GOP asks: Why were national parks shut down, anyway?

National Park Service director called to testify at joint hearing Wednesday.

WASHINGTON — House Republicans plan to take aim at the Obama administration on Wednesday for temporarily shuttering properties managed by the National Park Service during the federal government shutdown, spotlighting what has become an emotional battleground in the grinding impasse.

Interior Department Secretary Sally Jewell agreed last week to allow states to cover the costs of operating the country’s 401 Park Service properties. But Republican lawmakers and local community officials in some communities affected by the shutdown are raising questions about why it took 10 days for the Interior Department to agree to such a plan, when a precedent for such arrangements was set during the 1995 and 1996 government shutdown.

The issue will be subject of a joint hearing called by Rep. Darrell Issa, R-Calif., chairman of the House Oversight and Government Reform Committee, and Rep. Doc Hastings, R-Wash., chairman of the House Natural Resources Committee. They plan to quiz National Park Service Director Jonathan Jarvis, who was subpoenaed to testify at the hearing.

The National Park Service made clear ahead of the latest shutdown, which began Oct. 1, that more than 400 national parks and properties would be shuttered as nearly all of the National Park Service employees would face furloughs.

But the NPS quickly found itself facing criticism from Republicans, including Issa and Hastings, who have pointed to the agency setting up barricades at open-air monuments such as the World War II Memorial and placing traffic cones along highway viewing areas outside Mount Rushmore as unnecessary and provocative steps meant to underscore the pain and visibility of the government shutdown.

The Obama administration critics also note that during the second government shutdown of 1995-96, the Interior Department allowed some national parks — including the South Rim of the Grand Canyon — to reopen at the expense of state governments, which were eventually reimbursed when the federal government reopened.
"If they set precedent in 1995-96, why couldn't that precedent be followed today?" said Gregory Bryan, mayor of the town of Tusayan, Ariz., near the Grand Canyon. "I have a hard time believing it took them 10 days to figure out a new policy."

Blake Androff, an Interior Department spokesman, said Tuesday that officials worked quickly to find ways to minimize the pain caused to communities that were feeling the pinch of the park closure caused by the government shutdown.

"After securing the 401 closed national parks and furloughing 20,000 National Park Service employees, the NPS worked expeditiously where possible with extremely limited resources to find temporary and practical solutions to lessen the pain of this shutdown," Androff said.

Bryan, who will testify at Wednesday's hearing, said he and other officials in his community began raising questions on Oct. 1 with the National Park Service superintendent for the Grand Canyon about Tusayan and the state of Arizona covering costs during the shutdown but were told it was against National Park Service policy to reopen national parks with third-party funding. Meanwhile, Tusayan and surrounding communities estimated they were losing hundreds of thousands of dollars each day because of lost tourism.

The town enlisted the help of Rep. Ann Kirkpatrick, D-Ariz., and Republican Sens. John McCain and Jeff Flake, but none were able to get a legal explanation of why NPS was prohibited from using their money to reopen the park. Arizona Republican Gov. Jan Brewer's office said they were also being told that third-party funding could not be used.

But on Oct. 10, the Interior Department announced it would open negotiations with states willing to cover costs of reopening NPS-operated sites. The next day, Arizona, Colorado, New York, South Dakota and Utah all announced they had come to agreements with the Interior Department to reopen NPS-operated properties in their states.

"The administration just wanted the American people to feel the pain of the shutdown in a very visible way," Bryan said.

Anna Eberly, managing director of Claude Moore Colonial Farm in McLean, Va., which is on National Park property but operates independently of the Park Service, said she struggled to get a satisfactory answer for why the service closed the farm for most of the first nine days of the shutdown. The farm was not closed in the 1995-96 shutdowns, she said.

"I don't know if Obama said go and [annoy] the American people," said Eberly, who is also scheduled to testify at Wednesday's hearing. "But there was a shutdown less than 20 years ago. People remember that and what happened then. This situation is just bone-headed."

In a letter to Jarvis on Tuesday, Issa and Sen. Chuck Grassley, R-Iowa, wrote that the "NPS 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."
Rep. DeFazio, D-Ore., accused Republicans of causing "a sideshow" by calling the hearing in the midst of the fiscal crisis and demanding the appearance of Jarvis, who had asked for such a hearing to be delayed until after the shutdown was resolved.

"We are more than two weeks into an unnecessary and irresponsible government shutdown and the same Republican obstructionists that caused the shutdown are threatening the full faith and credit of the United States," he said. "And yet on the eve of this calamity, House Republicans insist on a hearing on park closures."

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Fair enough

OFF THE RECORD: I would love to respond and point out the hypocrisy in this political theatre of trying to open one monument in one of the 401 parks while their inability to do their job is keeping all 401 units closed, but in the interest of maintaining my status as an 'excepted' employee and not a 'former' employee, I'll respectfully refer you to the NPS statement that I just provided on WWII. If you are going to write on this, I'd keep in mind the different security posture of protecting national icons in 1995 vs. 2013; the fact that there are many more tourists in October than in January; the number of rangers and US Park Police that patrol these areas 24 hours a day when the park is open vs. the handful that are trying to protect these national treasures right now, etc.

OFF, OFF THE RECORD: National Park rangers are some of the most dedicated public servants you will ever meet and they live, eat, and breathe the ability to share the stories, history and beauty of America. They want to share these experiences with EVERYONE and it kills them to have these parks closed. The last 48 hours have been the hardest days on the job for nearly the entire NPS team. Give me a fu#$*& break...

On Wed, Oct 2, 2013 at 5:44 PM, Darren Goode <dgoode@politico.com> wrote:

Also, heads up on this. I’m writing about this, as are other reporters I imagine, in case you guys have any reaction/comment.
FOR IMMEDIATE RELEASE

Wednesday, October 2, 2013

CONTACT: Press Office
202-226-9019

Hastings, Bishop Challenge Obama Admin Over Unnecessary and Arbitrary Closures of Open-air Parks and Monuments

Letter demands removal of barricades & directs Park Service to preserve and not destroy documents related to closures as first step in Committee investigation

WASHINGTON, D.C. – House Natural Resources Committee Chairman Doc Hastings (WA-04) and Subcommittee on Public Lands and Environmental Regulation Chairman Rob Bishop (UT-01) today sent a letter to National Park Service Director Jonathan Jarvis regarding the Obama Administration's actions to restrict public access to the World War II Memorial and other open-air monuments, memorials and parks in Washington, D.C. These open-air sites have no doors or gates and are normally open to the public 24 hours a day, 7 days a week. Such sites were not closed to the public during the last government shutdown in 1996.

The letter requests that necessary steps be taken to keep documents related to these decisions, as the Committee intends to soon send a formal document request letter. The letter also notes that the Committee is considering future oversight hearings on the Park Service's closures, as well as the resources and staff time used to erect physical barriers to keep out veterans and other members of the American public from visiting these open-air sites.

Full text of the letter:

Dear Director Jarvis,
Through this letter, the Committee on Natural Resources ("Committee") requests that the National Park Service ("Park Service") take steps as necessary to keep and not destroy documents related to the decision this week to restrict public access to the National World War II Memorial, the Lincoln Memorial, the Korean Veterans Memorial, the Vietnam Veterans Memorial, the Martin Luther King, Jr. Memorial, and other open-air monuments, memorials, and parks in the Washington, D.C., region. The Committee expects to soon send a formal document request as a follow up to this letter.

The Committee is also considering conducting an oversight hearing in the near future to better understand the Park Service’s closures, as well as the resources and staff time used to erect physical barriers to keep out veterans and other members of the American public from visiting these open-air sites. The World War II Memorial and other open-air sites are ordinarily accessible to visitors 24-hours a day, 365 days a year, and are normally staffed by Park Service rangers only from 9:30 am to 11:30 pm, with visitors able to tour the sites throughout the day and night. However, the Park Service has now determined these sites must be closed to all visitors at all times due to the lapse in appropriations.

In response to considerable public outcry against the decision to ban veterans and others from these sites, the Park Service today reversed course and announced it will permit certain veterans groups to visit and exercise their First Amendment rights at the World War II Memorial. It remains unclear whether other veterans groups and members of the public will be allowed to visit and exercise their First Amendment rights at the other open-air memorials and sites across the capital area that are currently closed. It is imperative that the Park Service remove the barriers and allow the American public to resume visiting these open-air memorials, monuments, and parks without further delay.

According to news reports earlier today, a Park Service spokesperson said the White House Office of Management and Budget ordered the Park Service to take such extraordinary steps as blockading public sidewalks and access roads around these memorials, suggesting the outrageous closure decision was made in order to make the current lapse in appropriations as conspicuous and painful to the public as possible.

The Park Service’s earlier statements that such closures were necessary to protect the monuments and memorials and were required by law seem especially dubious given these reports and the Park Service’s failure to take similar steps previously or at less visible Park Service sites in the capital area. For example, the Park Service did not close the Lincoln Memorial during the lapse in appropriations in 1996 and, in 2011, protestors were allowed to take over and occupy Park Service sites in the District of Columbia, some of which were damaged at considerable taxpayer cost. Here, the Park Service’s decision to barricade the open-air memorials from veterans and other Americans flies in the face of common sense, given their interest in visiting memorials that honor their service and sacrifice to the country.

Among the issues of most concern to the Committee are whether the Park Service discussed or considered alternatives to actively excluding the public from these open-air sites, including allowing access to previously scheduled visits by veterans groups; whether direction or guidance came from the Department of the Interior or the Office of Management and Budget to actively restrict public access to these sites; the staff time and costs associated with the transport, erection, and maintenance of the barriers, including whether the barriers are owned or rented by the Park Service; the staff time and costs associated with trash removal from these sites, including any differences between such costs and the costs related to installing and maintaining the barricades; the staff time and costs associated with patrolling and securing these sites prior to and during their closure; the cost to operate these sites during overnight hours; and law enforcement policies and actions concerning trespass on the National Mall and
other open-air monuments, memorials and parks throughout the capital region.

It is expected that the Park Service will cooperate with the Committee’s oversight by not destroying potentially responsive records and providing records to the Committee upon request.

Sincerely,

Doc Hastings
Chairman,
Committee on Natural Resources

Rob Bishop
Chairman,
Subcommittee on Public Lands and Environmental Regulation

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NaturalResources.house.gov

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From: Hardy-Vincent, Carol <CHVINCENT@crs.loc.gov>
Sent: Thursday, October 10, 2013 2:40 PM
To: sarah_neimeyer@ios.doi.gov; Stephenne_Harding@ios.doi.gov; maureen_foster@nps.gov
Subject: Requests from Congress on NPS shutdown

Hello Maureen, Sarah, and Stephenne. The Congressional Research Service has received many requests for information from Congress on the shutdown of National Park Service units. Could you provide a response to the following questions, which we have received from several Members of Congress? If responses to some of these questions are more readily available, I would be glad to receive those responses as soon as possible.

1. Did the National Park Service close all units during the 1995/1996 shutdown? (We are aware of the reopening of Grand Canyon NP with state/private donations.)
2. In particular, were “open air” monuments and memorials in D.C., such as those on the mall, closed during the 1995/1996 shutdown?
3. How is the National Park Service interpreting First Amendment rights under the Closure Determination and Notice, below. Were any park units similarly open to First Amendment activities during the 1995/1996 shutdown?


Thank you for any assistance that you can provide.

Carol Hardy Vincent
Congressional Research Service
202-707-8651

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