive legislation that would provide a legal route for foreign workers to participate in the economy, many of whom provide a vital and stable workforce for the hospitality industry.

President’s National Park Centennial Initiative

The WSTPC continues its strong support of the Centennial Initiative, which promises an historic infusion of funds to maintain and improve national parks and the visitor experience. As a member of an unprecedented coalition of industry and environmental organizations, the WSTPC has been instrumental in securing the coalition’s support for legislative language that would ensure that state tourism offices and gateway communities qualify as partners with the NPS in sponsoring centennial projects and other language ensuring that the enhancement of “visitor enjoyment” would be a prime objective of the Centennial Initiative.

WSTPC and the Coalition are now urging Congress, particularly the House of Representatives Natural Resources Committee as the lead committee on the issue, to pass legislation authorizing the Centennial Initiative. The WSTPC has also joined in a November 20th coalition letter to Interior Secretary Kempthorne urging that the 2009 NPS budget be increased similar to the \$250 million increase in the President’s 2008 budget to continue the momentum of the Centennial Initiative.

Bills have been introduced in both House and Senate to implement President Bush's National Park Centennial Initiative and hearings were held in both chambers on August 2nd. S. 1253 in the Senate and companion bill H.R.2959 in the House are both "administration bills" authorizing in broad terms the Centennial Initiative as proposed by the President. H.R. 3094, introduced by Representative Raul Grijalva (D-AZ), Chairman of the House Natural Resources Subcommittee on National Parks, Forests and Public Lands, and Representative Nick Rahall (D-WV), Chairman of the House Natural Resources Committee, places more conditions on the source of Federal funding and the purposes for which Centennial Initiative funds can be spent. It should be noted that the Grijalva-Rahall Bill accepts earlier suggestions by the WSTPC to emphasize increased visitation giving priority to greater park use by youth and by diverse demographic segments.

WSTPC comments were submitted for both August 2nd hearings in support of the Centennial Initiative but also urging that: (1) the initiative should more explicitly have as a goal to improve and enhance the visitor experience on the national parks and increase visitation on those lands; (2) the initiative should encourage more interagency collaboration and coordination with other Federal land agencies; (3) the initiative should encourage more intergovernmental collaboration and coordination with state tourism offices and gateway communities; and (4) the initiative should not rely on Federal funding from commercial permit and license fees or on fees paid to other Federal land agencies.

The May 2007 Interior Department report on the President's National Park Centennial Initiative (*The Future of America's National Parks: A Report to the President by the Secretary of the Interior Dirk Kempthorne*) follows the major WSTPC recommendations made in the earlier letter to Secretary Kempthorne by the WSTPC and at a meeting with NPS Deputy Director Dan Wenk. Although brief -- more a summary of goals, objectives and strategies -- four goals and examples pertaining to tourism are mentioned as the report commits the Initiative to:

Provide inspiring, safe and accessible places for people to enjoy – the standard to which all other park systems aspire.

Focus national, regional, and local tourism efforts to reach diverse audiences and young people and to attract visitors to lesser-known parks.

Increase visitation by 25 percent at lesser-known parks through a national tourism effort aimed at helping people to discover the breadth of parks and experiences.

Use the Alaska National Parks marketing partnership as a model to reach new audiences and promote off-season visitation.

It must be borne in mind that this is really no more than an initial outline of the CI and the NPS is now evaluating more than 2000 projects and plans that have been proposed for

eventual CI funding. Congress will soon have hearings on the CI and will certainly have a hand in shaping the final program.

The WSTPC has also met with key staff of the House Natural Resources Committee to emphasize its support for the Centennial Initiative, while urging them to include in the Centennial legislation they are now drafting, language encouraging the NPS to coordinate projects under the Initiative with other land agencies, with state tourism offices and with gateway communities.

In the meantime, the House Appropriations Interior Subcommittee has approved \$50 million for fiscal year 2008 to launch the first cost sharing projects for the Centennial Initiative.

At the request of the Administration, Senate Energy and Natural Resources Committee Chairman Jeff Bingaman (D-NM) on April 30th introduced S.1253 to authorize the Centennial Challenge. Bingaman was careful to emphasize that this bill is just place holder and that his committee would need much more information about the details of the Challenge before moving the legislation. The bill authorizes the public-private match for the Challenge as outlined by the President, providing every \$1 contributed by private interests would be matched by another \$1 million in automatic appropriations for the next ten years. Congress will not, however, give the Administration in the expenditure of these funds and insists on a detailed expenditure plan from the Administration.

The WSTPC sent an earlier letter to Secretary Kempthorne urging that the Centennial Initiative utilize state tourism offices in making ultimate investment decisions and that an explicit goal of the Initiative should be to reverse more than a decade and a half of declining visitation to the parks.

The President's \$2.4 billion National Park Service budget for Fiscal Year 2008 calls for the largest increase in park operations funding ever proposed and leveraged public-private investments that could generate as much as \$3 billion to help the Parks prepare for their 100th birthday in 2016. The proposed budget includes 3,000 new seasonal employees, continues increases for park maintenance and targets specific cultural and natural resource improvements. This initiative has started with the President's recommendation of a \$230 million increase in fiscal 2008 over 2007 in park operations funding.

This is described as the first financial infusion for the President's National Parks Centennial Challenge. It pledges \$100 million in discretionary funds for parks each year of this ten-year period and another \$100 million a year to match equivalent donations for signature projects and programs. Combined with as much as \$100 billion in private donations, it could mean \$3 billion for the parks over the next ten years.

The National Parks Conservation Association and other environmental and conservation organizations have strongly endorsed the Challenge but Democratic leaders of the House

and Senate Resource Committees have expressed discomfort with such reliance on private sector fundraising to support the parks.

Recreation Fee Program

The National Park Service has begun significantly raising entrance fees to the 147 national park system units that now charge such fees (out of 390 units in the overall system). Already being implemented, the new fee schedule will increase entrance fees for both vehicles and for individuals entering these park units. For the “crown jewel” parks, individual entrance fees could go to \$12 from the current \$10 and for vehicles, the new fee could be \$25 instead of the current \$20. For other parks, such as Arches, Lassen and Everglades, the fees could double, going from \$5 to \$10 for individuals and from \$10 to \$20 for vehicles.

The NPS has deliberately not made a national announcement about these increases, on the grounds that the original plan called for community participation to see if the fee increases are reasonable and because park superintendents can petition NPS Director Mary Bomar for lower fees.

At the same time, a furor has developed on Capitol Hill and among private sector groups over the amount of the \$80 annual passport announced December 6, 2006, for entrances to the lands managed by the five Federal agencies included in the 2004 Federal Lands Recreation Enhancement Act (NPS, FS, BLM, BOR and F&WS). For the national parks, the previous annual pass was \$50.

These fee controversies are occurring at the same time as concern is growing over declining visitation to the Federal lands. For the national park units, visitation decreased about five percent from 1999 to 2006, from 287 million to 273 million.

Congressional hearings are likely this summer about these declining visitation numbers and they are certain to include questions about the fee program and the impact of fee increases on that decline.

President’s 2008 Budget for Public Lands

Although generous to the National Park Service, the President’s proposed fiscal 2008 budget is much less so to the other Federal Land agencies. Worst hit would be the Forest Service Recreation and Wilderness Program, which would be cut nearly 13 percent from 2007. Following are the recommended spending levels for next year (beginning 10/1/07). Comparable final 2007 figures as passed by Congress are in parentheses.

<i>NPS Operations:</i>	\$1.969 billion (\$1.719 billion)
<i>NPS Operations Maintenance:</i>	\$698.5 million (\$592.6 million)
<i>NPS Construction:</i>	\$201.6 million (\$313.9 million)
<i>NPS Recreation and Preservation:</i>	\$48.9 million (\$54.2 million)

National Heritage Area Grants: \$10 million (\$13.3 million)
Federal Side of Land Water Conservation Fund: \$64.1 million (\$120.1 million)
State Side of LWC: \$0 million (\$30 million)
 (In addition, the lame duck session of the 109th Congress approved legislation on December 8, 2006, that will lock in about \$150 million over the next 15 years for the state side from new off-shore oil and gas royalties.)

Fish & Wildlife Service Refuge Operations: \$398.4 million (\$382.5 million)
BLM Recreation: \$65.3 million (\$65.1 million)
Forest Service Recreation and Heritage: \$231.4 million (\$265.2 million)
Forest Service Trails \$66.4 million (\$74.9 million)

Both Congressional authorizers and appropriators expressed strong criticism of the Administration's proposed reductions in Forest Service spending, especially the recreation programs. The proposed Administration budget would have impacts beyond spending cuts for recreation. It would also cause a reduction in the recreation site capacity operational standard of more than 10 million visitor days, from 82.5 million in fiscal 2006/2007 to 70.7 million in 2008. And it would reduce the number of equivalent employees in the recreation program from 2,498 in fiscal 2007 to 2,198 in 2008.)

Senate Approps Committee and House Vote Increased Land Budgets

As the Federal government is two months into its 2008 fiscal year, Congress and the President continue a game of fiscal "chicken" with 2008 appropriations for the Federal land agencies stalemated. The prospects now appear dim that a separate appropriations bill for these agencies will be enacted this year and perhaps not ever. Noting that the Federal land agencies budgets so far passed by Congress exceed the President's budget by more than \$2 billion (House) or \$1.5 billion (Senate), the Office of Management and Budget has issued a stern veto threat.

Both the Senate Appropriations Committee and the full House of Representatives have approved respectable increases over 2007 for the 2008 fiscal year for the Federal land agencies. Both houses have approved substantially greater funding for the Forest Service and the State Side of the Land Water Conservation Fund than the recommended levels in the President's 2008 Proposed Budget. Following are several salient figures, with the Senate Committee figures listed first, followed by the comparable House totals, with the FY 2007 amounts appropriated by Congress in parentheses:

<u>Program</u>	<u>Senate Comm.</u>	<u>House</u>	<u>2007</u>
NPS Operations:	\$1.959 billion	\$1.969 billion	(\$1.719 billion)
NPS Operations Maintenance:	\$691.7 billion	\$690.6 million	(\$592.6 million)
NPS Construction:	\$227 million	\$210.6 million	(\$313.9 million)
NPS Recreation and Preservation:	\$63.7 million	\$62.9 million	(\$54.2 million)
National Heritage Area Grants:	\$15 million	\$10 million	(\$13.3 million)
National Forest System:	\$1.5 billion	\$1.509 billion	(\$1.456 billion)

Forest Service Recreation and Heritage:	\$264.9 m	\$272 million (\$265.2 million)
Forest Service Trails	\$76.2 million	\$78.8 million (\$74.9 million)
Forest Service Legacy Roads	\$0	\$65 million (0)
National Wildlife Refuge Operations:	\$413.8 million	\$451 million (\$382.5 million)
BLM Recreation:	\$70.2 million	\$69.1 million (\$65.1 million)
Federal Side of Land Water Conservation Fund:	\$152m/\$155.5 million	(\$120.1 million)
State Side of LWC:	\$30 million	\$50 million (\$30 million)

It should be noted that the House, at the urging of Interior Appropriations Subcommittee Chairman Norman Dicks (D-WA), has provided new funding for national forest roads and trails.

Action by the full Senate is not expected until Congress returns in September following its August recess. There is speculation that the Senate may not take up a separate Interior Appropriations Bill but may wait to include it an Omnibus Spending Bill at the end of the session – probably October or November. Otherwise, if the Senate passes a standalone bill, a House-Senate Conference Committee to decide the final spending levels will probably be held in September.

Facilitation of International Travel: WHTI

Continuing the implementation of the Western Hemisphere Travel Initiative (WHTI), as of September 30, 2007, the State Department and the Department of Homeland Security have enforced a requirement that U.S. citizens must have passport identification to fly to Canada, Mexico, Bermuda and other Western Hemisphere countries. Both departments. On January 31, 2008, similar identification will be required at all land and sea ports of entry into the U.S. At that time, U.S. and Canadian citizens will need to present either a WHTI-compliant document or a government-issued photo ID, such as a driver’s license, plus proof of citizenship, such as a birth certificate. There will be alternative procedures for U.S. and Canadian children under the age of 15, who will only have to present certified copies of their birth certificates. A certified birth certificate will also suffice for children, ages 16-18, traveling under adult supervision with educational, sports, social, cultural or religious groups. Tourism and other business and educational organizations continue to charge that the U.S. agencies are not prepared to implement these new rules and the result will be chaos at ports of entry with many discouraged from even attempting such travel, causing a severe negative economic impact.

DHS press spokesman Russ Knocke on May 14th reemphasized that DHS will “absolutely” begin to enforce the passport ID requirement for all Canadian land border crossings in January, 2008. Knocke told the Associated Press: “We have a firm deadline and we’re absolutely committed to moving forward with implementation of western hemisphere travel requirements at our northern border.” Knocke added that: “You can either be for security or against security.” This was apparently in response to strong criticism of DHS’s capability to enforce the WHTI as planned by Senator Charles

Schumer (D-NY). In other meetings with Congressional staff, the DHS has not been quite so dogmatic, suggesting that January “implementation” could be something less than requiring passport identifications and might be satisfied by phasing out oral declarations and tighter inspection of ID documents.

The Department of Homeland Security continues to assert that all Western Hemisphere land and sea travelers to and from the U.S. must have passport identification by January, 2008. DHS points out that Congressional extension of this deadline only allowed the department to delay enforcement of this identification requirement until June 1, 2009, but does not mandate that the department must wait that long to begin implementation.

H.R. 1061, the Protecting American Commerce and Travel Act of 2007, introduced on February 14, 2007, by House Rules Committee Chairman Louise Slaughter (D-NY) with 33 cosponsors, would soften the WHTI land border ID requirement by allowing drivers licenses for identification and exempting U.S. and Canadian children under the age of 16. The bill would also require DHS and State to implement a public information campaign regarding WHTI. (These agencies are already doing this but a Congressional mandate would still be useful.) (Since H.R. 1061 was introduced, the DHS announced it would exempt youth 15 and under from the identification requirement and those aged 16, 17 and 18 would not be required to document identification if they are accompanied by an adult.)

Since H.R. 1061 was introduced, the DHS announced it would exempt youth 15 and under from the identification requirement and those aged 16, 17 and 18 would not be required to document identification if accompanied by an adult. To advance this objective, DHS and the State of Washington on March 23rd signed a Memorandum of Understanding to launch a pilot program that will enhance the security of state driver’s licenses and “potentially serve as an acceptable alternative document for crossing the United States’ land and sea borders.” DHS describes this pilot program as “one possible compliance alternative to WHTI requirements.”

Just before it adjourned prior to the 2007 fall elections, the 109th Congress passed and the President subsequently signed a nineteen-month extension of the major deadlines for implementation of the Western Hemisphere Travel Initiative. Under the former deadlines, travelers from Canada, Mexico, the Caribbean and Central and South America would have been required to have passports for identification purposes. Previously, air and sea arrivals were required to have passports by January, 2007, and arrivals by land were required to have passports by January, 2008. The new statutory deadline for land travelers is now be June 1, 2009, but as noted, DHS can enforce an earlier deadline, which, so far, it promises to do.

Facilitation of International Travel: Visa Waiver Program and Ports of Entry Processing

On August 3, 2007, President Bush signed into H.R. 1/S. 4 (The 9/11 Commission Act) as P.L. 110-053. The large and complex bill includes several provisions especially supported by the travel and tourism industry:

- (1) Beginning July 1, 2009, it allows the Secretary of State to waive the previous requirement that a country could not qualify for the visa waiver program if its visa rejection rate for U.S. travel exceeded 3%. The new rejection rate could be as high as 10% provided certain other requirements are met, provided certain security requirements are met by the country in question and that country is cooperating with the U.S. anti-terrorism program. This means that within the next 24 months, leisure travelers from such major tourism markets as Korea, Brazil and Russia could qualify for the visa waiver program.**
- (2) The new law also creates “model ports” at the top 20 international inbound airports in the U.S. to focus on improving efficiencies when processing international travelers as they enter the country and authorizing the DHS Customs and Border Protection Service to hire 200 more officers at those airports.**

On November 28, 2006, while visiting in Latvia and Estonia, President Bush said that he would try to persuade Congress to add countries to the visa waiver program. Homeland Security Secretary Chertoff later said that in addition to being expanded, the program should be changed to increase security. For example, participating countries might be asked to provide information quickly on lost or stolen passports. No specific countries have been mentioned, but Latvia and Estonia look like good bets. No word, however, about the much larger markets of Brazil, Korea, China or Russia.

The State Department announced on October 26, 2006, that 24 of the 27 Visa Waiver Program (VWP) countries have met the requirement for issuing e-Passports, which means all newly issued passports must contain a contactless chip with the passport holder's biographic information and a biometric identifier, such as a digital photograph of the holder. The three VWP countries that do not satisfy the e-Passport requirement are Andorra, Brunei and Liechtenstein. Travelers from these countries will need to obtain a visa to enter the United States if they hold a passport issued on or after October 26, 2006, until they begin to issue e-Passports.

Federal Highways 2007/2008 Budget Outlook

On November 8th, a House-Senate Conference Committee agreed on a fiscal year 2008 transportation appropriations bill (H.R. 3074). This bill sets total funding for the Federal highway program at \$41.216 billion, which would honor the full commitment to capital investments in the highway infrastructure made by Congress

in the 2005 SAFETEA-LU reauthorization legislation. Unfortunately, the bill falls short of fully funding public transportation by \$134 million.

The Conference Committee specifies that if the States are required to make future rescissions, they can take those rescissions from whatever programs they choose. The House bill would have required rescissions to be taken from all programs equally, which would have prevented States from taking a disproportionate rescission from the transportation enhancements program, as some have recently done.

A Presidential veto is expected if the bill reaches his desk in its present form since it exceeds his 2008 proposed budget by \$3.1 billion.

On July 25, 2007, the House of Representatives passed the Fiscal Year 2008 Transportation, Housing and Urban Development Appropriations Bill with full funding for the nation's highways. Beating back numerous amendments aimed at reducing funding levels, the House passed the 2008 appropriations bill, upholding the commitments made by SAFETEA-LU of \$40.216 billion for highways and \$9.731 for public transportation. The bill passed 268-153, just short of the margin needed to overturn a threatened Presidential veto. The Office of Management and Budget has threatened a veto because the overall bill is \$4.1 billion above the President's proposed budget, although only \$631 million above the \$39.585 billion proposed by the Administration for highway programs.

The Senate Appropriations Committee passed its version of the HUD appropriations bill on July 12, 2007. The Senate version is \$134 million less than the level authorized by SAFETEA-LU. The shortfall occurs because the Senate Committee froze funding for the New Starts and Small Starts program at the 2007 level of \$1.566 billion instead of the SAFETEA-LU authorized level of \$1.7 billion. There is no word yet on when the Senate Committee bill will be voted on by the full Senate.

The WSTPC, through the National Tourism Coalition for Highways, has consistently urged full Federal funding as authorized by SAFETEA-LU for the highway program.

Highway financing experts continue to warn Congress that motor fuel taxes to pay for surface transportation programs will soon not meet demand. Allocations as projected by SAFETEA-LU may outstrip gas taxes deposited into the Highway Trust Fund before the end of fiscal year 2009, when the current highway reauthorization is scheduled to end.

National Surface Transportation Policy and Revenue Study Commission

The National Tourism Coalition for Highways, founded by the WSTPC and other tourism organizations, has submitted a statement to the Commission regarding the importance of tourism and the impact of highway policy, stressing the scale of the tourism industry and

the critical importance of safe and efficient highways to the industry and the direct benefits of programs such as transportation enhancements, national scenic byways, recreational trails, and traveler information systems.

The Commission was established by SAFETEA-LU to prepare recommendations for the next highway reauthorization legislation in 2009. The twelve member commission is chaired by DOT Secretary Mary Peters but has no tourism industry representatives.

Funding for National Park Service Tourism Office

The WSTPC continues to urge adequate funding for the National Park Service Office of Tourism at the highest levels of the Department of Interior, including the Office of the Assistant Secretary for Fish and Wildlife and Parks, the NPS Deputy Director and with key Congressional staff and received encouraging positive responses.

It remains a difficult challenge, however, to convince the NPS to fund adequately the Tourism Office. Regional leaders remain resistant to the notion of a stronger national tourism office and appear to prefer handling tourism issues and programs through the regions.

New National Park Service Tourism Plan

The WSTPC continues to urge that the National Park Service adopt the proposed National Tourism Strategic Plan drafted by the NPS Office of Tourism and its National Tourism Council. The proposed tourism plan outlines concrete steps for the NPS (1) to connect gateway communities, parks and tourism partners to proactively identify and address areas of common interest; (2) to establish and maintain an exchange with tourism and community partners, NPS, the American public and international guests capitalizing on the promise of a high quality experience; (3) to create innovative visitor enhancement strategies; (4) to proactively create expectations of and fulfill high quality visitor experiences; (5) and ensure NPS professional excellence in visitor service.

Forest Service Recreation Site Analysis

Both House and Senate Interior Appropriations Bills for Fiscal Year 2008 would bar the Forest Service from any expenditures for the purpose of evaluating contracting out any functions to private sector operators. This is part of a general campaign by Federal Employee Unions to roll back Bush Administration efforts to promote outsourcing across the Federal government. If enacted into law, this particular measure would appear to stymie the possibility of FS outsourcing growing from its recent appraisal of campgrounds and other recreation facilities. The Office of Management and Budget has expressed strong Administration opposition to this anti-outsourcing language.

For the past 2-3 years, the Forest Service has been engaged in an appraisal of campgrounds and other recreation facilities throughout the national forests to determine which are satisfying public demand in a cost-productive manner and which are questionable investments of agency staff and financial resources. Some in Congress and elsewhere have severely criticized this process as one that will lead to a shutdown of recreation facilities without sufficient public or Congressional input. The agency has insisted that this master planning process is not a decision process, but rather is an analysis tool to assess the changing demand for recreation facilities on national forests and what options may exist to respond to these changes.

Snowmobiling in Yellowstone

The Denver Regional NPS Office on November 20th issued its Record of Decision on winter use in Yellowstone and Grand Teton National Parks. This is the final administrative step before a long-term winter use plan is developed. The ROD formalizes changes and restrictions on snowmobile access to the Parks. The Final Rule must be issued before the Parks can open for winter use on December 19, 2007

The following key components will be included in the Final Winter Use Plan for YNP to become effective for the 2008-2009 winter:

- **Daily snowmobile entries to YNP will be reduced from 720 to 540.**
- **All snowmobiles entering the Park must be 100% BAT (Best Available Technology) and must be 100% commercially guided.**
- **Snowmobile and snowcoach travel over Sylvan Pass will be allowed when full avalanche forecasting indicates it is safe.**

After the NPS proposed its Winter Use Plan earlier this year, the WSTPC submitted comments on May 31st urging: (1) that the final Plan allow the East Entrance to the Park to remain open under defined conditions; (2) that non-commercial guided groups of six or fewer be allowed; (3) that Adaptive Management be incorporated in determining seasonal and daily entry limits; and (4) that non-BAT (Best Available Technology) snow machines be allowed in limited areas as proposed by the State of Idaho.

In the 2008 Interior Appropriations Bill passed by the House of Representatives, following the practice of recent years, a policy rider was added allowing snowmobiles in Yellowstone under the terms of the 2004 Temporary Winter Use Plan, which has daily limits of 720 snowmobiles (actually, under this plan, the daily average is only about 250 snowmobiles).

Litigation over all these issues continues in two separate Federal District Courts, in Wyoming and the District of Columbia.

New Approach to Funding Emergency Forest Firefighting

For more than a decade, the cost of fighting wildfires on Federal lands has been a growing burden on the operating budget of the Forest Service. In 1995, fire fighting costs were about 15 percent of the operating budget, while in 2008 those costs are projected to be nearly 45 percent. This budgetary pressure has now attracted the attention of Congress and several western senators from both parties (Senators Bingaman (D-NM), Baucus (D-MT) and Craig (R-ID) are trying to devise an alternative budgetary approach through creation of a separate emergency fund or some other approach.