

106TH CONGRESS
1ST SESSION

H. R. 1866

To provide a process for the public to appeal certain decisions made by the National Park Service and by the United States Fish and Wildlife Service.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1999

Mr. HANSEN introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide a process for the public to appeal certain decisions made by the National Park Service and by the United States Fish and Wildlife Service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Appeals Parity
5 Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The American public has an inalienable and
9 legitimate interest in Federal lands and decisions

1 made by Federal agencies in regard to the manage-
2 ment of such lands.

3 (2) Decisionmaking by appropriate officials is
4 an important and necessary function for Federal
5 land management agencies.

6 (3) Two primary Federal land management
7 agencies, the United States Forest Service and the
8 Bureau of Land Management, currently have an in-
9 ternal administrative process whereby the public can
10 appeal certain land management decisions made by
11 these agencies pursuant to the National Environ-
12 mental Policy Act of 1969.

13 (4) A similar administrative appeal process
14 whereby the public can appeal certain land manage-
15 ment decisions made by the National Park Service
16 and the United States Fish and Wildlife Service is
17 proper and equitable.

18 **SEC. 3. ESTABLISHMENT OF APPEAL PROCESS.**

19 (a) REGULATIONS REQUIRED.—The Secretary of the
20 Interior shall establish by regulation procedures for an ad-
21 ministrative appeals process for decisions made pursuant
22 to the National Environmental Policy Act of 1969 by the
23 National Park Service or the United States Fish and
24 Wildlife Service.

1 (b) CONTENT OF REGULATIONS.—Regulations devel-
2 oped by the Secretary pursuant to this section shall, at
3 a minimum, include the following:

4 (1) The type of agency decisions that may be
5 appealed.

6 (2) Who may appeal such agency decisions.

7 (3) The responsibilities of the parties in an ap-
8 peal.

9 (4) Procedures that apply to appealing the deci-
10 sion. Such procedures shall afford the public an op-
11 portunity to appeal the decision prior to the imple-
12 mentation of that decision.

13 (5) A process whereby the public is given timely
14 notification of a decision which the public has a
15 right to appeal.

16 **SEC. 4. EFFECT ON OTHER LAWS.**

17 Nothing in this Act shall be construed to limit, re-
18 place, or interfere with other opportunities for public com-
19 ment on, or participation in, or influence on agency deci-
20 sionmaking pursuant to the Administrative Procedure Act
21 or any other law or policy which provides for such opportu-
22 nities.

○