

JOHN HOEVEN  
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# United States Senate

WASHINGTON, DC 20510

COMMITTEES:  
AGRICULTURE  
APPROPRIATIONS  
ENERGY AND NATURAL RESOURCES  
INDIAN AFFAIRS

October 3, 2013

The Honorable Kevin K. Washburn  
Assistant Secretary – Indian Affairs  
U.S. Department of Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Assistant Secretary Washburn:

I recently learned the Bureau of Indian Affairs closed its social service office on the Spirit Lake Reservation during the government shutdown. I understand the difficulty this raises for agencies, including yours, but it is critical that the BIA continues to protect the health and welfare of children in its care.

Federal agencies have the authority to employ non-excepted personnel for public safety and to protect life. The protection of children in the care of the BIA is essential and should not be interrupted.

I urge you to direct the BIA Social Service to ensure there is sufficient staff to address emergencies and to ensure that services necessary to protect children continue uninterrupted.

Sincerely,



John Hoeven  
U.S. Senator

Cc: Mike Black, Director BIA

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John Hoeven  
U.S. Senator

Cc: Mike Black, Director BIA

# 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.<sup>1</sup>

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."<sup>2</sup> 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.<sup>3</sup>

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

<sup>1</sup> Speech, National Park Service Director Horace M. Albright, Farewell Message; 1933.

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

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

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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.<sup>4</sup>

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.<sup>5</sup> 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."<sup>6</sup> Five days later, however, the NPS reversed course.<sup>7</sup> 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."<sup>8</sup>

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.<sup>9</sup> 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.<sup>10</sup> Then, just hours later, the park police mysteriously left, leaving the farm free to operate.<sup>11</sup> There was no explanation given to farm employees as to why the park police barricaded, then un-barricaded the farm.<sup>12</sup>

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.<sup>13</sup> The parking lots, however, were actually not NPS property.<sup>14</sup> 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.<sup>15</sup> 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.<sup>16</sup>

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

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

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

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

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

<sup>8</sup> *Id.*

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

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

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> "How the Shutdown Could Affect You," *WTOP*; October 9, 2013

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

Interior (DOI) to continue “Activities essential to ensure continued public health and safety.”<sup>17</sup> 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.<sup>18</sup> 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.<sup>19</sup> 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.”<sup>20</sup> 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.”<sup>21</sup> 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.”<sup>22</sup> 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.<sup>23</sup>

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.

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

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

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

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

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

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

<sup>23</sup> “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



# United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, D.C. 20240

IN REPLY REFER TO:

DEC 12 2013

The Honorable Darrell Issa  
Chairman, Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Issa:

This letter responds to your letters dated October 3, 2013, and October 15, 2013, seeking information related to the National Park Service's (NPS or Park Service) activities during the federal government shutdown due to a lapse in appropriations.

On October 1, 2013, the Park Service, along with all other bureaus and offices of the Department of the Interior, began to implement an orderly shutdown of its activities due to a lapse in appropriations. Under the Closure Determination and Notice (Closure Notice) I issued that day, NPS closed and secured national park facilities and grounds and suspended all activities. Under the provisions of the Antideficiency Act, in the absence of an appropriation from Congress, the Park Service is limited to expending federal funds on activities related to the protection of life and property. Accordingly, NPS was obligated to close all 401 national parks across the country and furlough more than 20,000 employees. Approximately 3,000 employees were exempted from the furlough to perform the limited activities permissible under the Antideficiency Act.

Throughout the shutdown, countless decisions had to be made across the country about how to implement the Closure Notice at NPS sites in a manner consistent with the Antideficiency Act. As issues arose, leaders at every level of the Park Service used their best judgment with little precedent or information, such as the potential duration of the shutdown or the broader impacts of their decisions. As the shutdown drew on, the Park Service began to evaluate whether any modifications or clarifications of the Closure Notice could be made consistent with the Antideficiency Act to reduce the impact of the shutdown on the American people.

During the shutdown, questions were raised about the implementation of the shutdown with respect to the monuments and memorials under the care of the NPS on the National Mall. Congress has charged the Park Service with the preservation and protection of the natural, historic, and cultural resources of the national parks, including the National Mall, for the benefit of future generations. The Park Service is committed to this mandate whether the national parks are open or if there is a lapse in appropriations. The decision to erect barriers around open-air monuments on the National Mall was made to ensure the preservation and protection of these national treasures.

On a normal day, there are more than 300 National Mall and Memorial Parks employees on duty. Park rangers are on site to provide eyes and ears for the U.S. Park Police and ensure the safekeeping of our national treasures, enhance the visitor experience by sharing some history about the memorials, keep the grounds and restrooms clean, maintain the landscape and fountains, and oversee special events that happen almost daily. All but a dozen of the National Mall and Memorial Parks employees were furloughed during the government shutdown. The limited staff resources during the shutdown dictated that securing these icons was the necessary and prudent step to ensure the protection of life and property on the National Mall.

In managing these closures, the Park Service sought to balance our legal obligations under the Antideficiency Act and the protection and preservation of these memorials with the needs of our veterans who often visit the war memorials on the National Mall. Throughout the shutdown my team worked diligently to try to ensure that veterans, Honor Flight groups, and their families were not turned away from visiting their war memorials. The Park Service cherishes the special relationship we share with America's veterans, and I am proud that we were able to accommodate these visits during the government shutdown.

The Park Service also had an opportunity to consider the effect of the shutdown on certain commercial, concession and partnership facilities located in and around our national parks. The initial decision to close commercial, concession, and partnership facilities was made consistent with the requirements of the Antideficiency Act. Given the time constraints in planning for the shutdown, the Park Service took the most prudent course to minimize the possibility of obligating funds in the absence of appropriations.

On October 11, 2013, I issued an Amendment to the Closure Notice to allow the Park Service, on a case-by-case basis, to determine whether commercial, concession, and partnership facilities could be reopened during the shutdown. As explained in the Amendment, the determination to reopen individual facilities was based on a number of specific criteria, including whether reopening the facility would require NPS to obligate or expend any funds in violation of the Antideficiency Act. The Park Service was in the process of evaluating various requests under these criteria when the government shutdown ended on October 16, 2013.

During the government shutdown, the Park Service also signed agreements with six states allowing those states to donate funds so that the NPS could reopen and manage certain national parks in those states. The original Contingency Plan for the Park Service specifically stated that NPS would not entertain offers from other agencies or organizations to cover the cost of reopening parks, memorials, trails, roads, or other facilities. This initial determination was made in light of the complex legal issues involved with negotiating individual agreements with an unlimited number of potential donors.

As the shutdown continued, the economic impact of national park closures across the country began to amass. Visitor spending generates an estimated \$32 million per day in communities

near national parks and contributes \$76 million each day to the national economy. On October 10, 2013, Secretary Jewell announced that the Department would consider agreements with governors who indicated an interest and ability to fund Park Service personnel to reopen national parks in their states. We then began the process of negotiating individual agreements with the states that had expressed an interest in reopening certain national parks. This was a practical and temporary solution to lessen the impact for the businesses and communities that rely on the National Park system for their economic wellbeing.

Enclosed is a CD titled "00051055\_001" that contains 21 documents and 87 pages of material responsive to your request. We will continue to work with the Committee to provide information responsive to this request. Please do not hesitate to contact my Deputy Director for Congressional and External Relations, Christy Goldfuss, at 202-208-3818 if you have any questions or need additional assistance.

Similar letters are being sent to the Honorable John L. Mica and the Honorable Charles E. Grassley.

Sincerely,

A handwritten signature in cursive script that reads "Jonathan B. Jarvis". The signature is written in black ink and is positioned above the typed name and title.

Jonathan B. Jarvis  
Director

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Minority Member



# United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, D.C. 20240

IN REPLY REFER TO:

DEC 12 2013

The Honorable Charles E. Grassley  
Ranking Member, Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Ranking Member Grassley:

This letter responds to your letter dated October 15, 2013, seeking information related to the National Park Service's (NPS or Park Service) activities during the federal government shutdown due to a lapse in appropriations.

On October 1, 2013, the Park Service, along with all other bureaus and offices of the Department of the Interior, began to implement an orderly shutdown of its activities due to a lapse in appropriations. Under the Closure Determination and Notice (Closure Notice) I issued that day, NPS closed and secured national park facilities and grounds and suspended all activities. Under the provisions of the Antideficiency Act, in the absence of an appropriation from Congress, the Park Service is limited to expending federal funds on activities related to the protection of life and property. Accordingly, NPS was obligated to close all 401 national parks across the country and furlough more than 20,000 employees. Approximately 3,000 employees were exempted from the furlough to perform the limited activities permissible under the Antideficiency Act.

Throughout the shutdown, countless decisions had to be made across the country about how to implement the Closure Notice at NPS sites in a manner consistent with the Antideficiency Act. As issues arose, leaders at every level of the Park Service used their best judgment with little precedent or information, such as the potential duration of the shutdown or the broader impacts of their decisions. As the shutdown drew on, the Park Service began to evaluate whether any modifications or clarifications of the Closure Notice could be made consistent with the Antideficiency Act to reduce the impact of the shutdown on the American people.

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On a normal day, there are more than 300 National Mall and Memorial Parks employees on duty. Park rangers are on site to provide eyes and ears for the U.S. Park Police and ensure the safekeeping of our national treasures, enhance the visitor experience by sharing some history about the memorials, keep the grounds and restrooms clean, maintain the landscape and fountains, and oversee special events that happen almost daily. All but a dozen of the National Mall and Memorial Parks employees were furloughed during the government shutdown. The limited staff resources during the shutdown dictated that securing these icons was the necessary and prudent step to ensure the protection of life and property on the National Mall.

In managing these closures, the Park Service sought to balance our legal obligations under the Antideficiency Act and the protection and preservation of these memorials with the needs of our veterans who often visit the war memorials on the National Mall. Throughout the shutdown my team worked diligently to try to ensure that veterans, Honor Flight groups, and their families were not turned away from visiting their war memorials. The Park Service cherishes the special relationship we share with America's veterans, and I am proud that we were able to accommodate these visits during the government shutdown.

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On October 11, 2013, I issued an Amendment to the Closure Notice to allow the Park Service, on a case-by-case basis, to determine whether commercial, concession, and partnership facilities could be reopened during the shutdown. As explained in the Amendment, the determination to reopen individual facilities was based on a number of specific criteria, including whether reopening the facility would require NPS to obligate or expend any funds in violation of the Antideficiency Act. The Park Service was in the process of evaluating various requests under these criteria when the government shutdown ended on October 16, 2013.

During the government shutdown, the Park Service also signed agreements with six states allowing those states to donate funds so that the NPS could reopen and manage certain national parks in those states. The original Contingency Plan for the Park Service specifically stated that NPS would not entertain offers from other agencies or organizations to cover the cost of reopening parks, memorials, trails, roads, or other facilities. This initial determination was made in light of the complex legal issues involved with negotiating individual agreements with an unlimited number of potential donors.

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A similar letter is being sent to the Honorable Darrell Issa.

Sincerely,

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Jonathan B. Jarvis  
Director

Enclosure

Cc: The Honorable Patrick J. Leahy, Chairman



# United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

IN REPLY REFER TO:

DEC 12 2013

The Honorable John L. Mica  
Chairman, Subcommittee on Government Operations  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, DC 20515

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Sincerely,



Jonathan B. Jarvis  
Director

Enclosure

cc: The Honorable Gerald E. Connolly, Ranking Minority Member



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## Appropriations Update

1 message

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**Interior, Secretary** <secretary\_of\_the\_interior@ios.doi.gov>

Wed, Sep 18, 2013 at 1:12 PM

Bcc: doi\_all\_employees@doi.gov

To: All DOI Employees

From: Secretary

As many of you are aware, annual funding for the Federal Government expires on September 30, 2013. The Administration strongly believes that a lapse in funding should not occur. There is enough time for Congress to prevent a lapse in appropriations and the Administration is willing to work with Congress to enact a short-term continuing resolution to fund critical Government operations and allow Congress the time to complete the full year 2014 appropriations.

However, prudent management requires that we be prepared for all contingencies, including the possibility that a lapse could occur at the end of the month. A lapse would mean that a number of Government activities would cease due to a lack of appropriated funding. It would also mean that a number of employees would be temporarily furloughed. To prepare for this possibility, Interior leadership and the Solicitor's Office have been working to update contingency plans for executing an orderly shutdown of activities that would be affected by a lapse in appropriations.

I know that the uncertainty of the current circumstances puts our workforce in a difficult situation, especially under the continuing sequester that put the strain on our budgets and our ability to perform our important missions. Should a lapse occur, it could impose hardships on many employees, as well as the people that we serve every day. As we approach the end of the month, I am committed to providing you with updated and timely information on any further developments. For now, should you have questions, I encourage you to talk to your managers or Human Resources. The Office of Personnel Management (OPM) [website](#) also addresses some of the questions that may be on your mind.

I want to thank you for your hard work, dedication, and patience throughout this time of uncertainty. And, as always, thank you for your continued service to the Department and the American people as we work to conserve America's resources, power our economy, and uphold our Nation's responsibilities to the First Americans.

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Visit oneINTERIOR for employee news and events - <http://oneinterior.doi.net>.



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## Message During Shutdown

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Director, NPS <nps\_director@nps.gov>  
Bcc: nps\_all\_employees@nps.gov

Fri, Oct 11, 2013 at 11:41 AM

October 11, 2013

### Memorandum

To: All NPS Employees  
From: Director /s/ Jonathan B. Jarvis  
Subject: Message During Shutdown

It remains my hope that the Congress acts swiftly to reopen the Government. In the meantime, I wanted to provide a few updates and, most importantly, thank you for your ongoing commitment to public service and to the national parks.

For those who are on unplanned furlough, I want you to know that you are missed. I know many of you are spending time with your family, continuing to give back to your community through a variety of local volunteer efforts, and taking care of household business. I am sure that all of you are frustrated and would like to return to work, and it is my hope that the shutdown will end soon so we can all return to doing the jobs we love.

For those of you who are at work keeping the parks and the public safe, I want to thank you for your service and professionalism in this challenging time. Because of the lapse in funding, you are having to deliver difficult news to our visitors and partners. The functions we must perform under a shutdown are not the reasons any of us joined the National Park Service, but they are the duties we are required to perform by law and regulation. In this time, we must remain focused on our mission – first and foremost – of guarding public safety and protecting the resources with which we are entrusted. I am proud of the service you are continuing to perform, from the search and rescue operation at Craters of the Moon to the U.S. Park Police's response to the tragic incident near the Capitol last week.

The National Park System is supported and loved by the American public not only because national parks are beautiful and historic, but because they are well managed, protected, interpreted, and maintained by a professional workforce. With more than 20,000 workers on furlough during this lapse in appropriations, we must continue to devote our limited resources to the protection of life and property.

Without question, we all want to see the entire national parks and public lands system re-open to the public; we know the closures are having unfortunate impacts on countless families, businesses, and communities. Turning visitors away is simply not in our DNA.

As Ken Burns said, the National Park Service is an utterly democratic idea: for the first time in human history, land was set aside not for kings or the very rich, but for everybody. The National Park System strives to tell the story of all Americans, for all Americans. I know we all look forward to re-opening all 401 national parks so they may fulfill the purposes for which they were intended – to be enjoyed and loved by the American people.

Amid the difficulties that the ongoing shutdown poses on you and your families, I am deeply heartened by your continued commitment to public service and by the passion that the entire National Park Service family has for our mission, now approaching its 100th anniversary in 2016.

Please stay strong, safe, and continue to do your nation proud.



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## Potential Lapse In Appropriations

1 message

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**Interior, Secretary** <secretary\_of\_the\_interior@ios.doi.gov>

Wed, Sep 25, 2013 at 6:04 PM

Bcc: doi\_all\_employees@doi.gov

To: All DOI Employees  
From: Secretary Sally Jewell  
Subject: Potential lapse in appropriations

In follow-up to my message from September 18, 2013, I am providing you with an update on our planning for a potential lapse in appropriations at midnight on September 30. The Administration continues to believe that a lapse in funding should not occur. There is enough time for Congress to prevent a lapse in appropriations and the Administration is willing to work with Congress to enact a short-term continuing resolution to fund critical Government operations and allow Congress the time to complete the full year 2014 appropriations. However, prudent management requires that we continue to prepare for all contingencies, including the possibility that a lapse could occur at the end of the month.

As part of our effort to keep employees apprised of planning efforts, we are providing further information on how a potential lapse will affect our staff and operations. Under a lapse in funding, our actions and decisions about what operations continue are governed by legal opinions issued by the Attorney General and the Office of Legal Counsel of the Department of Justice.

In consultation with our Solicitor's Office, we are working to determine which of our activities may continue under these legal requirements. Similarly, we are working to determine which employees would continue to report to work in the event of a lapse in funding and which employees would be placed on furlough. Should a lapse occur and depending on the length of the lapse period, these determinations may change over time as circumstances evolve. Importantly, the categorization of employees and whether or not someone is furloughed is not a reflection on the quality of their work or their importance to our agency. It is merely a reflection of the legal requirements that we must operate under should a lapse occur.

Managers will begin reaching out to employees tomorrow, Thursday, September 26, to provide additional details on our contingency plans and your status under a potential lapse. These conversations are designed to provide clarity on how a potential lapse will affect you, but they do not constitute an official notice of furlough. Official furlough notices will only be issued on October 1 if a lapse in funding has occurred.

The uncertainty of the current circumstances puts our workforce in a difficult situation. If a lapse occurs, it could impose hardships on many employees as well as the people that we serve every day. We will work closely with all staff to do our best to support you throughout this period. In addition, the Office of Personnel Management (OPM) has created a document to address some of the questions related to a lapse that may be on your mind. The document can be accessed on OPM's website.

Thank you again for your hard work, dedication, and patience through this process, and for your continued service to the Department, the Nation, and the American people. I am proud of the work you do to conserve America's resources, power our economy, and uphold our Nation's responsibilities to the First Americans.

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Visit oneINTERIOR for employee news and events - <http://oneinterior.doi.net>.



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## Potential Shutdown of the Federal Government

1 message

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Director, NPS <nps\_director@nps.gov>  
Bcc: nps\_all\_employees@nps.gov

Mon, Sep 30, 2013 at 3:17 PM

September 30, 2013

### Memorandum

To: All Employees  
From: Director /s/ Jonathan B. Jarvis  
Subject: Potential Shutdown of the Federal Government

While I remain hopeful that a government shutdown at midnight tonight will be avoided, I want you to know that we are prepared in case it happens.

The National Park Service's shutdown contingency plan is posted on [www.DOI.gov/shutdown](http://www.DOI.gov/shutdown) which is also where you should check for any updates during a shutdown. This plan, the guidance that has been posted on [InsideNPS](#), and the information that you have received directly from your supervisor explain how a shutdown will affect our work. I also encourage you to watch [Secretary Jewell's video message](#) to all employees that was posted last Friday. If you have any questions, please ask your supervisor for a clarification.

A shutdown means that most of our fellow employees will be furloughed for the duration. A small number of employees have been "excepted" from this furlough to secure parks and provide law enforcement, emergency services, firefighting, and other vital services. By now employees should have been notified by their supervisors as to whether they are excepted or not excepted.

And if there is one thing that I ask you to understand – in a completely incomprehensible situation – it is that each and every one of you does important work. Being excepted or unexcepted has nothing to do with your value to this organization or our critical mission.

In the event of a shutdown, employees should report to work on October 1 (unless you have received other direction from your supervisor) to conduct shutdown activities. Employees will have up to four hours to complete timesheets, secure property and files, receive and acknowledge a furlough letter, update voicemail and leave an out-of-office message on email and other activities directed by your supervisor.

I know that these are difficult times. A shutdown will disrupt our work and the lives of those who count on us – national park visitors who come to us for world-class educational and recreational experiences and communities across the country who rely on us for help to preserve their history and create healthy outdoor activities for their neighbors. It will also disrupt your lives and that of your families and for that I am sorry.

You are the backbone of this organization. Your dedication to our mission is unquestioned and unrivaled. It is an honor to work with you. And I promise that we will get through this and return to work to serve the American people as we have for nearly 100 years.



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## Message from President Barack Obama to All Government Employees

2 messages

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**Interior, Secretary** <secretary\_of\_the\_interior@ios.doi.gov>  
Bcc: doi\_all\_employees@doi.gov

Tue, Oct 1, 2013 at 9:00 AM

October 1, 2013

TO: All Department of the Interior Employees

FROM: Secretary Sally Jewell

SUBJECT: Message from President Barack Obama to All Government Employees

Please see the [attached note from President Obama](#). I am hopeful that this shutdown will be resolved quickly so that we can return to fulfilling our important mission at the Department of the Interior. I appreciate how hard this is on all of you, and the difficult messages many of you will be required to deliver to the people who rely on our services. My thoughts are with you and your families during this challenging time.

Thank you again for your hard work, dedication and patience through this process, and for your continued service to the Department, the Nation and the American people.

Please monitor [www.doi.gov/shutdown](http://www.doi.gov/shutdown) for continued communication during this period.

Warmly,

Sally Jewell

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**Interior, Secretary** <secretary\_of\_the\_interior@ios.doi.gov>  
Bcc: doi\_all\_employees@doi.gov

Tue, Oct 1, 2013 at 9:09 AM

October 1, 2013

TO: All Department of the Interior Employees

FROM: Secretary Sally Jewell

SUBJECT: Message from President Barack Obama to All Government Employees

Please see the [attached note from President Obama](#). I am hopeful that this shutdown will be resolved quickly so that we can return to fulfilling our important mission at the Department of the Interior. I appreciate how hard this is on all of you, and the difficult messages many of you will be required to deliver to the people who rely on our services. My thoughts are with you and your families during this challenging time.

Thank you again for your hard work, dedication and patience through this process, and for your continued service to the Department, the Nation and the American people.

Please monitor [www.doi.gov/shutdown](http://www.doi.gov/shutdown) for continued communication during this period.

Warmly,

Sally Jewell



**Message from the President to US Government Employees.pdf**

255K

THE WHITE HOUSE

WASHINGTON

October 1, 2013

To the dedicated and hard-working employees of the United States Government:

The Federal Government is America's largest employer, with more than 2 million civilian workers and 1.4 million active duty military who serve in all 50 States and around the world.

But Congress has failed to meet its responsibility to pass a budget before the fiscal year that begins today. And that means much of our Government must shut down effective today.

I want you to know that I will keep working to get Congress to reopen the Government, restart vital services that the American people depend on, and allow public servants who have been sent home to return to work. At my direction, your agencies should have reached out to you by now about what a shutdown means for you and your families.

Today, I wanted to take a moment to tell you what you mean to me—and to our country.

That begins by saying thank you for the work you do every day—work that is vitally important to our national security and to American families' economic security. You defend our country overseas and ensure that our troops receive the benefits they deserve when they come home. You guard our borders and protect our civil rights. You help small businesses expand and gain new footholds in overseas markets. You guide hundreds of thousands of people each day through the glory of America's national parks and monuments, from Yosemite to the Statue of Liberty. And much more.

You do all this in a political climate that, too often in recent years, has treated you like a punching bag. You have endured three years of a Federal pay freeze, harmful sequester cuts, and now, a shutdown of our Government. And yet, you persevere, continuing to serve the American people with passion, professionalism, and skill.

None of this is fair to you. And should it continue, it will make it more difficult to keep attracting the kind of driven, patriotic, idealistic Americans to public service that our citizens deserve and that our system of self-government demands.

Public service is noble. Public service is important. And by choosing public service, you carry on a proud tradition at the heart of some of this country's greatest and most lasting achievements. In fact, more than 50 current or former Federal employees have received the Nobel Prize for their efforts. It was grants from the Department of Energy that helped businesses unlock new sources of renewable energy, and from the National Science Foundation that helped

entrepreneurs like the founders of Google change the world. It is your efforts that will help this country meet the great challenge of our time—rebuilding an economy where all who work hard can get ahead.

So while the budget fights in Washington are too often partisan, your service to the country must never be. As one of my predecessors, President George H.W. Bush, once said, “There is nothing more fulfilling than to serve your country and your fellow citizens and to do it well. And that is what our system of self-government depends on.”

This shutdown was completely preventable. It should not have happened. And the House of Representatives can end it as soon as it follows the Senate’s lead, and funds your work in the United States Government without trying to attach highly controversial and partisan measures in the process.

Hopefully, we will resolve this quickly. In the meantime, I want you to know—whether you are a young person who just joined public service because you want to make a difference, or a career employee who has dedicated your life to that pursuit—you and your families remain at the front of my mind. Your agency leaders and I will continue to defend your work at a time when that work has rarely been more important. We will continue to work with your agencies to keep you and your families apprised and informed of what is happening. And I will continue to do everything in my power to get the House of Representatives to allow our Government to reopen as quickly as possible, and make sure you receive the pay that you have earned.

Thank you, again, for your service, your sacrifice, and everything you do every day for this country we love so much.

Sincerely,

A handwritten signature in black ink, appearing to be "B. Obama", written in a cursive style. The signature is positioned below the word "Sincerely,".



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## Welcome back!

1 message

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**Director, NPS** <nps\_director@nps.gov>  
Bcc: nps\_all\_employees@nps.gov

Thu, Oct 17, 2013 at 11:27 AM

Welcome back to the work that we love and the mission that we are dedicated to.

I want you to know that I am proud of each of you – and every one of you is essential. You have handled this disruption with exceptional professionalism. Those of you who have been at work have kept us together. Those of you who were furloughed have offered the encouragement, support, and baked goods that kept us going.

The work that you do is important; the places that you help protect and share are our nation's most amazing treasures. For almost 100 years, the American people have entrusted us with an awesome responsibility and we have delivered to the delight of nearly 300 million visitors every year.

As we resume normal operations, I ask three things of each of you.

First, take care of yourself and your colleagues. The effects of the shutdown on you, your families, and your co-workers are real. You have many questions; we will get you answers.

Second, focus on the future. We are a perpetuity organization and every day what you do ensures that future generations will be able to experience and enjoy the places that we keep unimpaired. Hold on tight to that mission and how we will celebrate it and our second century of stewardship in 2016.

Third, reach out to our visitors and partners in parks and communities and let them know we welcome them back with open arms.

After nearly 40 years devoted to our mission I can tell you that there is no place I would rather work and no people I would rather work beside than you.

Donation Agreement  
Between the  
National Park Service, United States Department of the Interior  
and the  
State of Arizona

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Arizona (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept those donated funds, in order to enable the NPS to reopen and temporarily operate and manage Grand Canyon National Park (hereinafter "GRCA") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, GRCA is located entirely in the State, encompasses approximately 1.2 million acres, and annually attracts more than 4 million visitors;

Whereas, the visitors to GRCA, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near GRCA;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, GRCA was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, GRCA will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in GRCA;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen GRCA to public use and visitation and to operate and manage GRCA during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

## Article II - Statement of Agreement

### A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen GRCA to public use and visitation, the State will donate to the NPS, for each day that GRCA is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is \$93,000. The amount of money listed in Exhibit A includes all normal costs of operating and managing GRCA, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will operate and manage GRCA in accordance with its standard operating procedures.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen GRCA.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage GRCA for a period of 7 days beginning at 12:01 a.m., on October 12, 2013, and ending at 11:59 p.m. on October 18, 2013. The amount required to reopen, operate, and manage GRCA for those 7 days is \$651,000.

4. If the State desires to donate additional amounts to keep GRCA open beyond 11:59 p.m. on October 18, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage GRCA for two calendar days, i.e., \$186,000.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

### B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen GRCA and will

operate and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close GRCA to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing GRCA. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, the NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

#### Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

#### Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:  
Jonathan B. Jarvis, Director  
National Park Service  
United States Department of the Interior  
Room 3112  
1849 C Street, NW  
Washington, DC 20240  
Telephone: (202) 208-4621  
Telefax: (202) 208-7889

Email: [jon.jarvis@nps.gov](mailto:jon.jarvis@nps.gov)

For the State:  
Scott Smith, Chief of Staff  
Office of Governor Janice K. Brewer  
1700 West Washington, 9<sup>th</sup> Floor  
Phoenix, AZ 85007  
Telephone: (602) 542-1450  
Fax: (602) 542-7602  
Email: [ssmith@az.gov](mailto:ssmith@az.gov)

#### Article V - Prior Approval

Not applicable.

#### Article VI - Reports

Not applicable.

#### Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

#### Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

#### Article IX - Standard Clauses

##### A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

##### B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations, and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of GRCA under such applicable laws, regulations, and policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

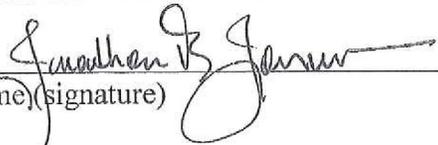
F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission or PDF/email) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

  
\_\_\_\_\_  
Name (signature)

Director, National Park Service  
\_\_\_\_\_  
Title

10/11/2013  
\_\_\_\_\_  
Date

For the State of Arizona:

Janice K. Brewer  
Name (signature)

Governor, State of Arizona  
Title

October 11, 2013  
Date



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## Message to all employees from Secretary Jewell

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Interior, Secretary <secretary\_of\_the\_interior@ios.doi.gov>

Wed, Oct 9, 2013 at 3:15 PM

To: DOI\_ALL\_Employees\_BisonConnect <doi\_all\_employees@doi.gov>

To: All DOI Employees

From: Secretary Sally Jewell

Subject: Message to all employees from Secretary Jewell

My thoughts are with all of you as we enter our second week of this extraordinarily disruptive government shutdown. You are all professionals who are committed to the diverse missions of the Department of the Interior, and our inability to provide services is having a devastating impact on individuals, businesses, the economy and the people who depend on these services across the country.

For our colleagues who are continuing to come to work to protect life and property, I offer my sincere thanks.

You are frequently on the front lines and having to deliver difficult messages to the public. I am grateful for your professionalism and continued dedication to public service.

If you are on furlough, I appreciate that you want to do your jobs and the shutdown may set your work back for a long period of time. I am also aware of the impact of this shutdown on partners, concessioners, communities who depend on us for their business, contractors who are unable to provide services, and tribal governments who rely on us to serve their members.

There are no winners in this situation. I am hopeful that Congress acts swiftly to end this shutdown so that we can all get back to the business of serving the American people.

Please hang in there and check back in at [www.doi.gov/shutdown](http://www.doi.gov/shutdown) for further updates.

Warmly,

Sally

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Visit oneINTERIOR for employee news and events - <http://oneinterior.doi.net>.

Donation Agreement  
Between the  
National Park Service, United States Department of the Interior  
and the  
State of Colorado

This agreement (hereinafter “Agreement”) is entered into by and between the National Park Service (hereinafter “NPS”), an agency of the United States Department of the Interior, acting through its Director, and the State of Colorado (hereinafter “State”), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage Rocky Mountain National Park (hereinafter “ROMO”) during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the “shutdown period”). Throughout this Agreement the NPS and the State may be referred to jointly as “the parties.”

Article I - Background

Whereas, ROMO is located entirely in the State, encompasses approximately 265,828 acres, and annually attracts more than 2.9 million visitors;

Whereas, the visitors to ROMO, through their economic activity, play a vital role in the economies and well-being of Estes Park, Colorado, and other towns and cities located near ROMO;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, ROMO was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, ROMO will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS’s cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in ROMO;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen ROMO to public use and visitation and to operate and manage ROMO during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

## Article II - Statement of Agreement

### A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen ROMO to public use and visitation, the State will donate to the NPS, for each day that ROMO is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is \$40,300. The amount of money listed in Exhibit A includes all normal costs of operating and managing ROMO, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will manage ROMO in accordance with its standard operating procedures, including procedures for road maintenance and response to weather events.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen ROMO.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage ROMO for a period of nine days beginning on Friday morning, October 11, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage ROMO for those nine days is \$362,700.00.

4. If the State desires to donate additional amounts to keep ROMO open beyond 11:59 p.m. on Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage ROMO for two calendar days, i.e., \$80,600.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

### B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen ROMO and will operate and manage the park in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing ROMO. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

#### Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

#### Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:

Director  
National Park Service  
United States Department of the Interior  
Room 3112  
1849 C Street, NW  
Washington, DC 20240  
Telephone: (202) 208-4621  
Telefax: (202) 208-7889  
Email: [jon.jarvis@nps.gov](mailto:jon.jarvis@nps.gov)

For the State:

Chief of Staff  
Governor  
State of Colorado  
136 State Capitol  
Denver, CO 80203  
Telephone: (303) 866-6290

Telefax: (303) 866-2003  
Email: roxane.white@state.co.us

#### Article V - Prior Approval

Not applicable.

#### Article VI - Reports

Not applicable.

#### Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

#### Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

#### Article IX - Standard Clauses

##### A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

##### B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

##### C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

##### D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

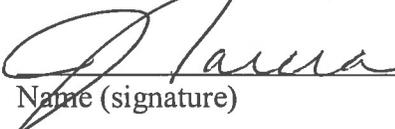
For the National Park Service:

\_\_\_\_\_  
Name (signature)

Director, National Park Service  
Title

\_\_\_\_\_  
Date

For the State of Colorado:

  
\_\_\_\_\_  
Name (signature)

Joseph A. Garcia, Lt. Governor, State of Colorado  
Acting pursuant to Colo. Const. Article IV, Section 13(5)  
Title

10/11/2013  
\_\_\_\_\_  
Date



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## Continued Government Shutdown

1 message

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**Interior, Secretary** <secretary\_of\_the\_interior@ios.doi.gov>

Tue, Oct 15, 2013 at 12:42 PM

To: DOI\_ALL\_Employees\_BisonConnect <doi\_all\_employees@doi.gov>

To: All Department of the Interior Employees

From: Secretary

Subject: Continued Government Shutdown

My thoughts continue to be with all of you as this government shutdown persists. I know and appreciate that you want to be at work serving the American people in the myriad ways that Interior contributes to our country—some very visible and others behind the scenes. Last week, one of our colleagues sent me this quote from President John F. Kennedy that reflects exactly what I have felt from interacting with so many of you during the 6 months I have joined the ranks of public service:

*"Let the public service be a proud and lively career. And let every man and woman who works in any area of our national government, in any branch, at any level, be able to say with pride and with honor in future years: 'I served the United States Government in that hour of our nation's need.'"-- John F. Kennedy, 1961.*

If there is to be a "silver lining" to this cloud of a government shutdown, it is the increased awareness of the American people to the importance of the work you do and the value that all Americans receive from their investment in you.

I profoundly hope that we will be welcoming all of you back to work soon, and that the damage done during this shutdown period can be addressed in the coming months. Please know that the President is intent on getting the government back up and running, and all of you back to work serving the American people. In the meantime, we will continue to update [www.doi.gov/shutdown](http://www.doi.gov/shutdown) with information that you may find useful.

Hang in there!

Warmly,

Sally

--

Visit oneINTERIOR for employee news and events - <http://oneinterior.doi.net>.

## **Amendment to National Park System Closure Determination and Notice**

Pursuant to 36 C.F.R. § 1.5, effective at 12:01 a.m. on October 1, 2013, all units of the National Park System nationwide were closed to public visitation and use, subject to the conditions and exceptions described in the Director's October 1, 2013 Closure Determination and Notice (Closure Notice). That national closure was necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System. Under the provisions of the Antideficiency Act (Act), in the absence of an appropriation the National Park Service (NPS) is able to undertake only very limited activities, primarily related to emergencies. Given time constraints, NPS could not review each of the thousands of established contracts, permits and agreements prior to the lapse, and took the most prudent course of action to minimize the possibility of obligating funds in the absence of appropriations.

Consistent with its regulations and the terms of the applicable agreements, the Closure Notice suspended special use permits, concessions, commercial use authorizations and other partner agreements to ensure that a violation of the Act would not occur. The shutdown of the Government and the National Parks has created significant hardships for many persons and organizations, including the partner organizations which operate facilities under concession contracts and other agreements. Because a limited number of those partner organizations may be able to resume operation of such facilities within the scope of their existing written authorizations, at least in the short term, without requiring an obligation or expenditure of funds by NPS, the Closure Notice is hereby amended as follows:

14. The Director of the National Park Service will make a determination, on a case-by-case basis, whether a commercial, concession, and/or partnership facility may be re-opened during the government shutdown. The October 1 National Closure determination is not final agency action as to such partner organization until the Director has made a determination in accordance with the process and criteria described below:

- A. A written request for reconsideration must be submitted by the facility operator or its legal representative to [Business\\_Services@nps.gov](mailto:Business_Services@nps.gov).
- B. The facility or area is accessible from private land or a road that is currently open. This may be a state or park through road that remains open to the public in accordance with the NPS Closure Notice, e.g. a "through road."
- C. The facility and/or area is self-contained and visitors do not require access to or the use of closed National Park lands or facilities
- D. Re-opening of the facility will not require NPS to obligate or expend any funds in violation of the Antideficiency Act.
- E. The operator of the facility confirms in writing that its existing agreement requires it to indemnify NPS and the United States for any liabilities that may be incurred as a result of its operations during the government shutdown.

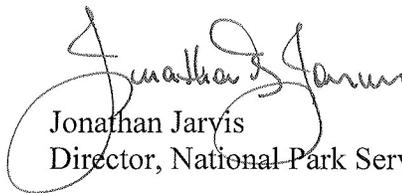
These decisions will be made solely by the Director, will not be delegated, and will constitute final agency actions.

Any decision by the Director to reopen such a facility during the shutdown is contingent on his finding that the facility could operate without NPS incurring any expenditure or obligation in violation of the Antideficiency Act during this shutdown period, currently

framed for this purpose from the present until October 30. In reviewing the request, the NPS may ask the requester to provide copies of relevant agreements and an explanation why in the opinion of the requester the reopening the facility would not cause NPS to be expending or obligating funds in violation of the Antideficiency Act.

If an individual facility, or various facilities on a cumulative basis, would likely cause such expenditures or obligations to be made, NPS would have to require partner organizations to again suspend operations. Therefore this interim policy is intended to be used sparingly and each decision will be made in consideration of its NPS-wide implications.

Notification: Notification of the decision to allow or deny a facility to re-open will be conveyed in writing (including by email), and documentation supporting each decision will be assembled for an administrative record. Specific provisions may be attached to each decision to re-open, but at a minimum, each operator must agree to inform the visitors using their facility that the National Park remains closed to public use with the exception of the immediate environs subject to the control of the partner under its existing agreement with NPS.

  
Jonathan Jarvis  
Director, National Park Service

Date 10/11/2013



Office of the Director

# United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

OCT 1 2013

To: Directorate; Center Managers; Chief, U.S. Park Police

From: Director *Jonathan S. Jarvis*

Subject: Contingency Plan for Lapsed Appropriation

Attachments (4):

- Shutdown Instructions, Phases 1 & 2 (in memo)
- All Employee email sent from DOI on Monday, September 30, 2013 (in memo)
- NPS Closure Determination and Notice (attached separately)
- Template and Guidance for park closure signs (attached separately)

The government-wide shutdown due to the lapsing of appropriations is now upon us and we are proceeding with both Phase 1 and Phase 2 as of noon today. The continuing resolution that provided FY13 funding for NPS expired at midnight, September 30, 2013, and no FY14 spending bill or continuing resolution has yet been adopted by Congress.

Please refer to the all-employee memo sent out from DOI Assistant Secretary Rhea Suh on Monday, September 30<sup>th</sup> for guidance regarding individual scenarios, such as employees who are on scheduled leave or on travel status, and for specifics regarding payroll codes and processing. That memo is attached to this correspondence for your convenience. Further HR guidance has been distributed to your HR chiefs. A host of FAQs can also be found on the following Departmental website, which will remain live during the duration of a shutdown:  
<http://www.doi.gov/shutdown>

Attached are procedures to execute an orderly shutdown of operations. The shutdown process will take place in two phases. Phase 1 includes all activities to identify excepted and non-excepted personnel, notify the public of the closure, and wind down operations to essential activities only. I am initiating Phase 2 at noon EDT today, October 1. All events and programs must be canceled until appropriations are available.

Each region and program has designated a communications coordinator and has begun to develop a plan for distributing important information to parks and program offices. All questions and information for the duration of the shutdown should be channeled through the designated communication coordinator. We will send a contact list shortly. In addition, employees should be encouraged to monitor media reports and the OPM website for information about the status of government operations.

## Shutdown Instructions -- Phases 1 and 2

Effective immediately, the National Park Service will take all necessary steps to close and secure national park facilities and grounds. Day use visitors will be instructed to leave the park immediately. Visitors utilizing overnight concession accommodations and campgrounds will be notified to make alternate arrangements and depart the park as part of Phase 2. Wherever possible, park roads will be closed and access will be denied. National and regional offices and support centers will be closed and secured, except where they are needed to support excepted personnel. These steps will be enacted as quickly as possible while still ensuring visitor and employee safety as well as the integrity of park resources.

Please reference the NPS Closure Determination and Notice document, attached to this memo, as needed for compliance with regulations.

### Phase 1 Shutdown Procedures:

Immediately take the following steps to shut down all activities not deemed essential that are funded by lapsing appropriation:

1. Confirm your previously identified personnel who are performing excepted activities. The Emergency Response Official designation on a Federal ID card is not necessarily a factor in determining excepted personnel. Rather, essential activities are defined as activities that are needed to:
  - a. Provide for actions necessary to suspend or stop work on projects currently underway, consistent with instructions i-iii below. That is, contracting and finance personnel necessary to perform these duties should remain until the activities can be suspended.
    - i. Contracting activity shutdown personnel must issue (in accordance with FAR procedures) Stop Work or Suspension of Work orders on, or Terminate for the Convenience of the Government, for contracts for goods or services that require oversight or support by personnel funded from lapsed appropriations and are not required to address emergencies involving human life, safety or protection of property. Cooperative agreements should also be suspended.
    - ii. Work on contracts that are not funded by a lapsing appropriation (such as the fiscal year 2014 continuing resolution), such as projects that are fully funded, may continue, provided government oversight and access to closed facilities is not necessary to facilitate performance during the shutdown. If government oversight is required and an excepted individual is available to provide that oversight the contract may continue during a shutdown provided the shutdown is relatively brief. Your contracting officers have received guidance on determining which contracts may continue. That guidance can be found on <http://www.doi.gov/shutdown>

- iii. New contracts should not be initiated during a lapse period unless they are required to address emergencies involving human life, safety, or protection of property.
- b. Conduct essential activities to the extent that they protect life and property, including:
- i. Emergency medical care;
  - ii. Activities essential to ensure continued public health and safety, including safe use of food and drugs and safe use of hazardous materials, garbage collection, drinking water, sewage treatment operation;
  - iii. Direct management of projects obligated from funds that are not subject to lapse, such as multi-year appropriations from prior fiscal years. People not DIRECTLY involved in project management or necessary contracting actions and payments for these projects will not be considered excepted or continue to work.
  - iv. Border and coastal protection and surveillance;
  - v. Protection of federal lands, buildings, waterways, equipment, and other property owned within the National Park System;
  - vi. Law enforcement and disaster assistance;
  - vii. Activities that ensure production of power and maintenance of the power distribution system;
  - viii. Activities necessary to maintain protection of research property;
  - ix. Essential or time-sensitive support services for employees;
  - x. Uninterrupted command, control, and policy leadership;
  - xi. Maintenance of IT systems (including contracted support) critical to activities being carried out by excepted personnel (e.g., radio communication, e-mail, accounting systems, etc.);
  - xii. FY 13 year-end financial management activities; and
  - xiii. Communication with employees and the public.

NOTE: Staffing will be held to the very minimum for the performance of essential functions. This will ordinarily be only law enforcement personnel, at a staffing level that allows for reactive emergency response commensurate with levels of park operations under the shutdown. Wildland fire personnel required for active fires or for monitoring areas currently under a fire watch will remain on duty. However, in certain instances maintenance and IT personnel may be required for systems that normally require 24 hour monitoring or periodic maintenance, without which the system would shut down. Emergency responders, including Fire Management, EMS, and Law Enforcement personnel, not required for essential activities will be placed on furlough but may be called back to duty if an emergency situation arises.

- 2. Prepare and issue personnel furlough papers for an indefinite period for all non-excepted employees not needed for closedown operations. Non-permanent employees are to be placed in non-pay status for an indefinite period. Take all necessary actions to assure that employees are accorded all due personnel rights. Consult Human Resources and labor relations contacts for appropriate steps.

3. Process payroll for abbreviated pay period.
4. Through appropriate media, notify public of closing of all national parks. Press release templates are being distributed to the parks and program offices.
5. All U.S. Government property and facilities that can be locked or secured must be, including parking lots, comfort stations, tour roads, visitor contact facilities, fee collection facilities. Any one visiting must be directed to leave the park.
6. All day-use, concession-operated visitor services and facilities are to be closed immediately; Concession operations with overnight accommodations will be allowed to remain open until notified under phase 2, below. Exceptions may be granted by park superintendents, but only if a facility is deemed essential for health or safety purposes or is needed to support ongoing, essential park operations.
7. Services offered via commercial use authorizations, whether originating within or outside of park boundaries, are also to cease operations within the park.
8. Outfitter and guide concessioner and CUAs should not commence new trips after a shutdown has been initiated.
9. Access to leased facilities is permitted. However, no recreational uses outside of the inholding/leased facility on park lands are to be permitted.
10. Parks having "thru" road systems should not attempt to close these roadways. Signs should be posted that no visitor services will be available in the park.
11. "Special Events" involving park service personnel either as participants or in crowd control must be cancelled. A special provision has been made for first amendment activities in the National Mall and Memorial Parks and areas administered by the NPS Liaison to the White House in Washington D.C., and Independence National Historic Park in Philadelphia, PA. Please refer to the NPS Closure Determination and Notice, attached to this memo transmission, for the legal record of determination. As always, law enforcement action will be taken in cases where there is a violation of NPS regulations, including if it reasonably appears that the demonstration presents a clear and present danger to the public safety, good order, or health. This includes demonstrations that either qualify under the NPS small-group permit exception or demonstrations that have submitted an application, either before or after the shutdown that were not denied.
12. Only staff involved in excepted or phasedown activities may be on duty. Other employees may not volunteer their time. This rule applies regardless of the type of appointment or funding source of the employee. Cease all volunteer programs and release all volunteers from their duties.
13. Every organization should maintain a list of excepted employees, along with justification for each employee's designation as excepted. Each organization should also keep

meticulous records regarding time employees spend on shutdown activities during the first few days, so that the time can be logged at a later date. Further, if the shutdown continues, the list of employees in furlough status may change. Excepted employees may transition to furlough status, and employees on furlough may be called back as the need arises. You do not need to continuously apprise WASO of each change in status. Rather, please keep careful records so that we can respond to OMB and DOI after the shutdown ends.

14. Cancel all travel and scheduled meetings.

### **Phase 2 Shutdown Procedures:**

I am initiating Phase 2 activities to begin today, October 1, at 12pm EDT. It will be necessary to take the following additional steps.

1. Begin securing files and documents for transfer to Federal Records Center.
2. Specific instructions will be issued for establishing accounts for capturing costs during this period. For now, charge to your normal accounts.
3. Place signs in park areas to advise visitors about park closing and hazards of the area. Place barriers to prevent visitors from entering park. A template for the appropriate wording of the signs is attached to this memo transmission.

All parks should be in the mode of conducting no mission-related work, performing only the excepted activities listed above. Use caution and good judgment in taking any of the above listed actions.

### **Concession and Campsite Closedown Procedures (Phase 2):**

All parks should take the following steps to secure park facilities and shut down concession and campsite operations while ensuring the safety of park visitors:

1. Visitors in all overnight accommodations and campgrounds are to be given 48 hours, starting from 6pm EDT today, October 1, to make other arrangements and leave the park. This applies to visitors in both NPS and concession-operated facilities. Concessioners may begin notifying visitors at noon, but the 48 hour clock begins at 6pm. All overnight visitors must leave the park no later than 6pm EDT Thursday, October 3.
2. Visitors on outfitter or guided trips in the back country or on a secluded river that have already departed at the start of the shutdown will be allowed to complete their trip unless there is a practical and safe way to end the excursion and leave the park.
3. Concession employees who normally live in the park may remain in the park. Concessioners may continue to provide meals and accommodations for those employees.

However, no recreational uses outside of the assigned area on park lands are to be permitted.

4. Access to privately owned boats is permitted, but use for recreational purposes within the park boundary is not allowed.
5. Access to leased facilities is permitted. However, no recreational uses outside of the inholding/leased facility on park lands are allowed.

Park superintendents should notify concessioners of these procedures and the potential implementation timeline immediately.

Deputy Director O'Dell, Comptroller Bruce Sheaffer and a few other excepted NPS officials will remain in Headquarters during this closure and are available for specific questions. I anticipate we will receive many questions and a variety of offers from other agencies and organizations to cover our costs and re-open parks, memorials, trails, roads, or other facilities. Such overtures are to be respectfully rejected. In accordance with Title 16 of the US Code, the National Park System is to be managed for the common benefit of all the people of the United States, and is funded primarily by federal appropriations to achieve this responsibility. Beyond the legal issues involved, it will not be appropriate to open some parks or some parts of parks with non-appropriated or non-federal funding while other parts of the National Park System remain closed.

I know this creates a great deal of frustration and challenges to our employees, mission, partners and visitors. We will get through this.

Attachment 2 – All-Employee Memo issued from DOI Assistant Secretary Rhea Suh Monday 9/30/2012

TO: All Department of the Interior Employees

FROM: Rhea Suh, Assistant Secretary for Policy, Management and Budget

SUBJECT: Guidance Concerning Efforts To Plan For A Potential Lapse In Appropriations

I want to provide you with important information and guidance concerning efforts to plan for and address a potential lapse of appropriations and government shutdown on Tuesday, October 1, 2013.

While the Administration believes that a lapse in funding should not occur, we have a responsibility to the public and to our employees to do everything possible to prepare for a potential shutdown.

These are challenging times – and we understand that these circumstances are challenging to you and your family. A lapse in government activities could impose hardships on you, your families, and the people we serve. We hope that Congress acts quickly to prevent a shutdown and pass a continuing resolution. In the meantime, we want you to know that we are doing everything we can to prepare for a potential shutdown. We will provide you with as much information as possible.

The information, guidance and resources outlined below cover the most important information that you will need to know over these next few days. I encourage you to read it, to print out the Shutdown Checklist for Furloughed Employees, and to make note of telephone numbers you can call and websites you can visit to help keep you updated on the latest information.

### **Employee Status during a Funding Lapse**

If a shutdown occurs, most of our agency's staff will be furloughed. This is not a reflection on the value or importance of our employees' work.

A limited number of employees will be designated as "exempt" or "excepted." Employees who fall into these specialized categories have been apprised of their designation. Exempt employees will continue to work because they are funded from non-lapsing appropriations. Excepted employees will continue to work, despite lapsing appropriations, in order to protect life and property.

A set of general questions and answers can be found on <http://www.doi.gov/shutdown>

### **Shutdown Notification**

If there is a lapse in appropriations on Tuesday, October 1, 2013 and we have direction to proceed with shutdown, the following applies:

Employees should report to work at their normal time and will be given up to four hours to conduct shut down activities. Within the four hour timeframe, an employee should complete their timesheet, work with their supervisor to secure property and files, receive a furlough letter and acknowledge receipt, and conduct other activities as directed. Supervisors may make other arrangements with employees in order to accomplish these shutdown activities through other means, such as teleworking. Employees should report to work unless they have received different direction from their supervisors. Some employees will be given additional time for shutdown activities that will extend beyond the 4 hours. Your supervisor will inform you if you are one of these individuals that is needed to help with these extended shutdown efforts.

A set of human resources questions and answers can be found on <http://www.doi.gov/shutdown>

### **Shutdown Activities**

All employees will be required to complete a series of shutdown activities. Employees must use their time for shutdown activities only, not to work on any non-shutdown projects, tasks, activities or respond to emails. Shutdown activities include:

- Accessing your email.
- Reading your furlough notice and affirming to your supervisor that you did receive it.
- Changing your voicemail message to indicate you will be out of the office for an unspecified time.
- Changing and enabling your email “out of office” message.
- Securing your work documents appropriately.
- Completing your time card.
- Securing your work station and securing government property.

A checklist of shutdown activities with additional guidance is included at the end of this message.

### **Telework**

Employees who have been approved to telework on Tuesday, October 1 should complete as many shutdown activities as possible (please see attached checklist) before they leave work on Monday, September 30, including completing their timecards, so that on Tuesday, October 1, their responsibilities will be to read their furlough email notification and affirm to their supervisor that they did receive it.

### **Time and Attendance**

In the event of a government shutdown, employees should record their actual hours for the current pay period, 2013-21, as you normally would for the time period September 22-30, 2013.

- For employees who are not exempt or excepted and would be furloughed – record the balance of the pay period, October 1-5, against the Furlough pay code (pay code 103). Employees should keep track of hours spent on shutdown activities. Amended time sheets will be completed after operations resume.

- For excepted employees who will remain on duty to protect life and property - record the balance of the pay period, October 1-5, against the Furlough pay code (pay code 103). Excepted employees should keep track of their time outside of the system.

- For employees who are exempt and will continue to work because they are paid from non-lapsing appropriations – report all hours worked as you normally would.

A set of questions and answers on this are at the end of this document.

### **Employee Pay**

October 1, 2013 is a regular payday covering the pay period ending Saturday, September 21, 2013. Employees will be paid on schedule for their hours worked during that pay period. If a shutdown occurs, all employees can expect to be paid on Tuesday, October 15, 2013 for hours worked from September 22, 2013 through September 30, 2013.

All employees will be paid for actual time spent conducting shutdown activities (for most employees this will be no more than 4 hours) after the Congress enacts an appropriation or a continuing resolution.

During the shutdown, exempt employees will be paid for actual hours worked in subsequent pay periods every two weeks. Excepted employees will be paid for actual hours worked during the shutdown upon the next regular payday following passage of a funding bill. Congress will determine if furloughed employees will be paid subsequent to enactment of an appropriation or continuing resolution.

### **Use of Electronic Equipment**

Please keep in mind that employees are prohibited from working while furloughed, including using agency owned computers, mobile devices, and using remote access service to access email or other applications. You should turn off all devices and secure and store government equipment.

### **Leave**

If you have been previously approved to take leave on Tuesday, October 1, and there is a shutdown, your leave will be cancelled. You are expected to report to your duty station unless

you have made alternative arrangements with your supervisor. If there is no shutdown or the government reopens and you had pre-existing leave plans, you should contact your supervisor to ensure your leave approval is still in place or if you are needed to return to work.

## **Travel**

All employees should refrain from beginning official travel leading up to a possible shutdown and should not be traveling during the shutdown, with certain exclusions.

- Exempt employees who are funded through non-lapsing appropriations may travel with the appropriate approvals from their supervisor.
- Excepted employees who need to travel to protect life and property should do so with the approval of their supervisor. If there is a shutdown, please check with your supervisor to find out if you should immediately return to your duty station or remain in travel status.
- Employees who would be furloughed and are on travel when the shutdown occurs, must return to their duty station as soon as possible.
- Employees assigned overseas are not considered to be in travel status because their overseas location is considered their permanent station.
- Employees on extended TDY travel where a detail personnel action (SF52) was issued and funded should not return to their home location unless instructed by their supervisor.

A set of travel questions and answers can be found on <http://www.doi.gov/shutdown>

## **Access to Buildings and Facilities**

The Main Interior Building (MIB) and South Interior Building (SIB) will be closed to the public throughout the shutdown, although employees who are exempt or excepted will have access. Employees that are furloughed will be able to access the credit union and should check-in at the guard desk

The cafeteria in MIB will be closed. The snack bars in MIB and SIB will be open.

All ramps to the MIB garage will be open on October 1, 2013. Commencing October 2, 2013, only Ramps A and D will be open in MIB.

Parking will be available during the shutdown for those employees that have parking permits for MIB, SIB and the Federal Reserve if they are exempt or excepted.

## **Transit Subsidy**

The transit subsidy has already been loaded onto the electronic media and will be available to employees on October 1, 2013. Employees are authorized to use the subsidy for October 1, 2013 and excepted and exempt employees can use the subsidy during the duration of the shutdown. On call staff can use the subsidy if they are called back to work.

All unused subsidy media will be swept back by DOT at the end of the month.

### **Agency Services**

In October 1, 2013, the shuttles to MIB are expected to be operating. During a government shutdown, after October 1, there will be no shuttle services to MIB and SIB. During the shutdown there will be limited custodial and mail service and the health unit and fitness center will be closed. The MIB child day care center will be closed throughout the duration of the shutdown.

### **Information Resources**

There are a number of resources available where you can get further shutdown information and status updates. Shutdown information can be found on <http://www.doi.gov/shutdown>

In addition, furlough guidance can also be found at the Office of Personnel Management website at [www.opm.gov/furlough](http://www.opm.gov/furlough). You are also encouraged to listen to the news media to obtain information on the status of government funding and whether a shutdown is necessary.

### **Shutdown Checklist for Furloughed Employees**

- Meet with your supervisor to obtain additional necessary details and guidelines about shutdown procedures.
- Provide information about where your supervisor can reach you in the event the government reopens – home phone, personal cell phone, relative phone, etc.
- Access your email and read your furlough notice and affirm to your supervisor that you have received it. Instructions can be found at <http://googl/INIPRI>.
- Change your voicemail message. Suggested language for employee voicemail:  

“I am out of the office for the duration of the government shutdown. I will not be checking messages, but will return your call upon my return to the office.”
- Change and enable your email “out of office” message. Suggested message:  

“I am out of the office for the duration of the government shutdown. I will not be checking messages, but will return your email upon my return to the office.”
- Secure your work documents appropriately so they are not left out in the open.

- Turn off and put away devices, phones, laptops, etc. for safekeeping.
- Throw out any perishable food.
- Remove or store any personal items for safekeeping.
- Complete your time card
- Turn off the lights and lock the door when you leave (presuming there are no other occupants in the office).

## FAQ'S FOR ENTRY OF TIME & ATTENDANCE DURING GOVERNMENT SHUTDOWN

SEPTEMBER 27, 2013

**1. I have received notice that I will be furloughed (not excepted) during the government shutdown. How do I enter my time and attendance?**

For the current pay period, 2013-21, *through September 30*, report all hours worked, leave taken, etc., as you normally would (only for September 22-30).

The remainder of the October 1-5 period should be recorded against the Furlough pay code (pay code 103). Employees should keep track of the time they spent on shutdown activities. Amended timesheets will be completed after government operations resume to reflect actual time spent on shutdown activities.

**2. I have received notice that I have been excepted from the furlough. How do I enter my T&A?**

For the current pay period, 2013-21, *through September 30*, report all hours worked, leave taken, etc., as you normally would (for September 22-30).

For the balance of the pay period (October 1-5), hours should be recorded against the Furlough pay code.

Excepted personnel should keep track off-line the hours worked for later submission of an amended timesheet when Congress enacts an appropriation bill.

**3. I have received notice that I am exempt from the furlough. How do I enter my T&A?**

Exempt personnel are funded by a non-lapsing appropriation, and therefore you report all hours worked or leave taken as you normally would.

**4. What if I am furloughed, but it's only for a few days?**

If Congress enacts an appropriation bill and an employee Returns to Duty anytime between October 1 – October 5, 2013 (in pay period 2013-21), timesheets would need to be “unverified” to allow for update for actual hours worked and/or furlough hours. Normal T&A processing procedures would then be followed.

**5. What if the furlough lasts longer than this pay period, 2013-21, which ends on October 5?**

Exempt employees will continue to record their actual time worked.

For excepted personnel, hours should continue to be recorded against the pay code 103 (furlough hours). Excepted personnel should continue to keep track off-line the hours worked for later submission of an amended timesheet when Congress enacts an appropriation bill.

IBC will assume that timesheets not submitted by October 23 (for the pay period ending October 20), should be charged to pay code 103 (furlough hours).



# United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

Office of the Director

## National Park System Closure Determination and Notice

Pursuant to 36 C.F.R. § 1.5, effective at 12:01 a.m. on October 1, 2013, all units of the National Park System nationwide are closed to public visitation and use, subject to the conditions and exceptions described below. This national closure determination and notice is necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System and will remain in effect until funding is restored. The period of time during which appropriated funds are not available may be referred to in this determination and notice as the “shutdown period.”

Under 36 C.F.R. § 1.5(a) this national closure determination and notice is necessary to maintain public health and safety in units of the National Park System and to protect park resources and values during the shutdown period. Consistent with the Department of the Interior Contingency Plan, available at [www.doi.gov/shutdown](http://www.doi.gov/shutdown), only a relatively small number of “excepted personnel” will be on duty during the shutdown period. Those personnel are not sufficient to provide a full range of visitor services. Therefore, in light of the shutdown and Contingency Plan, measures less restrictive than a national closure will not suffice to maintain public health and safety and to protect park resources and values. The lapse in appropriated funds qualifies as an “emergency” under 36 C.F.R. § 1.5(b); therefore, this determination and notice does not require special rulemaking.

### Condition and Exceptions:

1. National Park Service personnel who have been identified as excepted will continue to report for duty in accordance with the National Park Service Contingency Plan and as directed by their supervisors.
2. Members of the public who are currently visiting a unit of the National Park System and not staying overnight in the park must vacate the park immediately. All day-use concession-operated visitor services and facilities are to be closed immediately. Exceptions may be granted by superintendents only if a facility is deemed essential for health or safety purposes.
3. Subject to paragraph 6 below, members of the public who are currently visiting a unit of the national park system and staying overnight either in a National Park Service-operated campground or a concessioner-operated facility in the park must vacate the park by 6:00 p.m. EDT on October 3, 2013.
4. Subject to paragraph 6 below, National Park Service concessioners must suspend their operations in overnight accommodations by 6:00 p.m. EDT on October 3, 2013.
5. Subject to paragraph 6 below, holders of National Park Service commercial use authorizations must immediately cease their in-park operations.

6. The deadlines announced above do not apply to members of the public, concessioners, and holders of commercial use authorizations who are on multi-day backcountry trips that cannot be safely terminated before the end of the trip. Those individuals may continue and complete their multi-day backcountry trips in accordance with their approved permit or plan. Those individuals then must vacate the park within 12 hours after the completion of their trip.

7. This closure determination and notice does not apply to private owners of interests in real property located within the exterior boundaries of units of the National Park System. Park superintendents will continue to allow such owners reasonable access to their private property.

8. This closure determination and notice does not apply to roads that pass through units of the National Park System and provide primary access between points located outside of the parks. Members of the public may continue to use those roads during the shutdown period. However, superintendents may not expend any appropriated funds to maintain or repair those roads. Moreover, superintendents may close those roads, or portions of those roads, in accordance with 36 C.F.R. § 1.5, if such closure is warranted by weather, poor road conditions, or other circumstances.

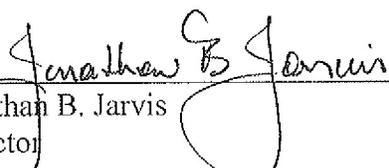
9. All previously issued permits for special events scheduled to occur in units of the National Park System during the shutdown period are hereby cancelled. At the end of the shutdown period holders of cancelled permits may apply for a new permit. Except as provided in paragraph 10 below, all closed areas of the National Park System are also closed to First Amendment activities during the shutdown period, and any previously issued permits for First Amendment activities are hereby cancelled.

10. This closure determination and notice does not apply to First Amendment activities in the National Mall and Memorial Parks and areas administered by the NPS Liaison to the White House in Washington, D.C., and Independence National Historical Park in Philadelphia, Pennsylvania. Persons may continue to conduct First Amendment activities in these units in accordance with existing regulations.

11. Each park superintendent must take reasonable measures to comply with 36 C.F.R. § 1.7 and to provide adequate public notice of this national closure determination and notice.

12. This national closure determination and notice will expire automatically at the end of the shutdown period.

13. Violation of this national closure determination and notice is prohibited.

  
Jonathan B. Jarvis  
Director

October 1, 2013  
Date



# United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

OCT 1 2013

Office of the Director

To: Directorate; Center Managers; Chief, U.S. Park Police

From: Director *Jonathan S. Jarvis*

Subject: Contingency Plan for Lapsed Appropriation

Attachments (4):

- Shutdown Instructions, Phases 1 & 2 (in memo)
- All Employee email sent from DOI on Monday, September 30, 2013 (in memo)
- NPS Closure Determination and Notice (attached separately)
- Template and Guidance for park closure signs (attached separately)

The government-wide shutdown due to the lapsing of appropriations is now upon us and we are proceeding with both Phase 1 and Phase 2 as of noon today. The continuing resolution that provided FY13 funding for NPS expired at midnight, September 30, 2013, and no FY14 spending bill or continuing resolution has yet been adopted by Congress.

Please refer to the all-employee memo sent out from DOI Assistant Secretary Rhea Suh on Monday, September 30<sup>th</sup> for guidance regarding individual scenarios, such as employees who are on scheduled leave or on travel status, and for specifics regarding payroll codes and processing. That memo is attached to this correspondence for your convenience. Further HR guidance has been distributed to your HR chiefs. A host of FAQs can also be found on the following Departmental website, which will remain live during the duration of a shutdown:  
<http://www.doi.gov/shutdown>

Attached are procedures to execute an orderly shutdown of operations. The shutdown process will take place in two phases. Phase 1 includes all activities to identify excepted and non-excepted personnel, notify the public of the closure, and wind down operations to essential activities only. I am initiating Phase 2 at noon EDT today, October 1. All events and programs must be canceled until appropriations are available.

Each region and program has designated a communications coordinator and has begun to develop a plan for distributing important information to parks and program offices. All questions and information for the duration of the shutdown should be channeled through the designated communication coordinator. We will send a contact list shortly. In addition, employees should be encouraged to monitor media reports and the OPM website for information about the status of government operations.

## Shutdown Instructions -- Phases 1 and 2

Effective immediately, the National Park Service will take all necessary steps to close and secure national park facilities and grounds. Day use visitors will be instructed to leave the park immediately. Visitors utilizing overnight concession accommodations and campgrounds will be notified to make alternate arrangements and depart the park as part of Phase 2. Wherever possible, park roads will be closed and access will be denied. National and regional offices and support centers will be closed and secured, except where they are needed to support excepted personnel. These steps will be enacted as quickly as possible while still ensuring visitor and employee safety as well as the integrity of park resources.

Please reference the NPS Closure Determination and Notice document, attached to this memo, as needed for compliance with regulations.

### Phase 1 Shutdown Procedures:

Immediately take the following steps to shut down all activities not deemed essential that are funded by lapsing appropriation:

1. Confirm your previously identified personnel who are performing excepted activities. The Emergency Response Official designation on a Federal ID card is not necessarily a factor in determining excepted personnel. Rather, essential activities are defined as activities that are needed to:
  - a. Provide for actions necessary to suspend or stop work on projects currently underway, consistent with instructions i-iii below. That is, contracting and finance personnel necessary to perform these duties should remain until the activities can be suspended.
    - i. Contracting activity shutdown personnel must issue (in accordance with FAR procedures) Stop Work or Suspension of Work orders on, or Terminate for the Convenience of the Government, for contracts for goods or services that require oversight or support by personnel funded from lapsed appropriations and are not required to address emergencies involving human life, safety or protection of property. Cooperative agreements should also be suspended.
    - ii. Work on contracts that are not funded by a lapsing appropriation (such as the fiscal year 2014 continuing resolution), such as projects that are fully funded, may continue, provided government oversight and access to closed facilities is not necessary to facilitate performance during the shutdown. If government oversight is required and an excepted individual is available to provide that oversight the contract may continue during a shutdown provided the shutdown is relatively brief. Your contracting officers have received guidance on determining which contracts may continue. That guidance can be found on <http://www.doi.gov/shutdown>

- iii. New contracts should not be initiated during a lapse period unless they are required to address emergencies involving human life, safety, or protection of property.
- b. Conduct essential activities to the extent that they protect life and property, including:
- i. Emergency medical care;
  - ii. Activities essential to ensure continued public health and safety, including safe use of food and drugs and safe use of hazardous materials, garbage collection, drinking water, sewage treatment operation;
  - iii. Direct management of projects obligated from funds that are not subject to lapse, such as multi-year appropriations from prior fiscal years. People not DIRECTLY involved in project management or necessary contracting actions and payments for these projects will not be considered excepted or continue to work.
  - iv. Border and coastal protection and surveillance;
  - v. Protection of federal lands, buildings, waterways, equipment, and other property owned within the National Park System;
  - vi. Law enforcement and disaster assistance;
  - vii. Activities that ensure production of power and maintenance of the power distribution system;
  - viii. Activities necessary to maintain protection of research property;
  - ix. Essential or time-sensitive support services for employees;
  - x. Uninterrupted command, control, and policy leadership;
  - xi. Maintenance of IT systems (including contracted support) critical to activities being carried out by excepted personnel (e.g., radio communication, e-mail, accounting systems, etc.);
  - xii. FY 13 year-end financial management activities; and
  - xiii. Communication with employees and the public.

NOTE: Staffing will be held to the very minimum for the performance of essential functions. This will ordinarily be only law enforcement personnel, at a staffing level that allows for reactive emergency response commensurate with levels of park operations under the shutdown. Wildland fire personnel required for active fires or for monitoring areas currently under a fire watch will remain on duty. However, in certain instances maintenance and IT personnel may be required for systems that normally require 24 hour monitoring or periodic maintenance, without which the system would shut down. Emergency responders, including Fire Management, EMS, and Law Enforcement personnel, not required for essential activities will be placed on furlough but may be called back to duty if an emergency situation arises.

- 2. Prepare and issue personnel furlough papers for an indefinite period for all non-excepted employees not needed for closedown operations. Non-permanent employees are to be placed in non-pay status for an indefinite period. Take all necessary actions to assure that employees are accorded all due personnel rights. Consult Human Resources and labor relations contacts for appropriate steps.

3. Process payroll for abbreviated pay period.
4. Through appropriate media, notify public of closing of all national parks. Press release templates are being distributed to the parks and program offices.
5. All U.S. Government property and facilities that can be locked or secured must be, including parking lots, comfort stations, tour roads, visitor contact facilities, fee collection facilities. Any one visiting must be directed to leave the park.
6. All day-use, concession-operated visitor services and facilities are to be closed immediately; Concession operations with overnight accommodations will be allowed to remain open until notified under phase 2, below. Exceptions may be granted by park superintendents, but only if a facility is deemed essential for health or safety purposes or is needed to support ongoing, essential park operations.
7. Services offered via commercial use authorizations, whether originating within or outside of park boundaries, are also to cease operations within the park.
8. Outfitter and guide concessioner and CUAs should not commence new trips after a shutdown has been initiated.
9. Access to leased facilities is permitted. However, no recreational uses outside of the inholding/leased facility on park lands are to be permitted.
10. Parks having "thru" road systems should not attempt to close these roadways. Signs should be posted that no visitor services will be available in the park.
11. "Special Events" involving park service personnel either as participants or in crowd control must be cancelled. A special provision has been made for first amendment activities in the National Mall and Memorial Parks and areas administered by the NPS Liaison to the White House in Washington D.C., and Independence National Historic Park in Philadelphia, PA. Please refer to the NPS Closure Determination and Notice, attached to this memo transmission, for the legal record of determination. As always, law enforcement action will be taken in cases where there is a violation of NPS regulations, including if it reasonably appears that the demonstration presents a clear and present danger to the public safety, good order, or health. This includes demonstrations that either qualify under the NPS small-group permit exception or demonstrations that have submitted an application, either before or after the shutdown that were not denied.
12. Only staff involved in excepted or phasedown activities may be on duty. Other employees may not volunteer their time. This rule applies regardless of the type of appointment or funding source of the employee. Cease all volunteer programs and release all volunteers from their duties.
13. Every organization should maintain a list of excepted employees, along with justification for each employee's designation as excepted. Each organization should also keep

meticulous records regarding time employees spend on shutdown activities during the first few days, so that the time can be logged at a later date. Further, if the shutdown continues, the list of employees in furlough status may change. Excepted employees may transition to furlough status, and employees on furlough may be called back as the need arises. You do not need to continuously apprise WASO of each change in status. Rather, please keep careful records so that we can respond to OMB and DOI after the shutdown ends.

14. Cancel all travel and scheduled meetings.

### **Phase 2 Shutdown Procedures:**

I am initiating Phase 2 activities to begin today, October 1, at 12pm EDT. It will be necessary to take the following additional steps.

1. Begin securing files and documents for transfer to Federal Records Center.
2. Specific instructions will be issued for establishing accounts for capturing costs during this period. For now, charge to your normal accounts.
3. Place signs in park areas to advise visitors about park closing and hazards of the area. Place barriers to prevent visitors from entering park. A template for the appropriate wording of the signs is attached to this memo transmission.

All parks should be in the mode of conducting no mission-related work, performing only the excepted activities listed above. Use caution and good judgment in taking any of the above listed actions.

### **Concession and Campsite Closedown Procedures (Phase 2):**

All parks should take the following steps to secure park facilities and shut down concession and campsite operations while ensuring the safety of park visitors:

1. Visitors in all overnight accommodations and campgrounds are to be given 48 hours, starting from 6pm EDT today, October 1, to make other arrangements and leave the park. This applies to visitors in both NPS and concession-operated facilities. Concessioners may begin notifying visitors at noon, but the 48 hour clock begins at 6pm. All overnight visitors must leave the park no later than 6pm EDT Thursday, October 3.
2. Visitors on outfitter or guided trips in the back country or on a secluded river that have already departed at the start of the shutdown will be allowed to complete their trip unless there is a practical and safe way to end the excursion and leave the park.
3. Concession employees who normally live in the park may remain in the park. Concessioners may continue to provide meals and accommodations for those employees.

However, no recreational uses outside of the assigned area on park lands are to be permitted.

4. Access to privately owned boats is permitted, but use for recreational purposes within the park boundary is not allowed.
5. Access to leased facilities is permitted. However, no recreational uses outside of the inholding/leased facility on park lands are allowed.

Park superintendents should notify concessioners of these procedures and the potential implementation timeline immediately.

Deputy Director O'Dell, Comptroller Bruce Sheaffer and a few other excepted NPS officials will remain in Headquarters during this closure and are available for specific questions. I anticipate we will receive many questions and a variety of offers from other agencies and organizations to cover our costs and re-open parks, memorials, trails, roads, or other facilities. Such overtures are to be respectfully rejected. In accordance with Title 16 of the US Code, the National Park System is to be managed for the common benefit of all the people of the United States, and is funded primarily by federal appropriations to achieve this responsibility. Beyond the legal issues involved, it will not be appropriate to open some parks or some parts of parks with non-appropriated or non-federal funding while other parts of the National Park System remain closed.

I know this creates a great deal of frustration and challenges to our employees, mission, partners and visitors. We will get through this.

Attachment 2 – All-Employee Memo issued from DOI Assistant Secretary Rhea Suh Monday 9/30/2012

TO: All Department of the Interior Employees

FROM: Rhea Suh, Assistant Secretary for Policy, Management and Budget

SUBJECT: Guidance Concerning Efforts To Plan For A Potential Lapse In Appropriations

I want to provide you with important information and guidance concerning efforts to plan for and address a potential lapse of appropriations and government shutdown on Tuesday, October 1, 2013.

While the Administration believes that a lapse in funding should not occur, we have a responsibility to the public and to our employees to do everything possible to prepare for a potential shutdown.

These are challenging times – and we understand that these circumstances are challenging to you and your family. A lapse in government activities could impose hardships on you, your families, and the people we serve. We hope that Congress acts quickly to prevent a shutdown and pass a continuing resolution. In the meantime, we want you to know that we are doing everything we can to prepare for a potential shutdown. We will provide you with as much information as possible.

The information, guidance and resources outlined below cover the most important information that you will need to know over these next few days. I encourage you to read it, to print out the Shutdown Checklist for Furloughed Employees, and to make note of telephone numbers you can call and websites you can visit to help keep you updated on the latest information.

### **Employee Status during a Funding Lapse**

If a shutdown occurs, most of our agency's staff will be furloughed. This is not a reflection on the value or importance of our employees' work.

A limited number of employees will be designated as "exempt" or "excepted." Employees who fall into these specialized categories have been apprised of their designation. Exempt employees will continue to work because they are funded from non-lapsing appropriations. Excepted employees will continue to work, despite lapsing appropriations, in order to protect life and property.

A set of general questions and answers can be found on <http://www.doi.gov/shutdown>

### **Shutdown Notification**

If there is a lapse in appropriations on Tuesday, October 1, 2013 and we have direction to proceed with shutdown, the following applies:

Employees should report to work at their normal time and will be given up to four hours to conduct shut down activities. Within the four hour timeframe, an employee should complete their timesheet, work with their supervisor to secure property and files, receive a furlough letter and acknowledge receipt, and conduct other activities as directed. Supervisors may make other arrangements with employees in order to accomplish these shutdown activities through other means, such as teleworking. Employees should report to work unless they have received different direction from their supervisors. Some employees will be given additional time for shutdown activities that will extend beyond the 4 hours. Your supervisor will inform you if you are one of these individuals that is needed to help with these extended shutdown efforts.

A set of human resources questions and answers can be found on <http://www.doi.gov/shutdown>

### **Shutdown Activities**

All employees will be required to complete a series of shutdown activities. Employees must use their time for shutdown activities only, not to work on any non-shutdown projects, tasks, activities or respond to emails. Shutdown activities include:

- Accessing your email.
- Reading your furlough notice and affirming to your supervisor that you did receive it.
- Changing your voicemail message to indicate you will be out of the office for an unspecified time.
- Changing and enabling your email “out of office” message.
- Securing your work documents appropriately.
- Completing your time card.
- Securing your work station and securing government property.

A checklist of shutdown activities with additional guidance is included at the end of this message.

### **Telework**

Employees who have been approved to telework on Tuesday, October 1 should complete as many shutdown activities as possible (please see attached checklist) before they leave work on Monday, September 30, including completing their timecards, so that on Tuesday, October 1, their responsibilities will be to read their furlough email notification and affirm to their supervisor that they did receive it.

### **Time and Attendance**

In the event of a government shutdown, employees should record their actual hours for the current pay period, 2013-21, as you normally would for the time period September 22-30, 2013.

- For employees who are not exempt or excepted and would be furloughed – record the balance of the pay period, October 1-5, against the Furlough pay code (pay code 103). Employees should keep track of hours spent on shutdown activities. Amended time sheets will be completed after operations resume.

- For excepted employees who will remain on duty to protect life and property - record the balance of the pay period, October 1-5, against the Furlough pay code (pay code 103). Excepted employees should keep track of their time outside of the system.

- For employees who are exempt and will continue to work because they are paid from non-lapsing appropriations – report all hours worked as you normally would.

A set of questions and answers on this are at the end of this document.

### **Employee Pay**

October 1, 2013 is a regular payday covering the pay period ending Saturday, September 21, 2013. Employees will be paid on schedule for their hours worked during that pay period. If a shutdown occurs, all employees can expect to be paid on Tuesday, October 15, 2013 for hours worked from September 22, 2013 through September 30, 2013.

All employees will be paid for actual time spent conducting shutdown activities (for most employees this will be no more than 4 hours) after the Congress enacts an appropriation or a continuing resolution.

During the shutdown, exempt employees will be paid for actual hours worked in subsequent pay periods every two weeks. Excepted employees will be paid for actual hours worked during the shutdown upon the next regular payday following passage of a funding bill. Congress will determine if furloughed employees will be paid subsequent to enactment of an appropriation or continuing resolution.

### **Use of Electronic Equipment**

Please keep in mind that employees are prohibited from working while furloughed, including using agency owned computers, mobile devices, and using remote access service to access email or other applications. You should turn off all devices and secure and store government equipment.

### **Leave**

If you have been previously approved to take leave on Tuesday, October 1, and there is a shutdown, your leave will be cancelled. You are expected to report to your duty station unless

you have made alternative arrangements with your supervisor. If there is no shutdown or the government reopens and you had pre-existing leave plans, you should contact your supervisor to ensure your leave approval is still in place or if you are needed to return to work.

## **Travel**

All employees should refrain from beginning official travel leading up to a possible shutdown and should not be traveling during the shutdown, with certain exclusions.

- Exempt employees who are funded through non-lapsing appropriations may travel with the appropriate approvals from their supervisor.
- Excepted employees who need to travel to protect life and property should do so with the approval of their supervisor. If there is a shutdown, please check with your supervisor to find out if you should immediately return to your duty station or remain in travel status.
- Employees who would be furloughed and are on travel when the shutdown occurs, must return to their duty station as soon as possible.
- Employees assigned overseas are not considered to be in travel status because their overseas location is considered their permanent station.
- Employees on extended TDY travel where a detail personnel action (SF52) was issued and funded should not return to their home location unless instructed by their supervisor.

A set of travel questions and answers can be found on <http://www.doi.gov/shutdown>

## **Access to Buildings and Facilities**

The Main Interior Building (MIB) and South Interior Building (SIB) will be closed to the public throughout the shutdown, although employees who are exempt or excepted will have access. Employees that are furloughed will be able to access the credit union and should check-in at the guard desk

The cafeteria in MIB will be closed. The snack bars in MIB and SIB will be open.

All ramps to the MIB garage will be open on October 1, 2013. Commencing October 2, 2013, only Ramps A and D will be open in MIB.

Parking will be available during the shutdown for those employees that have parking permits for MIB, SIB and the Federal Reserve if they are exempt or excepted.

## **Transit Subsidy**

The transit subsidy has already been loaded onto the electronic media and will be available to employees on October 1, 2013. Employees are authorized to use the subsidy for October 1, 2013 and excepted and exempt employees can use the subsidy during the duration of the shutdown. On call staff can use the subsidy if they are called back to work.

All unused subsidy media will be swept back by DOT at the end of the month.

### **Agency Services**

In October 1, 2013, the shuttles to MIB are expected to be operating. During a government shutdown, after October 1, there will be no shuttle services to MIB and SIB. During the shutdown there will be limited custodial and mail service and the health unit and fitness center will be closed. The MIB child day care center will be closed throughout the duration of the shutdown.

### **Information Resources**

There are a number of resources available where you can get further shutdown information and status updates. Shutdown information can be found on <http://www.doi.gov/shutdown>

In addition, furlough guidance can also be found at the Office of Personnel Management website at [www.opm.gov/furlough](http://www.opm.gov/furlough). You are also encouraged to listen to the news media to obtain information on the status of government funding and whether a shutdown is necessary.

### **Shutdown Checklist for Furloughed Employees**

- Meet with your supervisor to obtain additional necessary details and guidelines about shutdown procedures.
- Provide information about where your supervisor can reach you in the event the government reopens – home phone, personal cell phone, relative phone, etc.
- Access your email and read your furlough notice and affirm to your supervisor that you have received it. Instructions can be found at <http://googl/INIPRI>.
- Change your voicemail message. Suggested language for employee voicemail:  

“I am out of the office for the duration of the government shutdown. I will not be checking messages, but will return your call upon my return to the office.”
- Change and enable your email “out of office” message. Suggested message:  

“I am out of the office for the duration of the government shutdown. I will not be checking messages, but will return your email upon my return to the office.”
- Secure your work documents appropriately so they are not left out in the open.

- Turn off and put away devices, phones, laptops, etc. for safekeeping.
- Throw out any perishable food.
- Remove or store any personal items for safekeeping.
- Complete your time card
- Turn off the lights and lock the door when you leave (presuming there are no other occupants in the office).

## FAQ'S FOR ENTRY OF TIME & ATTENDANCE DURING GOVERNMENT SHUTDOWN

SEPTEMBER 27, 2013

**1. I have received notice that I will be furloughed (not excepted) during the government shutdown. How do I enter my time and attendance?**

For the current pay period, 2013-21, *through September 30*, report all hours worked, leave taken, etc., as you normally would (only for September 22-30).

The remainder of the October 1-5 period should be recorded against the Furlough pay code (pay code 103). Employees should keep track of the time they spent on shutdown activities. Amended timesheets will be completed after government operations resume to reflect actual time spent on shutdown activities.

**2. I have received notice that I have been excepted from the furlough. How do I enter my T&A?**

For the current pay period, 2013-21, *through September 30*, report all hours worked, leave taken, etc., as you normally would (for September 22-30).

For the balance of the pay period (October 1-5), hours should be recorded against the Furlough pay code.

Excepted personnel should keep track off-line the hours worked for later submission of an amended timesheet when Congress enacts an appropriation bill.

**3. I have received notice that I am exempt from the furlough. How do I enter my T&A?**

Exempt personnel are funded by a non-lapsing appropriation, and therefore you report all hours worked or leave taken as you normally would.

**4. What if I am furloughed, but it's only for a few days?**

If Congress enacts an appropriation bill and an employee Returns to Duty anytime between October 1 – October 5, 2013 (in pay period 2013-21), timesheets would need to be “unverified” to allow for update for actual hours worked and/or furlough hours. Normal T&A processing procedures would then be followed.

**5. What if the furlough lasts longer than this pay period, 2013-21, which ends on October 5?**

Exempt employees will continue to record their actual time worked.

For excepted personnel, hours should continue to be recorded against the pay code 103 (furlough hours). Excepted personnel should continue to keep track off-line the hours worked for later submission of an amended timesheet when Congress enacts an appropriation bill.

IBC will assume that timesheets not submitted by October 23 (for the pay period ending October 20), should be charged to pay code 103 (furlough hours).



# United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

Office of the Director

## National Park System Closure Determination and Notice

Pursuant to 36 C.F.R. § 1.5, effective at 12:01 a.m. on October 1, 2013, all units of the National Park System nationwide are closed to public visitation and use, subject to the conditions and exceptions described below. This national closure determination and notice is necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System and will remain in effect until funding is restored. The period of time during which appropriated funds are not available may be referred to in this determination and notice as the “shutdown period.”

Under 36 C.F.R. § 1.5(a) this national closure determination and notice is necessary to maintain public health and safety in units of the National Park System and to protect park resources and values during the shutdown period. Consistent with the Department of the Interior Contingency Plan, available at [www.doi.gov/shutdown](http://www.doi.gov/shutdown), only a relatively small number of “excepted personnel” will be on duty during the shutdown period. Those personnel are not sufficient to provide a full range of visitor services. Therefore, in light of the shutdown and Contingency Plan, measures less restrictive than a national closure will not suffice to maintain public health and safety and to protect park resources and values. The lapse in appropriated funds qualifies as an “emergency” under 36 C.F.R. § 1.5(b); therefore, this determination and notice does not require special rulemaking.

### Condition and Exceptions:

1. National Park Service personnel who have been identified as excepted will continue to report for duty in accordance with the National Park Service Contingency Plan and as directed by their supervisors.
2. Members of the public who are currently visiting a unit of the National Park System and not staying overnight in the park must vacate the park immediately. All day-use concession-operated visitor services and facilities are to be closed immediately. Exceptions may be granted by superintendents only if a facility is deemed essential for health or safety purposes.
3. Subject to paragraph 6 below, members of the public who are currently visiting a unit of the national park system and staying overnight either in a National Park Service-operated campground or a concessioner-operated facility in the park must vacate the park by 6:00 p.m. EDT on October 3, 2013.
4. Subject to paragraph 6 below, National Park Service concessioners must suspend their operations in overnight accommodations by 6:00 p.m. EDT on October 3, 2013.
5. Subject to paragraph 6 below, holders of National Park Service commercial use authorizations must immediately cease their in-park operations.

6. The deadlines announced above do not apply to members of the public, concessioners, and holders of commercial use authorizations who are on multi-day backcountry trips that cannot be safely terminated before the end of the trip. Those individuals may continue and complete their multi-day backcountry trips in accordance with their approved permit or plan. Those individuals then must vacate the park within 12 hours after the completion of their trip.

7. This closure determination and notice does not apply to private owners of interests in real property located within the exterior boundaries of units of the National Park System. Park superintendents will continue to allow such owners reasonable access to their private property.

8. This closure determination and notice does not apply to roads that pass through units of the National Park System and provide primary access between points located outside of the parks. Members of the public may continue to use those roads during the shutdown period. However, superintendents may not expend any appropriated funds to maintain or repair those roads. Moreover, superintendents may close those roads, or portions of those roads, in accordance with 36 C.F.R. § 1.5, if such closure is warranted by weather, poor road conditions, or other circumstances.

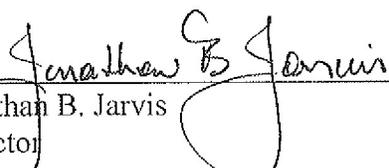
9. All previously issued permits for special events scheduled to occur in units of the National Park System during the shutdown period are hereby cancelled. At the end of the shutdown period holders of cancelled permits may apply for a new permit. Except as provided in paragraph 10 below, all closed areas of the National Park System are also closed to First Amendment activities during the shutdown period, and any previously issued permits for First Amendment activities are hereby cancelled.

10. This closure determination and notice does not apply to First Amendment activities in the National Mall and Memorial Parks and areas administered by the NPS Liaison to the White House in Washington, D.C., and Independence National Historical Park in Philadelphia, Pennsylvania. Persons may continue to conduct First Amendment activities in these units in accordance with existing regulations.

11. Each park superintendent must take reasonable measures to comply with 36 C.F.R. § 1.7 and to provide adequate public notice of this national closure determination and notice.

12. This national closure determination and notice will expire automatically at the end of the shutdown period.

13. Violation of this national closure determination and notice is prohibited.

  
Jonathan B. Jarvis  
Director

October 1, 2013  
Date

# National Park Service



## Shutdown Guidance: Signage

The following message will be posted at all parks and facilities (attached as a sign).

- Because of the federal government shutdown, this National Park Service facility is closed.

**Source:** WASO Communications

*Updated September 27, 2013*



**Because of the federal  
government shutdown, this  
National Park Service  
facility is closed.**



Office of the Director

# United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, D.C. 20240

## National Park System Closure Determination and Notice

Pursuant to 36 C.F.R. § 1.5, effective at 12:01 a.m. on October 1, 2013, all units of the National Park System nationwide are closed to public visitation and use, subject to the conditions and exceptions described below. This national closure determination and notice is necessitated by a lapse in funds appropriated by the United States Congress for the operation of the National Park System and will remain in effect until funding is restored. The period of time during which appropriated funds are not available may be referred to in this determination and notice as the “shutdown period.”

Under 36 C.F.R. § 1.5(a) this national closure determination and notice is necessary to maintain public health and safety in units of the National Park System and to protect park resources and values during the shutdown period. Consistent with the Department of the Interior Contingency Plan, available at [www.doi.gov/shutdown](http://www.doi.gov/shutdown), only a relatively small number of “excepted personnel” will be on duty during the shutdown period. Those personnel are not sufficient to provide a full range of visitor services. Therefore, in light of the shutdown and Contingency Plan, measures less restrictive than a national closure will not suffice to maintain public health and safety and to protect park resources and values. The lapse in appropriated funds qualifies as an “emergency” under 36 C.F.R. § 1.5(b); therefore, this determination and notice does not require special rulemaking.

### Condition and Exceptions:

1. National Park Service personnel who have been identified as excepted will continue to report for duty in accordance with the National Park Service Contingency Plan and as directed by their supervisors.
2. Members of the public who are currently visiting a unit of the National Park System and not staying overnight in the park must vacate the park immediately. All day-use concession-operated visitor services and facilities are to be closed immediately. Exceptions may be granted by superintendents only if a facility is deemed essential for health or safety purposes.
3. Subject to paragraph 6 below, members of the public who are currently visiting a unit of the national park system and staying overnight either in a National Park Service-operated campground or a concessioner-operated facility in the park must vacate the park by 6:00 p.m. EDT on October 3, 2013.
4. Subject to paragraph 6 below, National Park Service concessioners must suspend their operations in overnight accommodations by 6:00 p.m. EDT on October 3, 2013.
5. Subject to paragraph 6 below, holders of National Park Service commercial use authorizations must immediately cease their in-park operations.

6. The deadlines announced above do not apply to members of the public, concessioners, and holders of commercial use authorizations who are on multi-day backcountry trips that cannot be safely terminated before the end of the trip. Those individuals may continue and complete their multi-day backcountry trips in accordance with their approved permit or plan. Those individuals then must vacate the park within 12 hours after the completion of their trip.

7. This closure determination and notice does not apply to private owners of interests in real property located within the exterior boundaries of units of the National Park System. Park superintendents will continue to allow such owners reasonable access to their private property.

8. This closure determination and notice does not apply to roads that pass through units of the National Park System and provide primary access between points located outside of the parks. Members of the public may continue to use those roads during the shutdown period. However, superintendents may not expend any appropriated funds to maintain or repair those roads. Moreover, superintendents may close those roads, or portions of those roads, in accordance with 36 C.F.R. § 1.5, if such closure is warranted by weather, poor road conditions, or other circumstances.

9. All previously issued permits for special events scheduled to occur in units of the National Park System during the shutdown period are hereby cancelled. At the end of the shutdown period holders of cancelled permits may apply for a new permit. Except as provided in paragraph 10 below, all closed areas of the National Park System are also closed to First Amendment activities during the shutdown period, and any previously issued permits for First Amendment activities are hereby cancelled.

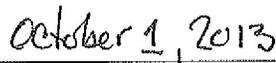
10. This closure determination and notice does not apply to First Amendment activities in the National Mall and Memorial Parks and areas administered by the NPS Liaison to the White House in Washington, D.C., and Independence National Historical Park in Philadelphia, Pennsylvania. Persons may continue to conduct First Amendment activities in these units in accordance with existing regulations.

11. Each park superintendent must take reasonable measures to comply with 36 C.F.R. § 1.7 and to provide adequate public notice of this national closure determination and notice.

12. This national closure determination and notice will expire automatically at the end of the shutdown period.

13. Violation of this national closure determination and notice is prohibited.

  
Jonathan B. Jarvis  
Director

  
Date

Donation Agreement  
Between the  
National Park Service, United States Department of the Interior  
and the  
State of New York

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of New York (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept those donated funds, in order to enable the NPS to reopen and temporarily operate and manage Statue of Liberty National Monument (hereinafter "STLI") during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, the visitors to STLI through their economic activity, play a vital role in the economies and well-being of New York and other towns and cities located near STLI;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, STLI was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, STLI will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in STLI;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen STLI to public use and visitation and to operate and manage STLI during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

#### Article II - Statement of Agreement

##### A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen STLI to public use and visitation, the State will donate to the NPS, for each day that STLI is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is \$61,600.00. The amount of money listed in Exhibit A includes all normal costs of operating and managing STLI calculated on a per-day basis, including direct and indirect personnel costs. The NPS will operate and manage STLI in accordance with its standard operating procedures.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen STLI.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage STLI for a period of six days beginning at 12:01 a.m. on October 12, 2013, and ending at 11:59 p.m. on October 17, 2013. The amount required to reopen, operate, and manage STLI for those six days is \$369,300.00

4. If the State desires to donate additional amounts to keep STLI open beyond 11:59 p.m. on October 17, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage STLI for two calendar days, i.e., \$123,200.00.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

##### B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen STLI and will operate

and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close STLI to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing STLI. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, the NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

#### Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

#### Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:  
Jonathan B. Jarvis, Director  
National Park Service  
United States Department of the Interior  
Room 3112  
1849 C Street, NW  
Washington, DC 20240  
Telephone: (202) 208-4621  
Telefax: (202) 208-7889

Email: [jon.jarvis@nps.gov](mailto:jon.jarvis@nps.gov)

For the State:

Governor Andrew M. Cuomo  
State of New York

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations, and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of STLI under such applicable laws, regulations, and policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

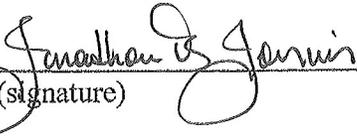
F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission or PDF/email) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

  
Name (signature)

Director, National Park Service  
Title

10/11/2013  
Date

For the State of New York



Andrew M. Cuomo

Governor, State of New York

Title

10/11/13

Date

# National Park Service



## Shutdown Guidance: Signage

The following message will be posted at all parks and facilities (attached as a sign).

- Because of the federal government shutdown, this National Park Service facility is closed.

**Source:** WASO Communications

*Updated September 27, 2013*

# National Park Service



## Shutdown Guidance: Signage

The following message will be posted at all parks and facilities (attached as a sign).

- Because of the federal government shutdown, this National Park Service facility is closed.

**Source:** WASO Communications

*Updated September 27, 2013*



**Because of the federal  
government shutdown, this  
National Park Service  
facility is closed.**

Donation Agreement  
Between the  
National Park Service, United States Department of the Interior  
and the  
State of South Dakota

This agreement (hereinafter “Agreement”) is entered into by and between the National Park Service (hereinafter “NPS”), an agency of the United States Department of the Interior, acting through its Director, and the State of South Dakota (hereinafter “State”), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept those donated funds, in order to enable the NPS to reopen and temporarily operate and manage Mount Rushmore National Memorial (hereinafter “Rushmore”) during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the “shutdown period”). Throughout this Agreement the NPS and the State may be referred to jointly as “the parties.”

Article I - Background

Whereas, Rushmore is located entirely in the State, and annually attracts more than three million visitors;

Whereas, the visitors to Rushmore, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near Rushmore and in the economy of the State as a whole;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, Rushmore was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, Rushmore will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities at Rushmore;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen Rushmore to public use and visitation and to operate and manage Rushmore during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

## Article II - Statement of Agreement

### A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen Rushmore to public use and visitation, the State will donate to the NPS, for each day that Rushmore is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A, which is \$.... The amount of money listed in Exhibit A includes all normal costs of operating and managing Rushmore, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will operate and manage Rushmore in accordance with its standard operating procedures.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen Rushmore.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage Rushmore for a period of ten days beginning at 5:30 a.m. on Monday, October 14, 2013, and ending at 11:59 p.m. on Wednesday, October, 23 2013. The amount required to reopen, operate, and manage Rushmore for those ten days is \$152,000.

4. If the State desires to donate additional amounts to keep Rushmore open beyond 11:59 p.m. on Wednesday, October 23, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage Rushmore for two calendar days, i.e., \$30,400.

5. If the State desires for the NPS to operate and manage Rushmore after Wednesday, October 23, 2013, then the State must transfer to the NPS at least two days of

operating costs by the close of business Eastern Daylight Time on Monday, 21, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen Rushmore and will operate and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close Rushmore to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing Rushmore. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, the NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

#### Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

#### Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:  
Jonathan B. Jarvis, Director  
National Park Service  
United States Department of the Interior  
Room 3112  
1849 C Street, NW  
Washington, DC 20240  
Telephone: (202) 208-4621  
Telefax: (202) 208-7889  
Email: [jon.jarvis@nps.gov](mailto:jon.jarvis@nps.gov)

For the State:  
Governor Dennis Daugaard  
State of South Dakota  
c/o Matt Konenkamp, Policy Advisor  
500 East Capitol Avenue  
Pierre, SD 57501  
Telephone: (605) 773-3212  
Email: [matt.konenkamp@state.sd.us](mailto:matt.konenkamp@state.sd.us)

#### Article V - Prior Approval

Not applicable.

#### Article VI - Reports

Not applicable.

#### Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

#### Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

#### Article IX - Standard Clauses

#### A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

#### B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

#### C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

#### D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations, and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of Rushmore under such applicable laws, regulations, and policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

#### E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

#### F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission or PDF/email) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

#### Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

Jonathan B. Jensen  
Name (signature)

Director, National Park Service

Title

10/11/2013  
Date

For the State of South Dakota:

Dennis Daugaard  
Name (signature)

Governor, State of South Dakota

Title

Oct 11, 2013  
Date

Donation Agreement  
Between the  
National Park Service, United States Department of the Interior  
and the  
State of Tennessee

This agreement (hereinafter “Agreement”) is entered into by and between the National Park Service (hereinafter “NPS”), an agency of the United States Department of the Interior, acting through its Director, and the State of Tennessee (hereinafter “State”), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept those donated funds, in order to enable the NPS to reopen and temporarily operate and manage Great Smoky Mountains National Park (hereinafter “GRSM”) during the period when funds appropriated by the United States Congress for the operation of the National Park System are not available (hereinafter the “shutdown period”). Throughout this Agreement the NPS and the State may be referred to jointly as “the parties.”

Article I - Background

Whereas, GRSM is located entirely in the State, encompasses approximately 522,000 acres, and annually attracts more than 9 million visitors;

Whereas, the visitors to GRSM, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near GRSM;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, GRSM was closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, GRSM will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS’s cadre of trained professional personnel is uniquely qualified to operate and manage the natural and cultural resources and visitor-use facilities in GRSM;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen GRSM to public use and visitation and to operate and manage GRSM during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

## Article II - Statement of Agreement

### A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen GRSM to public use and visitation, the State will donate to the NPS, for each day that GRSM is open to public use and visitation during the shutdown period, which is \$60,100. The amount of money includes all normal costs of operating and managing GRSM, calculated on a per-day basis, including direct and indirect personnel costs. The NPS will operate and manage GRSM in accordance with its standard operating procedures.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account as provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited before the NPS may reopen GRSM.

3. The State initially will cause to be transferred to the NPS enough money to reopen, operate, and manage GRSM for a period of 5 days beginning at 12:00 a.m. on Wednesday, October 16, 2013, and ending at 11:59 p.m. on Sunday, October 20, 2013. The amount required to reopen, operate, and manage GRSM for those 5 days is \$300,500.

4. If the State desires to donate additional amounts to keep GRSM open beyond 11:59 p.m. on October 20, 2013, then the State will cause to be transferred additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage GRSM for two calendar days, i.e., \$121,600.

5. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

### B. The NPS agrees as follows:

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen GRSM and will operate and manage it in accordance with the NPS's standard operating procedures until the donated funds are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close GRSM to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing GRSM. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

C. The parties further agree as follows:

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, the NPS will not reimburse the State for such previously obligated or expended funds.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter or until terminated in accordance with article VIII below, whichever comes first.

Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:  
Jonathan B. Jarvis, Director  
National Park Service  
United States Department of the Interior  
Room 3112  
1849 C Street, NW  
Washington, DC 20240

Telephone: (202) 208-4621  
Telefax: (202) 208-7889  
Email: [jon.jarvis@nps.gov](mailto:jon.jarvis@nps.gov)

For the State:  
Governor Bill Haslam  
State of Tennessee  
First Floor, State Capitol  
Nashville, TN 37243

Telephone: (615) 741-2001  
Email: [bill.haslam@tn.gov](mailto:bill.haslam@tn.gov)

Article V - Prior Approval

Not applicable.

Article VI - Reports

Not applicable.

Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

Article IX - Standard Clauses

A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third party.

D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations, and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of GRSM under such applicable laws, regulations, and policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

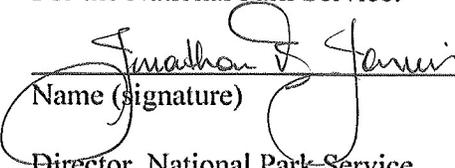
F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile transmission or PDF/email) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

For the National Park Service:

  
Name (signature)

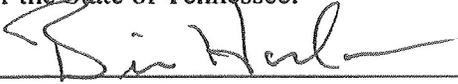
Director, National Park Service

Title

10/15/2013

Date

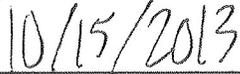
For the State of Tennessee:



\_\_\_\_\_  
Name (signature)

Governor, State of Tennessee

\_\_\_\_\_  
Title



\_\_\_\_\_  
Date

Donation Agreement  
Between the  
National Park Service, United States Department of the Interior  
and the  
State of Utah

This agreement (hereinafter "Agreement") is entered into by and between the National Park Service (hereinafter "NPS"), an agency of the United States Department of the Interior, acting through its Director, and the State of Utah (hereinafter "State"), acting through its Governor. This Agreement sets forth the terms and conditions under which the State may donate funds to the NPS, and under which the NPS may accept donated funds, in order to enable the NPS to reopen and temporarily operate and manage identified units of the National Park System during the period in which federally appropriated funds are not available (hereinafter the "shutdown period"). Throughout this Agreement the NPS and the State may be referred to jointly as "the parties."

Article I - Background

Whereas, 13 units of the National Park System (i.e., individual areas of land or water administered by the Secretary of the Interior through the NPS for park, monument, historic, parkway, recreational, or other purposes) are located entirely or partially in the State of Utah;

Whereas, the visitors to those units, through their economic activity, play a vital role in the economies and well-being of the towns and cities located near the units and in the economy of the State as a whole;

Whereas, those 13 units include Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Capitol Reef National Park, Cedar Breaks National Monument, Glen Canyon National Recreation Area, Natural Bridges National Monument, and Zion National Park;

Whereas, the federal Anti-Deficiency Act, 31 U.S.C. § 1341, prohibits federal employees from making or authorizing an expenditure or obligation exceeding an amount available in an appropriation or fund for the expenditure or obligation or involving the federal government in a contract or obligation for the payment of money before an appropriation is made unless authorized by law;

Whereas, as a result of a lapse in funds appropriated by the United States Congress for the operation of the National Park System, all 13 units of the National Park System in the State were closed to public use and visitation effective at 12:01 a.m. EDT on October 1, 2013;

Whereas, absent alternative funding, the 13 units of the National Park System located in the State will remain closed until Congress appropriates funds for the operation of the National Park System and the shutdown period ends;

Whereas, the NPS's cadre of trained professional personnel is uniquely qualified to operate, maintain, and protect the natural and cultural resources and visitor-use facilities in the 13 units of the National Park System located in the State;

Whereas, the State desires to donate funds to the NPS for the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units identified above and in Exhibit A to this Agreement and to operate and manage those units during part or all of the shutdown period;

Whereas, 16 U.S.C. § 6 authorizes the Secretary of the Interior, in her administration of the NPS, to accept moneys which may be donated for the purposes of the National Park System;

Whereas, the NPS desires to accept the State's donation of funds on the terms and conditions described in this Agreement;

Now, therefore, the parties agree as follows:

## Article II - Statement of Agreement

### A. The State agrees as follows:

1. For the sole purpose of enabling the NPS to reopen to public use and visitation the 8 units that are identified above and in Exhibit A to this Agreement, the State will donate to the NPS, for each day that each unit is open to public use and visitation during the shutdown period, the amount of money listed in Exhibit A. The amount of money listed in Exhibit A for each unit includes all normal costs of operating and managing the identified units, calculated on a per-day basis (beginning at 12:01 a.m. local time and ending at 11:59 p.m. local time each calendar day), including direct and indirect personnel costs.

2. The State will accomplish the donation through an electronic funds transfer to the United States Treasury donation account provided by the NPS. The State understands and agrees that, in order to avoid a violation of the federal Anti-Deficiency Act, the money must be transferred and deposited in accordance with NPS instructions before the NPS may reopen any units identified in Exhibit A.

3. The State initially intends to donate to the NPS enough money to reopen, operate, and manage the 8 units identified in Exhibit A for a period of ten days beginning at 12:01 a.m. local time on Friday, October 11, 2013, and ending at 11:59 p.m. local time on Sunday, October 20, 2013. The amount required to reopen, operate, and manage those 8 units for ten days is \$1,665,720.80.

4. If the State desires to donate additional amounts to keep those 8 units open beyond Sunday, October 20, 2013, then the State will transfer additional amounts to the NPS through subsequent electronic funds transfers. The parties understand and agree that because of the costs of mobilizing and demobilizing NPS personnel, the NPS will accept, at a minimum, a donation sufficient to operate and manage the 8 units for two calendar days, i.e., \$333,144.16.

5. If the State desires for the NPS to operate and manage the 8 units after Sunday, October 20, 2013, then the State must transfer to the NPS at least two days of operating costs by the close of business Eastern Daylight Time on Friday, October 18, 2013. Because the shutdown of any park takes two days, the NPS will commence park shutdown unless the State maintains a two-day balance in the donation account at all times.

**B. The NPS agrees as follows:**

1. Upon verification that State-donated funds have been deposited in the appropriate United States Treasury account, the NPS will promptly reopen the units identified in Exhibit A and will operate and manage each of those units until the funds donated for a particular unit are depleted or until the United States Congress has appropriated funds for the operation of the National Park System, whichever comes first. The parties understand and agree that if the State-donated funds are depleted before Congress appropriates funds for the operation of the National Park System, then the NPS must and will immediately close the units to public use and visitation.

2. The NPS will not obligate or expend any State-donated funds for any purpose other than reopening, operating, and managing the units identified in Exhibit A to this Agreement. More particularly, the NPS will not obligate or expend any State-donated funds for capital improvements to federally owned or operated facilities or for other-than-routine maintenance of those facilities.

**C. The parties further agree as follows:**

1. If the United States Congress appropriates funds for the operation of the National Park System before the funds donated to the NPS by the State are fully obligated, then the NPS will refund to the State the unobligated balance of the State-donated funds. Moreover, if the United States Congress appropriates funds and expressly directs the NPS to reimburse the State for State-donated funds previously obligated or expended by the NPS, then the NPS will promptly take action to do so.

2. Notwithstanding the execution of this Agreement, the State has no obligation to donate any funds to the NPS.

3. The parties' representatives who are signing this Agreement warrant that they have full authority to bind their respective parties to the terms and conditions of this Agreement.

### Article III - Term of Agreement

This agreement will be effective on the date of final signature and will continue in effect for 30 days thereafter, until the enactment into law of either an annual appropriations bill for NPS or a bill or joint resolution that continues the availability of appropriated funds for NPS pending the enactment of an annual appropriation act for NPS or until terminated in accordance with article VIII below, whichever comes first.

### Article IV - Designated Representatives

All notices and other written communications regarding this agreement will be sent via email and first-class mail to the following designated representatives of the parties:

For the NPS:

Director  
National Park Service  
United States Department of the Interior  
Room 3112  
1849 C Street, NW  
Washington, DC 20240  
Telephone: (202) 208-4621  
Telefax: (202) 208-7889  
Email: [jon.jarvis@nps.gov](mailto:jon.jarvis@nps.gov)

For the State:

Governor Gary R. Herbert  
State of Utah  
c/o John A. Pearce, General Counsel  
Utah State Capitol, Suite 200  
P.O. Box 14220  
Salt Lake City, UT 84114-2220  
Telephone: (801) 538-1504  
Email: [jpearce@utah.gov](mailto:jpearce@utah.gov)

### Article V - Prior Approval

Not applicable.

### Article VI - Reports

Not applicable.

### Article VII - Property Utilization

Unless otherwise agreed to in writing by the parties, any property furnished by one party to the other will remain the property of the furnishing party.

## Article VIII - Modification and Termination

This agreement may be modified only by a written instrument executed by the parties.

Either party may terminate this agreement for any reason by providing the other party with 24 hours' advance written notice of its intention to do so. If either party provides the other party with notice of its intention to terminate, then the parties' representatives will communicate promptly to discuss the reasons for the notice and to try to resolve their differences amicably.

## Article IX - Standard Clauses

### A. Civil Rights

During the performance of this agreement, the participants agree to abide by the terms of USDI-Civil Rights Assurance Certification, non-discrimination, and will not discriminate against any person because of race, color, religion, sex, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.

### B. Officials Not to Benefit

No member of or delegate to Congress or resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

### C. No Third-Party Beneficiaries

Nothing in this agreement is intended to grant any rights or provide any benefits to any third-party.

### D. Compliance with Applicable Laws

This Agreement and performance hereunder is subject to all applicable laws, regulations and government policies, whether now in force or hereafter enacted or promulgated. Nothing in this Agreement shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and management policies. Nothing in this Agreement shall be deemed inconsistent with or contrary to the purpose or intent of any Act of Congress.

### E. Merger

This Agreement, including its attachments, is the sole and entire agreement of the parties.

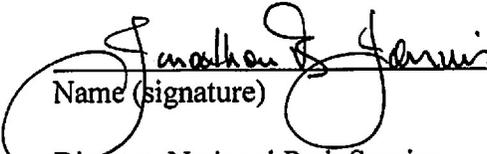
F. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original (including copies sent to a party by facsimile or email transmission) as against the party signing such counterpart, but which together shall constitute one and the same instrument.

Article X - Authorizing Signatures

In witness hereof, the following authorized representatives of the parties have signed their names on the dates indicated, thereby executing this agreement.

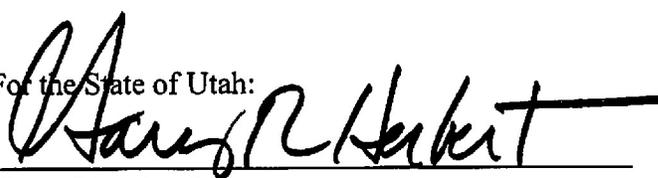
For the National Park Service:

  
Name (signature)

Director, National Park Service

Title

10/11/2013  
Date

For the State of Utah:  


Name (signature)

Governor, State of Utah

Title

10/10/2013  
Date

# 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.<sup>1</sup>

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."<sup>2</sup> 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.<sup>3</sup>

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

<sup>1</sup> Speech, National Park Service Director Horace M. Albright, Farewell Message; 1933.

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

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

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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.<sup>4</sup>

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.<sup>5</sup> 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."<sup>6</sup> Five days later, however, the NPS reversed course.<sup>7</sup> 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."<sup>8</sup>

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.<sup>9</sup> 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.<sup>10</sup> Then, just hours later, the park police mysteriously left, leaving the farm free to operate.<sup>11</sup> There was no explanation given to farm employees as to why the park police barricaded, then un-barricaded the farm.<sup>12</sup>

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.<sup>13</sup> The parking lots, however, were actually not NPS property.<sup>14</sup> 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.<sup>15</sup> 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.<sup>16</sup>

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

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

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

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

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

<sup>8</sup> *Id.*

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

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

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> "How the Shutdown Could Affect You," *WTOP*; October 9, 2013

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

Interior (DOI) to continue “Activities essential to ensure continued public health and safety.”<sup>17</sup> 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.<sup>18</sup> 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.<sup>19</sup> 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.”<sup>20</sup> 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.”<sup>21</sup> 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.”<sup>22</sup> 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.<sup>23</sup>

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.

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

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

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

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

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

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

<sup>23</sup> “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

HAKEEM S. JEFFRIES  
8TH DISTRICT, NEW YORK

COMMITTEE ON THE JUDICIARY  
COMMITTEE ON THE BUDGET



**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

WASHINGTON OFFICE  
1339 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-5936

DISTRICT OFFICES:

CENTRAL BROOKLYN OFFICE:  
55 HANSON PLACE, SUITE 603  
BROOKLYN, NY 11217  
(718) 237-2211

SOUTH BROOKLYN OFFICE:  
445 NEPTUNE AVENUE, FIRST FLOOR  
BROOKLYN, NY 11224  
(718) 373-0033

JEFFRIES.HOUSE.GOV

October 14, 2013

The Honorable Sally Jewell  
U.S. Department of the Interior  
1849 "C" Street, N.W.  
Washington, DC 20240

Dear Secretary Jewell,

I write with respect to Aviator Sports and Event Center (Aviator), an organization that resides in the Floyd Bennet Field area of Gateway National Park (Gateway), which I proudly represent in the U.S. Congress. As you know, the current government shutdown has affected national parks across our nation. Locally, the temporary closure of Aviator has adversely impacted my constituents, the local community and our economy. As such, I request that the National Park Service reassess their closure decision and permit Aviator to open its doors as soon as possible given their unique contractual and logistical standing.

The government shutdown requires that Gateway close to the public. However, as a concessionaire of the National Park Service, Aviator is independently situated with its own entrance and point of access for the public to gain admission. This layout permits Aviator grounds to be used without violation of the territorial integrity of other park land. Aviator is committed to staffing the locked gates surrounding their grounds to ensure the prevention of individuals attempting to visit other areas of the park, in a manner consistent with past practice.

The last quarter of the year is Aviator's busiest period, which makes the current closure particularly harmful. Ice hockey games, birthday parties, and large scale events with 15,000 attendees have been cancelled, rescheduled, or lost to competitors as a result of this shutdown. Non-profit organizations that serve developmentally disabled adults have been unable to use Aviator for the last two weeks, and it has already lost a month of revenue. With 49 full time employees languishing in uncertainty and approximately 125 part-time employees unable to work, the economic impact for the local community can only be remedied if the National Park Service reassesses its closure decision.

For the reasons set forth above, I respectfully request that the National Park Service permit Aviator to open its doors to the public forthwith.

best regards,

A handwritten signature in blue ink, appearing to read "Hakeem Jeffries".

Hakeem Jeffries  
MEMBER OF CONGRESS

cc: Lena McDowall, Business Management Office, NPS  
Suzanne McCarthy, Acting Superintendent, Gateway National Park



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

FEB 18 2014

Honorable Hakeem Jeffries  
House of Representatives  
Washington, DC 20515

Dear Congressman Jeffries:

Thank you for your letter of October 14, 2013, concerning the temporary closure of Aviator Sports, a facility operated through a National Park Service (NPS) concession contract at Gateway National Recreation Area in Brooklyn, New York.

The government shutdown from October 1 through October 16, 2013 resulted in significant financial impacts to businesses, communities, and federal employees. We understand that Aviator Sports was similarly impacted by the shutdown. Although the shutdown is over, we would nonetheless like to address the concerns raised in your letter.

All NPS concession managers were instructed to close concession operations during the shutdown. NPS policy on this matter was applied uniformly across the National Park System, and the determination was made after careful consideration. Although Aviator's location allows for direct access outside the park, there is no secured perimeter around the facility, and any visitors to Aviator would have had unfettered access to all of Floyd Bennett Field, which remained closed and unprotected during the government shutdown. Concession operations exist to serve park visitors, and as such, like other non-essential operations, they were required to close to ensure that park operations were in compliance with the Antideficiency Act.

Park staff was well aware of the negative impacts of the shutdown to many NPS partners and staff. We hope to put this unfortunate event behind us, and we look forward to the continued, uninterrupted operations of all NPS operations in the future.

As a result of concerns regarding the policy to close all concession operations, the NPS is currently considering revisions to its government shutdown guidance. We truly appreciate your continued support and personal interest in the National Park Service and Gateway National Recreation Area.

If you have any further questions about this matter please contact Gateway National Recreation Area Superintendent Jen Nersesian, who can be reached at (718) 354-4661.

Sincerely,

Rachel Jacobson  
Principal Deputy Assistant Secretary  
for Fish and Wildlife and Parks

HAKEEM S. JEFFRIES  
8TH DISTRICT, NEW YORK

COMMITTEE ON THE JUDICIARY  
COMMITTEE ON THE BUDGET



**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

WASHINGTON OFFICE  
1339 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-5936

DISTRICT OFFICES:

CENTRAL BROOKLYN OFFICE:  
55 HANSON PLACE, SUITE 603  
BROOKLYN, NY 11217  
(718) 237-2211

SOUTH BROOKLYN OFFICE:  
445 NEPTUNE AVENUE, FIRST FLOOR  
BROOKLYN, NY 11224  
(718) 373-0033

JEFFRIES.HOUSE.GOV

October 14, 2013

The Honorable Sally Jewell  
U.S. Department of the Interior  
1849 "C" Street, N.W.  
Washington, DC 20240

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Hakeem Jeffries  
MEMBER OF CONGRESS

cc: Lena McDowall, Business Management Office, NPS  
Suzanne McCarthy, Acting Superintendent, Gateway National Park



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

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Washington, DC 20515

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Sincerely,

Rachel Jacobson  
Principal Deputy Assistant Secretary  
for Fish and Wildlife and Parks



Howarth, Robert &lt;robert\_howarth@ios.doi.gov&gt;

---

## Fwd: Inquiry for Sec. Jewell

↑ message

**Neimeyer, Sarah** <sarah\_neimeyer@ios.doi.gov>

Tue, Oct 22, 2013 at 12:51 PM

To: Fay Iudicello <fay\_iudicello@ios.doi.gov>, Robert Howarth <robert\_howarth@ios.doi.gov>, Christopher Salotti <chris\_salotti@ios.doi.gov>, "Uriarte, Carlos" <carlos\_uriarte@ios.doi.gov>, Donald Hellmann <don\_hellmann@nps.gov>

Letter to SRJ.

—— Forwarded message ——

From: **Montoya, Ken** <Ken.Montoya@mail.house.gov>

Date: Tue, Oct 22, 2013 at 11:50 AM

Subject: Inquiry for Sec. Jewell

To: "Neimeyer, Sarah" &lt;sarah\_neimeyer@ios.doi.gov&gt;

Attached is the letter about reimbursement process for Arizona.

**Ken Montoya** | Legislative Director

Office of Congresswoman Ann Kirkpatrick (AZ-01)

330 Cannon House Office Building | Washington D.C. | 202-225-3361

Connect with Rep. Kirkpatrick: [Facebook](#) | [Twitter](#) | [E-newsletter](#)

—  
Sarah C. Neimeyer, Director  
Office of Congressional and Legislative Affairs  
Office of the Secretary  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Office - (202) 208-5557

Fax - (202) 208-5533

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 **20131022114248545.pdf**  
361K

KENNY MARCHANT  
24TH DISTRICT, TEXAS

COMMITTEE ON  
WAYS AND MEANS

SUBCOMMITTEE ON  
SELECT REVENUE MEASURES

SUBCOMMITTEE ON OVERSIGHT

WASHINGTON OFFICE:  
1110 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-6605

DISTRICT OFFICE:  
9901 EAST VALLEY RANCH PARKWAY  
SUITE 3035  
IRVING, TX 75063  
(972) 556-0162

Congress of the United States  
House of Representatives

Washington, DC 20515-4324

527786

RECEIVED  
2013 OCT 21 AM 10:44

OFFICE OF THE  
CLERK OF THE HOUSE OF REPRESENTATIVES

October 11, 2013

The Honorable Sally Jewell  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

Dear Secretary Jewell:

I am writing to you regarding recent news reports of tourists being intimidated and treated unprofessionally by the Park Service at Yellowstone National Park. I would appreciate a complete review of these reported incidents and answers to the following questions.

It has been reported that a tour group, including many international visitors, were locked in a Yellowstone National Park hotel for several hours by armed guards. This is not the type of experience that encourages foreign visitors to return to America, or for constituents from my district to visit our treasured national parks. Our national parks are a source of great national pride and belong to all Americans. The national parks should be treated with the highest levels of respect and should not be used as a means to punish unsuspecting visitors. Are you aware of the measures that were taken during the closing of Yellowstone National Park, or were actions taken beyond the authorization given to local Interior Department employees? I would further appreciate copies of any incident reports logged by Interior Department employees during the shutdown process of Yellowstone National Park related to these events and the employees involved.

It was also reported that the bus carrying these visitors out of Yellowstone was not allowed to make any stops on its way out of the park. This seems hardly an appropriate manner to allow visitors to exit the park. During the lapse in appropriations, has the Interior Department informed any local vendors that their operating licenses may be in jeopardy if they assist park visitors?

The incidents reported at Yellowstone appear to be part of a systematic effort to make life as difficult as possible for visitors caught off guard by the lapse in appropriations. The *Washington Times* quotes a park ranger as saying "We've been told to make life as difficult for people as we can. It's disgusting." Rather than trying to ease the inconveniences caused by the lapse of appropriations, it appears as though the Interior Department is expending resources to ensure the worst possible outcome during this time. During the last lapses in appropriations in

1995 and 1996, stories such as these were highly uncommon. I implore the Department of Interior to cease its current approach to visitors during this lapse of appropriations.

Thank you for your review of this correspondence. Should you have any questions regarding this letter, please feel free to contact me, or my Legislative Director, Scott Cunningham, at 202.225.6605 or [scott.cunningham@mail.house.gov](mailto:scott.cunningham@mail.house.gov).

Sincerely,



Kenny Marchant  
Member of Congress

YELL  
# 14335



# United States Department of the Interior

NATIONAL PARK SERVICE  
PO Box 168  
Yellowstone National Park  
Wyoming 82190

IN REPLY REFER TO:

W2623(YELL)

OCT 3 1 2013

Honorable Kenny Marchant  
U.S. House of Representatives  
1100 Longworth House Office Building  
Washington, DC 20515

Dear Representative Marchant:

Thank you for the opportunity to address your concerns regarding implementation of the government shutdown in Yellowstone National Park. The media reports you mention are incorrect and I appreciate this chance to provide you the correct information.

At 0800 hours on October 1, 2013, per order given by the Office of Management and Budget through the Department of Interior, Yellowstone National Park began conducting an orderly shutdown of government services including public access and recreation. Excepted critical staff, including law enforcement rangers, began contacting day use visitors and advised them to begin leaving or making preparations to leave the park via the exits ultimately most convenient for their continued travel plans and routes. In an attempt to mitigate some of the hardship imposed by the shutdown, visitors with existing overnight reservations for park lodges and campgrounds were allowed to stay up to 48 hours before leaving. This action was taken in order to provide overnight visitors ample time to make alternative travel and lodging arrangements.

Overnight visitors contacted during shutdown implementation (including the bus tour group mentioned in your letter) were advised that they were welcome to stay the term of their reservation up to 48 hours, but that their use of the park would be restricted to the developed area due to the required shutdown of public access and recreation. These visitors were advised to return to their area of lodging and that they were free to move around the lodging or campground area, but other park activities such as hiking trails, geyser basins and travel for roadside wildlife viewing would not be available. Additionally, overnight visitors were advised that vehicle travel upon roadways would be allowed for egress and include no recreational stops, only those stops necessary for refueling and restroom use.

All park concessionaires were instructed to provide normal public services through Friday, October 4, or until directed by the park Superintendent that they could close public facilities. Public facilities available through October 4 included restaurants, restrooms, medical clinics, gas stations, lodging, campgrounds and vehicle towing services.

At no time were visitors intimidated, treated unprofessionally or "locked" in a Yellowstone National Park hotel by armed guards. The tour group mentioned in your letter stayed in the Old Faithful area, along with hundreds of other visitors and employees. These visitors had the opportunity to enjoy viewing the

eruption of Old Faithful and took advantage of the numerous dining options available. I am unable to provide any incident reports related to the incidents described in your letter as the incidents did not occur. Thousands of visitors were contacted and received the same message as the tour group in question without issue.

I am confident that while clearly unfortunate and a hardship for park visitors, the required shutdown was implemented as reasonably, orderly and compassionately as possible. Please don't hesitate to contact me with further questions, concerns or need for issue clarification at (307) 344-2002.

Sincerely,

A handwritten signature in cursive script that reads "Daniel N. Wenk". The signature is written in dark ink and is positioned above the printed name and title.

Daniel N. Wenk  
Superintendent

KENNY MARCHANT  
24TH DISTRICT, TEXAS

COMMITTEE ON  
WAYS AND MEANS

SUBCOMMITTEE ON  
SELECT REVENUE MEASURES

SUBCOMMITTEE ON OVERSIGHT

WASHINGTON OFFICE:  
1110 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-6605

DISTRICT OFFICE:  
9901 EAST VALLEY RANCH PARKWAY  
SUITE 3035  
IRVING, TX 75063  
(972) 556-0162

Congress of the United States  
House of Representatives

Washington, DC 20515-4324

527786

RECEIVED  
2013 OCT 21 AM 10:44

OFFICE OF THE  
CLERK OF THE HOUSE OF REPRESENTATIVES

October 11, 2013

The Honorable Sally Jewell  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street NW  
Washington, DC 20240

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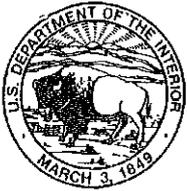
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Sincerely,



Kenny Marchant  
Member of Congress

YELL  
# 14335



# United States Department of the Interior

NATIONAL PARK SERVICE  
PO Box 168  
Yellowstone National Park  
Wyoming 82190

IN REPLY REFER TO:

W2623(YELL)

OCT 3 1 2013

Honorable Kenny Marchant  
U.S. House of Representatives  
1100 Longworth House Office Building  
Washington, DC 20515

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Sincerely,

A handwritten signature in cursive script that reads "Daniel N. Wenk". The signature is written in dark ink and is positioned above the printed name and title.

Daniel N. Wenk  
Superintendent

REPLY TO:

- 138 HART SENATE OFFICE BUILDING  
WASHINGTON, DC 20510-1501  
(202) 224-3744  
e-mail: grassley.senate.gov/contact.ofm
- 721 FEDERAL BUILDING  
210 WALNUT STREET  
DES MOINES, IA 50309-2140  
(515) 268-1145
- 111 7TH AVENUE, SE, BOX 13  
SUITE 8900  
CEDAR RAPIDS, IA 52401-2101  
(319) 363-8832

REPLY TO:

- 103 FEDERAL COURTHOUSE BUILDING  
320 6TH STREET  
SIOUX CITY, IA 51101-1244  
(712) 233-1880
- 210 WATERLOO BUILDING  
531 COMMERCIAL STREET  
WATERLOO, IA 50701-5487  
(319) 232-8657
- 201 WEST 2ND STREET  
SUITE 720  
DAVENPORT, IA 52801-1817  
(563) 322-4331
- 307 FEDERAL BUILDING  
8 SOUTH 6TH STREET  
COUNCIL BLUFFS, IA 51901-4204  
(712) 322-7103

# United States Senate

CHARLES E. GRASSLEY

WASHINGTON, DC 20510-1501

October 1, 2013

The Honorable Sally Jewell  
Secretary of the Interior  
1849 C Street NW  
Washington, DC 20240

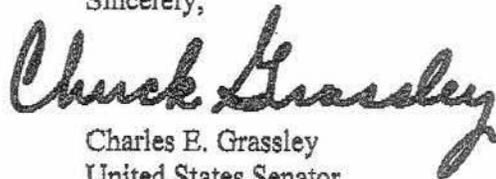
Dear Secretary Jewell,

I was astounded to learn today that the National World War II Memorial and other public memorials on the National Mall in Washington, D.C., were being barricaded off from the public today, ostensibly due to the government shutdown.

A flight of World War II veterans from Iowa is current en route to Washington, D.C., for what is likely for most their last chance to see THEIR memorial. They called the National Park Service yesterday inquiring whether they should cancel their flight, but were given assurances that they should go forward. Now, I understand that when they arrive, they will find that the National Park Police have pro-actively barricaded this public memorial to prevent their entrance.

I understand that buildings and parks may need to close do to the lack of appropriations, but public, open air, outdoor memorials that Congress intended to be open to all Americans should not be closed. Please let me know immediately what you plan to do to allow these national heroes access to THEIR memorial.

Sincerely,



Charles E. Grassley  
United States Senator

CC: Jonathan Jarvis, Director National Park Service

Committee Assignments:

AGRICULTURE  
BUDGET  
FINANCE

RANKING MEMBER,  
JUDICIARY

CO-CHAIRMAN,  
INTERNATIONAL NARCOTICS  
CONTROL CAUCUS

RECEIVED

527818

**Charles E. Grassley**  
United States Senator  
- Iowa -



135 Hart Senate Office Building  
Washington, D.C. 20510

Phone: (202) 224-3744  
Fax: (202) 224-6020

---

To: Sally Jewell FAX: 202-208-5533  
 From: Sen. Grassley Date: 10-1-2013  
 Subject: URGENT No. of Pages (Including Cover): 2

---

Comments:



# United States Department of the Interior

## NATIONAL PARK SERVICE

National Capital Region  
1100 Ohio Drive, S.W.  
Washington, D.C. 20242

IN REPLY REFER TO:

November 6, 2013

Honorable Bill Huizenga  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Huizenga:

Thank you for your inquire regarding the National Park Service (NPS) parks and memorials in the Washington metropolitan area, and their operations during the recent government shutdown. Your letter has been forwarded to me for a reply.

In a shutdown caused by a lapse in appropriations, all federal agencies are required by law to shut down any activities funded by annual appropriations that are not excepted by law. Because the Antideficiency Act prohibits federal agency officials from incurring financial obligations in the absence of appropriations, during the recent shutdown, the NPS was forced to close all 401 National Park units – from the Grand Canyon to the National Mall – and suspend operations. All park grounds, visitor centers, concessions and park roads, except for throughways, were required to be closed. Federal employees who violate the Act are subject to both administrative and criminal penalties. Operations for our parks and memorials would require a financial expenditure. Under the Act, federal officials may only incur obligations that are necessary for the orderly termination of an agency's function.

The shutdown caused more than 20,000 NPS employees to be furloughed. Only a small number of "excepted personnel" were allowed to remain on duty. For example, other than the United States Park Police, only 12 employees remained on duty at the National Mall out of a workforce of more than 330. Without sufficient personnel, the NPS cannot protect public health and safety or protect park resources, whether those resources are inside or outside.

The NPS takes great pride in caring for our national treasures and in welcoming millions of visitors. Making our sites unavailable to the public was painful for our staff, but necessary under the law. We hope that you will take the time to visit our National Parks now that the government has reopened.

Sincerely,

Stephen B. Whitesell  
Regional Director



# United States Department of the Interior

## NATIONAL PARK SERVICE

National Capital Region  
1100 Ohio Drive, S.W.  
Washington, D.C. 20242

IN REPLY REFER TO:

November 6, 2013

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House of Representatives  
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Regional Director