

**Statement of
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Bureau of Land Management
Senate Energy & Natural Resources Committee
Subcommittee on Public Lands & Forests
S. 1433, Thomas P. O'Hara Public Land Career Opportunity Act
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Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 1433, a bill to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain federal employees in Alaska.

S. 1433 is named after Thomas P. O'Hara, a National Park Service employee who was a pilot at Katmai National Park and Preserve. Tom and an employee of the U.S. Fish and Wildlife Service were on a mission in the Alaska Peninsula National Wildlife Refuge on December 19, 2002, when their plane went down. Unfortunately, Tom did not survive the crash.

Tom O'Hara was an experienced pilot with thousands of hours of service, whose skills benefited the residents of Bristol Bay communities—an area where Tom grew up and lived. Tom was hired because of a special local hire program for conservation units in Alaska, which was authorized by Section 1308 of the Alaska National Interest Lands Conservation Act (ANILCA). This program allows bureaus in the Department of the Interior and the Forest Service in the Department of Agriculture to hire "any individual who, by reason of having lived or worked in or near a conservation system unit, has special knowledge or expertise concerning the natural or cultural resources of such unit. . . ." These local individuals may be selected without regard to normal civil service rules requiring formal training or experience.

The program has been used with great success across Alaska. The Departments have been administering this program as an excepted service program meaning that local hire employees are at a disadvantage when applying for other jobs within Alaska or elsewhere in the country. Some employees have overcome this disadvantage because of additional formal education, training or experience. But for others, particularly in small, remote locations, this transition to competitive status is difficult.

In discussing this program with the Office of Personnel Management during the course of the review of S. 1433, the Departments learned that local hire employees have been mistakenly classified as being outside of the competitive service. Because ANILCA specifically provides that veterans preference applies to these positions the positions are by their nature competitive and local hire employees should have been classified as being eligible for competitive status.

S. 1433 provides that local hire employees, after two years of satisfactory service, will be converted to competitive status. There are many excepted services and positions within the Federal government. The Office of Personnel Management is rightly concerned about providing a group of excepted status employees with this benefit which many others have sought and been denied. However, in this case, it appears these local hire employees were mistakenly placed into

excepted service status. Therefore we suggest that S. 1433 be amended to direct the Secretary of the Interior and the Secretary of Agriculture to reclassify as part of the competitive service those employees hired into permanent positions pursuant to the local hire provisions of ANILCA and currently serving in those positions. In addition, provisions should be made for former local hire employees who were competitively hired and who served the requisite amount of time in their positions to apply to the Secretary for competitive status.

This legislation will provide a lasting memorial to the excellent work of Tom O'Hara and other employees who serve the public with their expertise and knowledge of Alaska and help preserve our public lands for others to enjoy. We would be happy to work with the Committee on bill language that would accomplish our suggested amendments.

Thank you for the opportunity to testify in support of S. 1433. I will be happy to answer any questions.