

# A History of the National Park Service

## Through the Lens of Legislation

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**M**any are aware of the media blackout that happened earlier this year as President Donald Trump took office.<sup>1</sup> While several governmental agencies were affected, the order given to the Department of Interior, which the National Park Service is under, sparked an unprecedented social media backlash. Social media accounts named Alt National Park Service started popping up on Twitter and Facebook. While there is some question as to whether these social media accounts were actually run by employees of the National Park Service, there is no question that the National Park Service suddenly became major conversation.<sup>2</sup> Whether people saw this as an unwanted act of rebellion, or as the start of a resistance movement to stand behind, the National Park Service was being talked about by many people.

While most people have a passing knowledge of the National Park Service not everyone knows the history of the Service or the legislation that has shaped the Service over the years. Having turned one hundred years old in 2016, the National Park Service has a long history shaped by legislation. From simple acquisitions to reformations various presidents have had their hand in shaping the National Park Service into what it is today. This is a look into the history of the National Park Service as told by legislation.

### Background

While the actual formation of the National Park Service can be traced back to 1916, there is a period of government activity that leads up to the official formation of the National Park Service. The Yosemite Grant Act begins this ramp up to the official formation.<sup>3</sup> With this Act, on June 30, 1864, President Abraham Lincoln granted the Yosemite Valley and Mariposa Grove to the State of California. On the 150th anniversary of the establishment of this Act, the Senate recognized this as the

first time in United States history in which land was set aside solely for the “enjoyment and protection for future generations” and that it marks the birth of the national park idea.<sup>4</sup>

Following the Yosemite Grant Act, a few years later President Ulysses S. Grant signed “An Act to set apart a certain Tract of Land lying near the Head-waters of the Yellowstone River as a public Park,” also known as the Yellowstone Act.<sup>5</sup> Passed in 1872, the Yellowstone Act set aside land in the Territories of Montana and Wyoming, near the headwaters of the Yellowstone River to establish a public park. In 1894, when President Grover Cleveland was in office, the Yellowstone National Park Protection Act was passed in order to protect birds and animals in the park and lay the ground rules for crimes committed within the boundaries of the park.<sup>6</sup>

In 1906, the Antiquities Act was signed by President Theodore Roosevelt.<sup>7</sup> This gave the president of the United States authorization to create national monuments. To be eligible, these monuments had to be of historic or scientific interest and reside on lands controlled by the United States. President Roosevelt was a known nature lover and spent time with conservationist John Muir. During his time as president, Roosevelt used his new power to set aside eighteen new monuments and landmarks.<sup>8</sup> On the 110th anniversary of the Antiquities Act, Congressman Danny K. Davis spoke to the House of Representatives about the importance of the act. Davis stated that “this legislation serves as a historic cornerstone in conservation, allowing our presidents to protect public lands with national or notable importance” and it “remains a critical tool in preserving our American history and in educating our American foreign visitors about the American experience.”<sup>9</sup> Many presidents have used the Antiquities Act to establish National Monuments, places they felt held historic value for the American people.



Photo 1. Theodore Roosevelt and John Muir on Glacier Point, Yosemite Valley, California—approx. 1906. Retrieved from the historic photos collection of the National Park Service Catalog Number: HPC-001830, Other NPS Image Numbers: USZ62-8672. [https://www.nps.gov/hfc/cfm/npsphoto4h.cfm?Catalog\\_No=hpc%2D001830](https://www.nps.gov/hfc/cfm/npsphoto4h.cfm?Catalog_No=hpc%2D001830).

There were other acts establishing parks or extending protection to areas in the years leading up to the formation of the National Park Service. The Yosemite Grant Act, Yellowstone Act, and Antiquities Act seem to be the more formative acts leading up to the formation though, as evidence by anniversary celebrations and statements. These Acts also established some of the most well-known National Parks that are still visited by many Americans to this day.

## The Formation of the National Park Service and Its Enduring Legacy

By 1916, there were fourteen national parks, twenty-one national monuments, and the Hot Springs and Casa Grande Ruin reservations, all of which were overseen by the Department of the Interior.<sup>10</sup> But at this time, there was no single leadership to manage and operate these parks and monuments. In August 1916, President Woodrow Wilson signed the Organic Act into law.<sup>11</sup> This Act established the National Park Service within the Department of the Interior for the purpose of overseeing national parks and monuments. The act also established that a director appointed by the Secretary of the Interior would oversee the National Park Service.

It is one hundred years later, and the National Park Service has come to encompass more than four hundred locations. Senator Ben Cardin of Maryland said of the National Park Service at its one hundredth anniversary, “Our national parks are our legacy to the next generation; conserving them is our shared

responsibility.”<sup>12</sup> Also speaking of the anniversary, President Barack Obama stated,

Our parks play a critical role in environmental stewardship, ensuring that precious wildlife can thrive and that ecosystems can provide the many benefits on which we depend. They have sustained the stories and cultures that define the American experience, and they embody the people and movements that distinguish our Nation’s journey.<sup>13</sup>

These words delivered by a congressman and a president to celebrate the anniversary of the National Park Service go far in showing how important the Service still is today.

## Mission and Purpose of the National Park Service

The text of the public law of the Act to Establish a National Park Service states the purpose of the Service is to

promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measure as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life 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.<sup>14</sup>

This purpose of the National Park Service is its mission today (albeit slightly reworded), with the addition of extending “the benefits of natural and cultural resource conservation and outdoor recreation thought this country and the world.”<sup>15</sup> The National Park Service achieves their mission with the help of partners, volunteers, and the support of the American people.

## Legislation that Shaped the National Park Service

The National Park Service receives new acquisitions on a fairly regular bases. These acquisitions can come in the form of donations or be granted via some sort of legislation. There is various legislation in the history of our government that have greatly impacted the National Park Service by granting new acquisitions directly or indirectly, reinforcing the mission of the National Park Service, or completely reforming it.

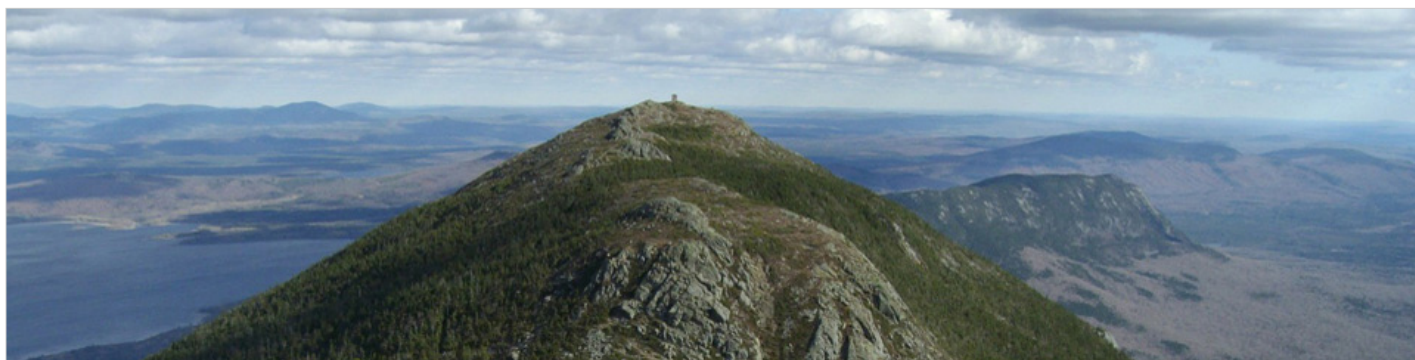


Photo 2. Appalachian National Scenic Trail, Bigelow Preserve, Maine. By Paul Mitchell, Appalachian Trail Conservancy. <https://www.nps.gov/appa/learn/photosmultimedia/photogallery.htm>.

Franklin D. Roosevelt signed two executive orders in 1933 that significantly affected the National Park Service. Executive Orders 6166 and 6228, which both went into effect on August 10 of that year, gave the National Park Service numerous new areas to control. All monuments, parks, and battlefields that were previously overseen by the War Department, were now under the authority of the National Park Service. In addition, national monuments held by the Forest Service and the National Capital Parks were also given to the National Park Service. Prior to these Executive Orders, a majority of the National Park Service holdings were in the western part of the United States. In addition to several other holdings, the orders added thirteen new areas east of the Mississippi, making the National Park System truly national.<sup>16</sup>

The Historic Sites Act of 1935 provided the secretary of the interior, and by extension the National Park Service, greater powers in regards to acquiring new areas for the National Park System. The Historic Sites Act states, “It is a national policy to preserve for public use historic sites, building and objects of national significance for the inspiration and benefit of the people of the United States.”<sup>17</sup> To carry out this policy, the act gave the secretary of the interior power to survey historical properties and designate them as “national historic sites.” If deemed valuable enough, the secretary could also acquire, restore, and preserve these properties.<sup>18</sup> However, the secretary could not use federal funds to acquire these sites unless approved by Congress. These sites needed to be acquired through donation or approval and funding from Congress. The power to designate “national historic sites” went a long way in securing funds from Congress for many new additions to the National Park System.

President Lyndon B. Johnson signed the National Wilderness Preservation System Act (Wilderness Act) in 1964 to “assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in

their natural condition.”<sup>19</sup> This Act established the National Wilderness Preservation System with authorization to designate “wilderness areas.” These designated areas were to be protected and left untouched for the enjoyment of people. For the National Park Service, this meant that all roadless areas in the National Park System had to be reviewed by the Secretary of the Interior and reported to the President on whether they were suitable for “wilderness area” designation. Those areas that received that designation would then have restrictions for motorized vehicles, roads, and structures.<sup>20</sup>

To help meet the current and future demands and needs of outdoor recreation areas, congress enacted the Land and Water Conservation Fund Act of 1965. The bill established a fund for “planning, acquisition, and development of needed land and water areas and facilities.”<sup>21</sup> The funds came from such sources as revenues from visitor fees and motorboat fuel taxes. While this fund was made available to many different federal agencies, the National Park Service benefited greatly from this fund.<sup>22</sup>

The National Historic Preservation Act signed by President Johnson in 1966 gave the secretary of the interior authorization to designate historic sites. The purpose of this Act was to ensure “the historical and cultural foundations of the Nation . . . be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.”<sup>23</sup> With this legislation, the National Park System gained many new historic areas.

In 1968, the National Trails System Act established a national system of trails to “provide for the ever increasing outdoor recreation needs of an expanding population and in order to promote public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas of the Nation.”<sup>24</sup> This established recreational trails to be accessible in urban areas, as well as scenic trails in remote areas. The Appalachian Trail and the Pacific Crest Trail were the first two designated scenic national trails. The Appalachian Trail was designated to be administered by the Secretary of the Interior, which brought





Photo 3. Johns Hopkins Inlet—Glacier Bay National Park & Reserve. Credit: NPS-C. Behnke. <https://www.nps.gov/common/uploads/photogallery/akr/park/glba/3B566802-1DD8-B71B-0BB2787A9A09B420/3B566802-1DD8-B71B-0BB2787A9A09B420.jpg>.

the trail into the National Park System. Various other national trails were later brought into the National Park System as a result of this Act.<sup>25</sup>

The National Wild and Scenic Rivers System Act was established in 1968 to protect and preserve certain rivers. These rivers were selected based on their possessing “outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar value” and that the rivers “shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.”<sup>26</sup> Rivers were designated under the authority of either the secretary of agriculture or the secretary of the interior. The Saint Croix National Scenic Riverway immediately became part of the National Park System with the passing of this ACT. Seventeen other rivers were named in the Act to be studied for potential inclusion, many of those named were eventually added to the National Park System.<sup>27</sup>

In 1970, Congress sought to bring unity to the National Park Service by passing the General Authorities Act.<sup>28</sup> This Act reiterated and made official the notion that though there are National Parks scattered throughout the United States, all National Parks are united and managed under the Service and have a singular mission.

President Jimmy Carter signed the National Parks and Recreation Act into law in November 1978. In his Statement of Signing, President Carter said,

This new law reaffirms our Nation’s commitment to the preservation of our heritage, a commitment which strives to improve the quality of the present by our dedication to preserving the past and conserving our historical and natural resources for our children and grandchildren. It honors those who helped to shape and develop this Nation; it acknowledges our need to receive strength and sustenance from natural beauty; and it addresses the pressing need to improve recreational opportunities in our urban areas.<sup>29</sup>

With the passing of this legislation, fifteen new areas were added into the National Park Service system.<sup>30</sup>

The National Park Service gained one of its largest acquisitions in 1980 with the passing of the Alaska National Interest Lands Conservation Act. The purpose of this Act was to “preserve for the benefit, use, education, and inspiration of present and future generations certain lands and waters in the State of Alaska that contain nationally significant natural, scenic, historic, archeological, geological, scientific, wilderness, cultural, recreational, and wildlife values.”<sup>31</sup> This Act gave the National Park System more than 47 million acres. Prior to this Act, Alaska only had one national park, two monuments, and two historical parks.<sup>32</sup>

Signed by President Bill Clinton in 1998, the National Park Omnibus Management provided measures to help with the operation of the National Park Service.<sup>33</sup> One such measure required the National Park Service to develop a training

program for their employees in order to better help them protect parks. The act also changed the way concessions contracts were handled, making contracts awarded through competitive bidding. In his Statement of Signing, President Clinton said, “This legislation is the first major overhaul of the way that the national Park Service awards concessions contracts in more than 3 decades. . . . These changes will result in better service to visitors and a better return to the taxpayers.”<sup>34</sup> This act also helped to ensure that concession franchise fees were given directly to the National Park Service to be used for park improvements.

During his time in office, President Barack Obama was very active when it came to the National Park Service. President Obama helped establish numerous new national monuments including the Harriet Tubman Underground Railroad monument, the Fort Monroe National Monument, the Pullman National Monument, and the Stonewall Monument (the first national monument to honor the LGBT civil rights movement).<sup>35</sup> President Obama also encouraged Americans, especially children, to get outside and enjoy our National Parks. In 2015, President Obama encouraged children to “put down the smartphone for a second, put away the video games, breathe some fresh air, and see this incredible bounty that’s been given to us” by establishing the “Every Kid in a Park” program, which gave free admission to National Parks for every fourth grader and their family for an entire year.<sup>36</sup>

## Dissemination of Information

The National Park Service website (<https://www.nps.gov/index.htm>) has a wealth of information available on the history of the National Park Service. It is easy to locate overviews and timelines of the Service’s history on their website. They even have a section dedicated to general legislation and laws related to the National Park Service. Using information from the website, it is then easy to look up more information about the various legislations using sites such as [www.govinfo.gov](http://www.govinfo.gov) and the ProQuest Congressional database. All information about these legislations are available to the public including bills, hearings, reports, and Presidential Signing Statements. The National Park Service also has a FOIA Library where documents can be viewed and/or requested.

## Conclusion

President Obama stated in 2015 that

conservation is truly an American idea. The naturalists and industrialists and politicians who dreamt up our system of public lands and waters did so in the hope that, by keeping these places, these special places

in trust—places of incomparable beauty, places where our history was written—then future generations would value those places the same way as we did.<sup>37</sup>

One can see from the various legislations that surround the National Park Service how much it has been shaped by our government, a government made up of people who do see the value in establishing and preserving these places. From the beginning it was clear our government saw the need for providing protection and access to outdoor areas for the enjoyment of the American people. Since the formation of the National Park Service our government has gone a long way in providing acquisitions, structure, and direction to the National Park Service.

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## References

1. “Trump Issues EPA Media Blackout and Suspends Agency’s Grants,” *PBS NewsHour*, January 24, 2017, <http://www.pbs.org/newshour/rundown/trump-issues-epa-media-blackout-suspends-agencys-grants/>.
2. Sarah Perez, “Rogue National Park Service Twitter Account Says It’s No Longer Run by Government Employees . . . but Maybe It Never Was,” *TechCrunch*, January 27, 2017, <http://social.techcrunch.com/2017/01/27/rogue-national-park-service-twitter-account-says-its-no-longer-run-by-government-employees-but-maybe-it-never-was/>.
3. An Act authorizing a Grant to the State of California of the “Yo-Semite Valley,” and of the Land embracing the “Mariposa Big Tree Grove,” 13 Stat 325.
4. S. Res. 484, 113th Cong. § 2 (2014).
5. An Act to set apart a certain Tract of Land lying near the Head-waters of the Yellowstone River as a public Park, 17 Stat 32.
6. An Act to protect the birds and animals in Yellowstone National Park, and to punish crimes in said park, and for other purposes, 28 Stat 73.
7. An Act For the preservation of American antiquities, 34 Stat 225, S. 4698, 59th Cong. (1906).
8. 81 Fed. Reg. 58805 (August 22, 2016).
9. 162 Cong. Rec. 91, E868 (daily ed., June 09, 2016) (Speech of Hon. Danny K. Davis).
10. “National Park Service History: National Park System Timeline,” US National Park Service, History E-Library,

- accessed May 27, 2017, [https://www.nps.gov/parkhistory/hisnps/NPSHistory/timeline\\_annotated.htm](https://www.nps.gov/parkhistory/hisnps/NPSHistory/timeline_annotated.htm).
11. An Act to establish a National Park Service, and for other purposes, 39 Stat 535, H.R. 15522, 64th Cong. (1916).
  12. 162 Cong. Rec. 146, S6133 (daily ed. September 27, 2016) (Statement of Benjamin L. Cardin).
  13. 81 Fed. Reg 58805 (August 22, 2016).
  14. An Act to establish a National Park Service, and for other purposes, 39 Stat 535, H.R. 15522, 64th Cong. (1916).
  15. "What We Do," US National Park Service, accessed June 2, 2017, <https://www.nps.gov/aboutus/index.htm>.
  16. "National Park Service: Shaping the System," Harpers Ferry Center National Park Service, US Department of the Interior, last modified July 25, 2005, [https://www.nps.gov/parkhistory/online\\_books/shaping/](https://www.nps.gov/parkhistory/online_books/shaping/).
  17. An Act To provide for the preservation of historic American sites buildings, objects, and antiquities of national significance, and for other purposes, 49 Stat 666, S. 2073, 74th Cong. (1935).
  18. "National Park Service: Shaping the System."
  19. An Act To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, 78 Stat 890, S. 4, 88th Cong. (1964).
  20. "National Park Service: Shaping the System."
  21. An Act To establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes, 78 Stat 897, H.R. 3846, 88th Cong. (1965).
  22. "National Park Service: Shaping the System."
  23. An Act To establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes, 80 Stat 915, S. 3035, 89th Cong. (1966).
  24. An Act To establish a national trails system, and for other purposes, 82 Stat 919, S. 827, 90th Cong. (1968).
  25. "National Park Service: Shaping the System."
  26. An Act To provide for a National Wild and Scenic Rivers System, and for other purposes, 82 Stat 906, S. 119, 90th Cong. (1968).
  27. "National Park Service: Shaping the System."
  28. National Park System General Authorities Act, P.L. 91-383, 84 Stat 825.
  29. Statement on Signing S. 791 Into Law Nov. 10, 1978.
  30. "National Park Service: Shaping the System."
  31. An Act To provide for the designation and conservation of certain public lands in the State of Alaska, including the designation of units of the National Park, National Wildlife Refuge, National Forest, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes, 94 Stat 2371, H.R. 39, 96th Cong. (1980).
  32. "National Park Service: Shaping the System."
  33. National Parks Omnibus Management Act of 1998, P.L. 105-391.
  34. Statement on Signing the National Parks Omnibus Management Act of 1998, Nov. 13, 1998.
  35. Jamie Williams, President of The Wilderness Society, "President Obama Was a Remarkable Conservation Champion. Let's Thank Him," Medium, January 5, 2017, <https://medium.com/our-wild/president-obama-was-a-remarkable-conservation-champion-lets-thank-him-c95fcd57096>.
  36. Remarks on the Establishment of Honouliuli National Monument, the Browns Canyon National Monument, and the Pullman National Monument in Chicago, Illinois, Daily Comp. Pres. Docs., 2015 DCPD No. 201500108 (February 19, 2015).
  37. Remarks on the Establishment of Honouliuli National Monument, the Browns Canyon National Monument, and the Pullman National Monument in Chicago, Illinois, Daily Comp. Pres. Docs., 2015 DCPD No. 201500108 (February 19, 2015).