

Congress of the United States
Washington, DC 20510

October 15, 2013

The Honorable Jonathan B. Jarvis
Director
National Park Service
1849 C Street, NW
Washington, DC 20240

Dear Director Jarvis:

Horace M. Albright, co-founder of the National Park Service (NPS) and its second director, urged the Service to become a strong and independent entity. He famously said that the service should not become "...just another executive government bureau..." but called on it to be exceptional.¹

Our concern is that despite its critical role in maintaining some of our nation's most cherished places, the NPS's leadership is no longer living up to this mandate. NPS's response to the partial government shutdown appears to be ad-hoc, inconsistent, and without sensible guidance to states, local communities, and the public at large.

For example, the NPS has had a variety of positions on who is and who is not admitted to the World War II memorial. Near the National Mall, the NPS has closed and barricaded the Lincoln and Jefferson memorials but not effectively barricaded the World War I memorial or the Mall itself. This same inconsistency also appears regarding requests to re-open memorials. Prior to the NPS's decision to re-open the World War II memorial, World War II veterans from the Mississippi Gulf Coast Honor Flight were barred from the World War II memorial and an NPS spokesperson said, "We have been getting quite a few calls from honor flights and have had to let them know that...they won't be able to access the memorial."² Notably, however, in Maryland, Minority Whip Steny Hoyer and Maryland Governor Martin O'Malley were able to persuade the NPS to unlock the gates of the National Firefighters Memorial for a National Fallen Firefighters Memorial Service.³

In South Dakota, without prior notice or consultation with state and local officials, the NPS placed cones along highway viewing areas outside Mount Rushmore. When State officials raised concerns, they were told that the cones were placed there as a "safety precaution to help channel cars into viewing areas rather than to bar their entrance." However, visitors reported

¹ Speech, National Park Service Director Horace M. Albright, Farewell Message; 1933.

² "Visiting Veterans Storm Closed War Memorials," Washington Post, Michael Ruane and Debbi Wilgoren; October 1, 2013.

³ "Towns, States Are Ponying Up to Keep National Parks Open," Wall Street Journal, Tamara Audi and Caroline Porter; October 5, 2013.

that the cones actually blocked off the viewing areas. Additionally, after a blizzard, the cones became a safety hazard for snow plows and had to be removed.⁴

During the 1995 government shutdown, local communities and the State of Arizona agreed to pay the cost and worked with the NPS to open the south rim of the Grand Canyon.⁵ However, during the current shutdown, when asked about the possibility of state and local governments paying to help open national parks, an NPS spokesman said, "...[I]t would not be appropriate or feasible to open some parks or some parts of parks while other parts of the National Park System remain closed to the public."⁶ Five days later, however, the NPS reversed course.⁷ On October 10, 2013, a Department of the Interior spokesman said that the Federal government would consider offers from states who "indicate an interest and ability to fully fund National Park Service personnel to re-open national parks in their states."⁸

The NPS also appears to have reversed itself when it barricaded and then un-barricaded a non-profit establishment with only a tangential connection to the National Park system. Despite not receiving any federal funding since 1980, at the start of the partial government shutdown, NPS police barricaded the Claude Moore Farm but did not bar employee access.⁹ On October 9, 2013, however, armed NPS park police barricaded the farm with employees inside in an attempt to force the employees to leave and to force the closure of the farm.¹⁰ Then, just hours later, the park police mysteriously left, leaving the farm free to operate.¹¹ There was no explanation given to farm employees as to why the park police barricaded, then un-barricaded the farm.¹²

The NPS has also erroneously barricaded private property. Shortly after the shutdown began, NPS employees barricaded Mount Vernon parking lots, preventing access to the historic mansion.¹³ The parking lots, however, were actually not NPS property.¹⁴ When the Mount Vernon Ladies Society, the actual owners of the parking lots, brought this to the attention of the NPS, the NPS un-barricaded the lots, with the exception of one lot the NPS thought, but was not certain, it owned.¹⁵ The most recent information available is that more than a week into the shutdown, the NPS has continued to barricade the lot while it attempts to determine ownership.¹⁶

Further, it appears that the NPS has not taken advantage of the opportunities it has under its own shutdown contingency plan. For example, the NPS is allowed by the Department of the

⁴ "Rushmore Blockage Stirs Anger in S.D.," *Sioux Falls Argus Leader*, Jonathan Ellis; October 5, 2013.

⁵ "Visitors Turned Away at Grand Canyon amid Government Shutdown," *Arizona Republic*, Michelle Ye Hee Lee; October 2, 2013.

⁶ "Towns, States Are Ponying Up to Keep National Parks Open," *Wall Street Journal*, Tamara Audi and Caroline Porter; October 5, 2013.

⁷ "Feds to Let States Pay to Open Parks," *Associated Press*, Matthew Daly; October 10, 2013

⁸ *Id.*

⁹ Letter, Claude Moore Farm Managing Director Anna Eberly to the General Public; October 6, 2013.

¹⁰ Letter, Claude Moore Farm Managing Director Anna Eberly to the General Public; October 9, 2013.

¹¹ *Id.*

¹² *Id.*

¹³ "How the Shutdown Could Affect You," *WTOP*; October 9, 2013

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

Interior (DOI) to continue “Activities essential to ensure continued public health and safety.”¹⁷ However, it has chosen not to collect trash from federal parks in Washington, DC. After several days, Washington, DC Mayor Vincent Gray was forced to use city sanitation crews to combat what he said was, “the spread of vermin” in the District of Columbia.¹⁸ The DOI has also tasked the NPS with “Communication with employees and the public.” However, the NPS’s website, the most basic and cost effective way to communicate with the public, is currently shut down.¹⁹ Government departments from the Small Business Administration to the Department of Commerce have kept bare bones versions of their websites functioning while the NPS has not.

One of the most disturbing reports came from Yellowstone National Park. According to press accounts, park rangers held tourists “under armed guard” to prevent them from leaving their hotel, cancelled a scheduled bathroom break while their tour bus was exiting the park, and refused to allow them to take pictures from just outside their tour bus because park rangers repeatedly claimed they were “recreating.”²⁰ While a partial government shutdown may have forced Yellowstone National Park to close, these actions appear petty and unnecessary.

This is not the first time questions have been raised about the Service’s leadership. On March 1, 2013, during the sequester debate, you were interviewed by CBS News on the sequester’s potential impact. In the interview, you claimed that the sequester could force the cancellation of the Cherry Blossom Festival and that the access road to Glacier National Park would not be plowed, the end result of which was, in your words, that park visitors were “not gonna come.”²¹ On March 12, 2013, less than two weeks later, the NPS confirmed that the Cherry Blossom Festival would not be cut because “staffing had been planned far enough in advance that the festival would not be sunk by sequestration.”²² On March 27, 2013, the NPS confirmed that Glacier National Park’s access road would be plowed and the park would remain open to visitors.²³

Our concern is that the NPS’s actions during the shutdown show a lack of preparation and leadership. Further, the NPS has not provided clear and consistent policies on park closures to NPS employees, state and local stakeholders, and the public at large. To address these concerns, please provide the following documents:

1. All records of communications to or from you relating to the partial government shutdown.
2. All records of communication to or from NPS Deputy Director Peggy O’Dell relating to the partial government shutdown.

¹⁷ National Park Service Contingency Plan, available at: <http://www.doi.gov/shutdown/fy2014/upload/NPS-contingency-plan.pdf>

¹⁸ “Gray Orders Cleaning of Federal Parks,” Washington Post, Mike DeBonis; October 4, 2013.

¹⁹ National Park Service Contingency Plan, available at: <http://www.doi.gov/shutdown/fy2014/upload/NPS-contingency-plan.pdf>

²⁰ “‘Gestapo’ Tactics Meet Senior Citizens at Yellowstone,” Newbury Port News, John Macone; October 8, 2013.

²¹ “For National Parks, Sequester Could Mean Cancelled Parades, Dirty Bathrooms,” CBS News, Lindsey Boerma, March 1, 2013.

²² “Sequester at Home: Welcome to Washington,” ABC News, Sarah Parnass; March 12, 2013.

²³ “Glacier National Park Finalizes Sequestration Cuts,” KTVQ; March 27, 2013.

3. All documents related to the NPS's government shutdown plans created by or reviewed by the NPS Director's office.
4. All records of communications and documents related to the ability of states and localities to fund the operation of National Parks.

Thank you for your cooperation and attention in this matter. We would appreciate a response by October 29, 2013. If you have any questions, please do not hesitate to contact Chris Lucas on Ranking Member Grassley's staff at (202) 224-5225 and Drew Colliatie on Chairman Issa's staff at (202) 225-5074.

Sincerely,


Charles E. Grassley, Ranking Member
Committee on the Judiciary
U.S. Senate


Darrell Issa, Chairman
Committee on Oversight and
Government Reform
U.S. House of Representatives