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November 15, 2004

P. Lynn Scarlett, Assistant Secretary
Policy, Management and Budget
Department of the Interior
Office of the Secretary
Washington, D.C. 20240

Dear Assistant Secretary Scarlett:

Thank you for your July 1, 2004, letter responding in part to concerns I voiced about the National Park Service policy and practices regarding backcountry parachuting.

Thank you in particular for your invitation to the backcountry parachuting community to participate in the NPS planning process, and for your assurances that both your office and NPS director Fran Mainella expect park superintendents and other NPS decision-makers to give serious consideration to parachuting as part of their normal responsibilities for managing recreational uses.

I very much appreciate your willingness to move forward with the fair access process – one that began when Director Mainella issued a waiver in July 2002 to New River Gorge National River (NRGRR) superintendent Calvin Hite to allow traditional jumping to continue there on Bridge Day. As a result of your combined actions, NPS and wilderness jumpers are closer than ever before to achieving fair access for backcountry parachutists in ways that are compatible park resources and values.

Despite this progress, however, NPS policy prohibition of backcountry parachuting, as set forth in Section 8.2.2.7 of its 2001 edition of *Management Policies*, means access discrimination against backcountry parachuting remains institutionalized and, as such, makes impossible the full and complete participation of parachutists in the planning process, regardless of the invitation and assurances you extended to them in your July 1, 2004, letter.

For example, participants in “similar” recreational activities who go through the unit planning processes outlined in your prior letter are not required to also depend upon the possibility of that unit superintendent obtaining a waiver from the Director in order for their activity to actually be permitted. It seems to me that forcing only backcountry parachutists to jump this additional bureaucratic hurdle is clearly discriminatory, and would also serve to discourage park superintendents and other NPS decision makers from making good faith efforts to give serious consideration to backcountry parachuting as part of their normal responsibilities for managing recreational uses in their units. I hope that you share my concern, given your support for allowing backcountry parachutists to engage in the planning process on a unit-specific basis.

As such, I would like to ask that you rescind Section 8.2.2.7 of the NPS 2001 edition of *Management Policies* so that backcountry parachutists are treated the same way as other recreational users within national park service units, and operating on a level playing field when it comes to the planning process.

Thank you in advance for your consideration, and I look forward to hearing from you on this matter.

Sincerely,

Tom Tancredo
Member of Congress