



## The Coalition Weekly Report Wednesday, January 16, 2019

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A summary of activities pertaining to the National Park Service and the National Park System, produced and disseminated by the Coalition to Protect America's National Parks.

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### Editor's Note

Two notes regarding this issue...

First is that the former full and somewhat cumbersome name of this publication – The Coalition To Protect America's National Parks' Weekly National Park System Report – has been slimmed down to The Coalition Weekly Report. This newsletter's predecessor, more or less, was the Morning Report, which came to be known as the MR (also the Gloom and Doom Report, Morning Mayhem Report and sundry other nicknames – but I digress). This renaming also provides a similarly compact abbreviation, the CWR.

Second is that this edition is somewhat abbreviated due to the intensive focus on the shutdown and the doings of the current Congress. Missing sections will return next week.

Bill Halainen

### Incidents

#### **National Park System Government Shutdown Reaches Record Length**

As of today, the government has been shut down for 26 days, a new record for shutdowns. The huge sign that appeared recently on the side of the federal building in San Francisco ([click on this link](#)) about sums up the perspective of federal workers regarding this ongoing fiasco – “Sorry, We're Shut Down. Tantrum In Progress.” Here's a summary of media stories about its impacts on the national parks that have appeared over the past week, grouped under four headings.

**The Shutdown** – Articles pertaining to the shutdown as it has affected employees, federal agencies, and the NPS in particular:

- *Employee Hardships* – “As hundreds of thousands of federal workers brace for their first missed paychecks of the government shutdown this week, some have become immersed in the frantic financial calculus of choosing what they can live without,” reports the *Washington Post*. “In the United States, living paycheck to paycheck is disturbingly common, regardless of profession or location. A recent report from the Federal Reserve revealed how little cushion most Americans have in their budgets: Four in 10 adults [polled in 2017 said] they couldn't produce \$400 in an

emergency without sliding into debt or selling something...” So many – including an NPS employee at Acadia, referenced in the article – have begun selling personal possessions on eBay or Facebook to raise money. Source: Taylor Telford, [Washington Post](#).

- *Rules On Employees Soliciting Donations* – The Federal News Network has an article about unpaid employees launching GoFundMe campaigns and the “minefield” of ethical questions that they raise: “As the government approaches 18 days and counting, dozens of people describing themselves as federal employees are soliciting donations on GoFundMe pages to ease the financial uncertainty ahead of likely missed paychecks. But absent specific guidance from the Office of Government Ethics on this matter, federal employees walk a tricky line in accepting furlough donations and complying with existing ethics rules.” The article details the issues. Source: Nicole Ogrysko, [Federal News Network](#).
- *Mandatory Work Without Pay* – *The Atlantic* has an article on why federal workers have to show up even if they’re not being paid – namely, because the law prohibits public employees from striking, forcing them into what one union leader called “involuntary servitude” during the government shutdown. Since the enactment of the Taft-Hartley Act in 1947, federal employees have been legally prohibited from striking. Source: Russell Berman, [The Atlantic](#).
- *Worst Shutdown Yet For Feds* – The PBS News Hour has posted a story providing five reasons why this shutdown is worse for federal workers than its predecessors. Many workers and contractors were interviewed and the article includes quotes from several of them. Source: Lisa Desjardins and Matt Loffman, [PBS News Hour](#).
- *Lost NPS Revenues* – NPCA estimates that the NPS is losing \$400,000 per day from entrance fee revenues systemwide. NPCA also estimates that on an average day in January, 425,000 park visitors spend \$20 million in nearby communities throughout the United States. Other economic impacts include the cost of lost labor, postponed maintenance leading to further and more costly damage, and the cost of cleanup after the shutdown. Source: Alex Johnson, [Daily News-Miner](#).
- *Summoned Back To Work* – FWS has directed 38 wildlife refuges to order their staffers to return to work to ensure that hunters and others have access to the areas despite the partial government shutdown. The agency says it’ll use “previously appropriated funds” to cover the payroll for 244 employees “so they can return to the refuges in order to oversee scheduled hunts, continue backlogged maintenance projects and prepare for the fire season.” Source: Mary Papenfuss, [Huffington Post](#).

**Federal Friends** – Articles on citizens doing what they can to lend a hand to the parks and their employees:

- *Lending A Hand* – Marcus Lemonis, a self-made billionaire, philanthropist and host of the CNBC reality series “The Profit,” is rallying his employees and others to help cash-strapped NPS employees. Lemonis, who is the owner of Camping World, the nation’s largest retailer of RVs and RV accessories, has begun a campaign to not only offer part-time work at his hundreds of dealerships and retail stores to furloughed park employees, but to also provide a considerable force of volunteers to help clean up parks in need. Source: Michael d’Estries, [Mother Nature Network](#).
- *Cleaning Up Trash* – The Muslim youth group from Philadelphia that worked to cleanup Independence NHP (last issue) was not the only one in the field. “Members of a Muslim youth group spent the weekend collecting trash and otherwise cleaning up national parks around the country — helping out in the midst of the government shutdown,” reports the Mother Nature Network. “Volunteers with the Ahmadiyya Muslim Youth Association (AMYA) emptied overflowing trash cans, picked up piles of litter and swept the streets in Everglades National Park in Florida, the National Mall in Washington, D.C., and Joshua Tree National Park in California.” Source: Mary Jo Dilonardo, [Mother Nature Network](#).

- *Chipping In* – The wife of a ranger at Great Smokies NP started a GoFundMe page to try and raise money for the family’s pressing economic needs, but then removed it due to concerns about the trouble it might cause her husband. Enter former NFL quarterback Ryan Leaf, who helped out by writing a check that covered the couple’s January mortgage. Source: Tyler Whetstone, [Knoxville News Sentinel](#).
- *Weighing In* – On the morning of January 11th, a full-page ad appeared in the *Washington Post* that consisted solely of an observation and an injunction. In large type it said “Make America’s Parks Open Again.” Under it was a quote from Columbia Sportswear CEO Tim Boyle: “Walls shouldn’t block access to parks, and federal workers shouldn’t be left out in the cold. Work together to open our parks.” An article in *Esquire* provides background. Source: Christine Flammia, [Esquire](#).
- *Collecting (And Donating) Trash* – Two Democratic House members from California – Representatives Jackie Speier and Jared Huffman – recently joined volunteers picking up trash at two sites in Golden Gate NRA. They planned on packaging it, then delivering it to the White House. Source: William Cummings, [USA Today](#).
- *Charging For Cleanup* – It doesn’t pertain to the NPS, but it’s in keeping with the above. Dan Little, husband of Oregon’s governor, came upon trash-filled bathrooms while visiting Sno Park in Mount Hood NF, so he cleaned them up. He then invoiced the president for \$28 for his services. Source: Kristine Lofgren, [The Inquisitr](#).

**NPS And DOI** – Information how these two agencies are dealing with the shutdown:

- *NPS Shutdown Contingency Plan* – The Service put out its shutdown plan as a PDF document earlier this month. The full text can be found at the source link at the end of this entry, but here’s a key introductory paragraph: “Effective immediately upon a lapse in appropriations, the National Park Service will take all necessary steps to suspend all activities and secure national park facilities that operate using appropriations that are now lapsed, except for those that are essential to respond to emergencies involving the safety of human life or the protection of property. Parks must notify visitors that the NPS will cease providing visitor services, including restrooms, trash collection, facilities and roads maintenance (including plowing), campground reservation and check-in/check-out services, backcountry and other permits, and public information. 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 diligently carried out while still ensuring visitor and employee safety as well as the integrity of park resources.” Source: [National Park Service](#).
- *DOI Shutdown Guidance* – The Department has a webpage entitled “Operations in the Absence of Appropriations: Guidance for Interior Employees During a Partial Government Shutdown.” Here are the headings: OPM Furlough Guidance; IBC Furlough Guidance; Employee Express (including Leave & Earnings Statements and 2018 W-2s); Employee Assistance Program (EAP) Services; TSP Furlough Guidance; Ethics Guidance (e.g., outside employment); and Leave Restoration. It also has links to all DOI’s agency contingency plans. Source: [Department of the Interior](#).
- *NPS ‘Muzzles’ Superintendents* – “Faced with growing public outrage over the condition of parks across the country,” reports *E&E News*, “the National Park Service has decided to muzzle its superintendents and other employees, at least during the partial government shutdown...” Superintendents are required to defer requests for interviews or comments to WASO; WASO’s reply to such requests is no dice. When *E&E News* sought an interview last week with acting NPS Director P. Daniel Smith, WASO replied that the agency was “not able to accommodate interview requests during the lapse in appropriations.” Source: Rob Hotakainen, [E&E News](#).

**The National Parks** – Articles on the effects of the shutdown on several specific National Park Service areas:

- *Channel Islands NP* – The park has closed Upper Scorpion Campground and nearby trails on Santa Cruz Island because of dangers posed by a fallen eucalyptus tree. The park is looking into the possibility of using recreation fees to restore access to not only the Upper Scorpion Campground, but also the Scorpion Canyon Loop Trail and the Upper Scorpion Canyon Trail to Potato Harbor. Source: [Ventura County Star](#).
- *Joshua Tree NP* – “Facing a huge staffing shortage, Joshua Tree National Park employees are unable to police the land, which spans nearly 800,000 acres of Southern California,” reports the *Huffington Post*. “Now, workers say they have noticed illegal roads and chopped down trees, the work of vandals who likely were able to wreak havoc on the area because of Washington’s ongoing dysfunction.” The trees were cut by ORV users so that they could access environmentally sensitive areas. Source: Amy Russo, [Huffington Post](#).
- *Shenandoah NP* – On January 11th, *Slate* posted an interview with Susan Sherman, who serves as executive director for the Shenandoah National Park Trust, regarding the shutdown’s impacts on the park. They include vandalism, theft, and continuing closure of 30 miles of Skyline Drive because storm-downed trees haven’t yet been removed – plus other less obvious impacts. Sherman also talks about the argument for closing all the parks, period. Source: Dahlia Lithwick, [Slate](#).
- *Vicksburg NMP* – Warren County sheriff’s deputies are assisting rangers at Vicksburg NMP with patrols. “The sheriff’s office and the rangers in the Vicksburg National Military Park have always enjoyed a good working relationship,” said the county sheriff. “With the government shutdown, we are now partnering with the Park Service to provide patrols through the park.” Source: John Surratt, [Vicksburg Post](#).
- *Washington (DC) Parks* – The NPS has announced that it’s resuming maintenance services in Washington-area parks, including the National Mall, George Washington Memorial Parkway and Rock Creek Park. It will also reopen several bathrooms at sites around the Mall. The Service has not collected trash, worked on roads, or attended to sanitation services since the shutdown began. The money is coming from fee revenues “from national parks across the country.” Source: Mikaela Lefrak, [WAMU News](#).

We close this section with an observation made by Coalition chair Phil Francis in an interview with the *Asheville Citizen-Times*, which says that he’s “the chair of the powerful nonprofit Coalition to Protect America’s Parks...” Phil had this to say about the shutdown: “We’re calling for the parks to be closed now, or fully funded.” Source: Karen Chavez, [Asheville Citizen-Times](#).

### **Biscayne NP Fishing Boat Seized After Captain’s Poaching Conviction**

The owner of a 34-foot commercial fishing boat has surrendered it to the United States following the conviction of its captain for poaching nearly 300 spiny lobsters and stone crabs in the park last summer.

In August, a park marine patrol officer stopped the *Silvita* for a routine inspection and discovered 231 illegally wrung tails stashed in an anchor locker, along with more than two dozen egg-bearing or undersized lobsters. Another 22 out-of-season stone crab claws were hidden in a pair of fishing boots. The officer also discovered an undersized mutton snapper and hogfish.

Under the federal Lacey Act, poaching lobster and other fish out of season can carry fines of up to \$250,000 and five years in prison. Organizations can face up to \$500,000 in fines.

Capt. Alfredo Sarinas Garcia pleaded guilty to two felonies and is scheduled to be sentenced in federal court next month. He has also been banned from commercial lobstering in the park and ordered to remove his traps.

The boat's owner, Deep Atlantic, Inc., agreed to forfeit the boat as part of a consent agreement. The park may keep it or sell it.

Source: Jenny Staletovich, [Miami Herald](#).

### **Yellowstone NP Woman Injured In Snowmobiling Accident**

A 22-year-old New York woman was airlifted from the park on January 8th after crashing her snowmobile into the Madison River.

The park received a 911 call just after 10 a.m. reporting a snowmobile crash in the park near Riverside Drive, about six miles east of West Yellowstone, with both the snowmobile and rider ending up in the river.

Rangers requested assistance from Gallatin County Search and Rescue in West Yellowstone. Hebgen Basin Fire Department also responded.

When rescuers arrived, the woman had been removed from the water but was extremely cold and suffering from an apparent broken femur. An Air Idaho Rescue helicopter was requested; it landed at the scene and flew the woman to the Eastern Idaho Regional Medical Center for treatment.

Source (with photo): [Billings Gazette](#).

### **National Park System Follow-ups On Previously Reported Incidents**

Below are short follow-ups on incidents previously reported in this newsletter:

- *Yosemite NP* – The man who died on Christmas Day after falling down a steep river canyon has been identified as Joshua Brock Conner, 32, a fitness trainer and weightlifter who lived in Los Angeles and worked as a registered nurse at Cedars-Sinai medical center in Los Angeles. He died of head injuries at Emerald Pool, an area along the Merced River between Vernal Fall and Nevada Fall, just off the Mist Trail, a steep but popular hiking area in Yosemite. He evidently slipped and fell down Silver Apron, a photo of which appears in the story. Source: Paul Rogers, [The Mercury News](#).

## **Congressional Actions**

Reports on legislation, upcoming hearings and new public laws of relevance to the national parks, prepared by Don Hellmann, former assistant director, legislative and congressional affairs for the National Park Service.

### **115th Congress Public Laws**

There were about 50 laws passed in the last Congress (January 3, 2017 through January 3, 2019) that pertained to the National Park Service. A document listing them, entitled [Summary of National Park And Related Laws: Enacted in the 115th Congress \(2017 –2019\)](#), has been prepared for your ready reference. You can see it by either clicking on the document above or [this link](#).

### **New Public Laws**

**January 3** – The president signed into law H.R. 6287, to authorize the Secretary of the Interior to award grants, through a competitive process, to tax-exempt, nonprofit organizations for the operation and maintenance of memorials located within the United States established to commemorate the events of, and honor the victims of, the terrorist attacks on the World Trade Center, and the Pentagon, on September 11, 2001, at the site of the attacks. (P.L. 115-413).

**January 10** – The president signed into law H.R. 6602, to reauthorize the New Jersey Coastal Heritage Trail Route. (the public law number was unavailable at press time). This is the last law of the 115th Congress affecting the National Park Service.

## **Senate Actions**

The Senate convened the first session of the 116th Congress at noon on January 3rd, as required by the 20th Amendment to the Constitution.

**January 3** – The Senate adopted S. Res. 3, which elected Chuck Grassley to be president pro tempore of the United States Senate. By precedent, this position goes to the longest serving senator of the majority party in the Senate and this person presides over the Senate in place of the vice president when the vice president is unavailable for these duties.

The Republican Conference elected the following as their leaders in the 116th Congress:

- Sen. Mitch McConnell (R-KY) as Majority Leader
- Sen. John Thune (R-SD) as Assistant Majority Leader
- Sen. John Barrasso (R-WY) as Chairman of the Republican Conference

The Democratic Conference in the Senate elected the following as their leaders for the 116th Congress:

- Sen. Chuck Schumer (D-NY) as Minority Leader and Chairman of the Democratic Conference
- Sen. Patty Murray (D-WA) as Assistant Minority Leader
- Sen. Dick Durbin (D-IL) as Minority Whip

**January 3** – The Senate returned the nomination of Raymond David Vela of Texas to be director of the National Park Service to the White House due to the failure of his nomination to be confirmed by the end of the 115th Congress as required by Senate rules. Vela's nomination was one of over 380 nominations returned to the White House on this date. If the White House wishes to continue with Vela's nomination, it will have to be resubmitted to the 116th Congress by the administration. The returning of the nomination to the White House assures that the record of the National Park Service being without a director for over two years will be extended even further. This is the longest period in Park Service history without a director, and well beyond the 10 months the service was without a director in 2009 when the nomination of Jon Jarvis was being considered by the Senate. The requirement to have the director confirmed by the Senate has only been in law since 1996.

**January 9** – The Senate adopted S. Res. 12 and S. Res. 13, which constituted the Republican and Democratic membership of certain committees for the 116th Congress, respectively, including:

- Appropriations Committee Republican Members: Mr. Shelby, Mr. McConnell, Mr. Alexander, Ms. Collins, Ms. Murkowski, Mr. Graham, Mr. Blunt, Mr. Moran, Mr. Hoeven, Mr. Boozman, Mrs. Capito, Mr. Kennedy, Mrs. Hyde-Smith, Mr. Daines, Mr. Rubio, Mr. Lankford. Democratic Members: Mr. Leahy, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Reed, Mr. Tester, Mr. Udall, Mrs. Shaheen, Mr. Merkley, Mr. Coons, Mr. Schatz, Ms. Baldwin, Mr. Murphy, Mr. Manchin, Mr. Van Hollen.
- Energy and Natural Resources Committee Republican Members: Ms. Murkowski, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Daines, Mr. Cassidy, Mr. Gardner, Mrs. Hyde-Smith, Ms. McSally, Mr. Alexander, Mr. Hoeven. Democratic Members: Mr. Manchin, Ms. Cantwell, Mr. Wyden, Mr. Sanders, Ms. Stabenow, Mr. Heinrich, Ms. Hirono, Mr. King, Ms. Cortez



**January 9** – Senators Murkowski and Cantwell introduced S. 47, the Natural Resources Management Act. This is a bipartisan package of over 100 parks and public lands bills from the last Congress that had been negotiated between the House and Senate, but which was not brought up for a vote by the end of the 115th Congress due to a couple of senators' objections (any senator can put a hold on consideration of any bill on the Senate floor) and the unwillingness of the majority leader to schedule the bipartisan legislation for floor debate.

Unfortunately, parks and public lands bills increasingly have been held as very low national priorities over the past two decades and the Senate majority leader, who sets the agenda for the full Senate, has been unwilling to allow time to debate the bills. While most parks and public lands bills are non-controversial and could be passed – as they often have been in the past – by asking for unanimous consent and without having any floor debate, this practice has waned in current years. Additionally, a single senator could put hold up consideration of a bill for a variety of reasons, including some unrelated to the content of the bill.

Almost every one of the bills included in S. 47 had had hearings, a committee markup, or was passed by at least one house of Congress (usually the House of Representatives), during the 115th Congress. S. 47 was placed directly on the Senate calendar so it will not have to go through the usual hearing and committee markup process under an agreement late last year by Majority Leader McConnell and Minority Leader Schumer, who committed to considering the legislation early in the 116th Congress. Many of these bills have been pending in Congress for several years.

While there are a number of sections of the bill that impact other federal land management bureaus within the Department of the Interior and the Department of Agriculture, the majority of the bill addresses national parks and National Park Service programs as follows. The relevant sections are in parentheses:

- *Public Land and National Forest System Management* – To improve wildfire management operations and the safety of firefighters and communities with the best available technology (1114).
- *Wilderness Designations and Withdrawals* – To withdraw specified National Forest System land in the Custer Gallatin National Forest in Park County, Montana, north of Yellowstone National Park from location, entry, and patent under mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing (1204).
- *Wild and Scenic Rivers* – To designate segments of the Farmington River and Salmon Brook in Connecticut as components of the National Wild and Scenic Rivers System (1301); To designate certain river segments within the Wood-Pawcatuck watershed in Rhode Island and Connecticut as components of the National Wild and Scenic Rivers System (1302); and to designate segments of the Nashua, Squannacook, and Nissitissit Rivers in Massachusetts and New Hampshire as components of the Wild and Scenic Rivers System (1303).
- *California Desert Protection and Recreation* – To provide for conservation and enhanced recreation activities in the California Desert Conservation Area (1401-1461). These sections make several changes to the California Desert Conservation Act (P.L. 103-433), including provisions to expand the Death Valley National Park Wilderness by 87,999 acres; transfer 35,292 acres from BLM to NPS to add to the boundary of Death Valley National Park; authorize the continued operation and maintenance of the Mormon Peak Microwave Facility on one acre of land within the Death Valley National Park wilderness; transfer 25 acres from BLM to NPS in Mojave National Preserve where an NPS-owned maintenance facility exists; transfer 2,879 acres from BLM to NPS along the northern boundary of Joshua Tree National Park and adjust the boundary of the park to include a donation of 1,639 acres from the Mojave Desert Land Trust; provide for the administration by the National Park Service of 25 acres of lands that were added to Joshua Tree National Park via a Federal Register Notice in 2003; authorize the NPS to acquire the Joshua Tree Visitor Center outside the boundary of the park, now owned by the Joshua Tree National Park Association; and designate as part of the Wild and Scenic Rivers

System, 7.5 miles of Amargosa River and 7.1 miles of Surprise Canyon Creek, both near Death Valley National Park.

- *Special Resource Studies* – To authorize a special resource study of the President James K. Polk Home in Columbia, Tennessee, as a potential unit of the national park system (2001); to authorize a special resource study of Public School 103 in West Baltimore, Maryland, which former Supreme Court Justice Thurgood Marshall attended as a youth, and any other resources in the surrounding neighborhood that relate to his early life (2002); to authorize a special resource study of President Street Station, a railroad terminal in Baltimore, Maryland (2003); to authorize a special resource study of the site known as "Amache", a Japanese American relocation site in World War II in the State of Colorado (2004); and to authorize a special resource study of the childhood home of former President George W. Bush, which is located at 1412 West Ohio Avenue in Midland, Texas (2005).
- *National Park System Boundary Adjustments* – To expand the boundary of Shiloh National Military Park in Tennessee and Mississippi, and to establish the Parker's Crossroads Battlefield as an affiliated area of the national park system (2101); to redesignate Ocmulgee National Monument in Georgia as Ocmulgee Mounds National Historical Park, to revise its boundaries to include additional properties, and to study a portion of the Ocmulgee river corridor to determine if it should be protected as part of the national park system (2102); to revise the boundary of Kennesaw Mountain National Battlefield Park in Georgia to include the Wallis House and Hairston Hill (2103); to expand the boundary of Ft. Frederica National Monument in Georgia (2104); to modify the boundary of the Fort Scott National Historic Site, Kansas (2105); to modify the maximum acreage available for inclusion in the Florissant Fossil Beds National Monument, Colorado, to allow NPS to accept a donation of land (2106); to transfer administrative jurisdiction from BLM to NPS for several properties within the boundary of Voyageurs National Park in Minnesota and to authorize the exchange of lands between NPS and Minnesota for a couple of state-owned properties within the park's boundaries (2107); to clarify the boundary of Acadia National Park, Maine, and to allow traditional taking of marine species, marine worms, and shellfish on certain land in the park (2108); to modify the boundaries of the St. Genevieve National Historical Park in St. Genevieve, Missouri to allow land to be used as a visitor center for the park. The section also would modify the boundary of the Harry S Truman National Historic Site to authorize the acquisition of approximately one acre of land from the city of Independence, Missouri for use as a visitor center (2109); and to authorize the acquisition of the 89-acre Morgan property for addition to the Home of Franklin D. Roosevelt National Historic Site in the State of New York (2110).
- *National Park System Redesignations* – To redesignate the Saint-Gaudens National Historic Site in New Hampshire as the Saint-Gaudens National Historical Park (2201); to redesignate the small triangular property located in Washington, DC, and designated by the National Park Service as reservation 302 as "Robert Emmet Park" (2202); to establish the Fort Sumter and Fort Moultrie National Historical Park in the State of South Carolina, by placing Fort Moultrie and the Sullivan's Island Life-Saving Station Historic District, both of which NPS has managed for many years, within the boundary of the park and by redesignating the park as a national historical park (2203); to redesignate the Reconstruction Era National Monument in South Carolina as the Reconstruction Era National Historical Park and to establish the Reconstruction Era National Historic Network (2204); to redesignate Golden Spike National Historic Site as Golden Spike National Historical Park and to establish within the NPS a program to commemorate and interpret the Transcontinental Railroad (2205); to establish the Pearl Harbor National Memorial in Hawaii and to remove it from the World War II Valor in the Pacific National Monument; to redesignate the areas of the World War II Valor in the Pacific National Monument in California as the Tule Lake National Monument; to redesignate the areas of the World War II Valor in the Pacific National Monument in Alaska as the Aleutian Islands World War II National Monument; and, to redesignate the Honouliuli National Monument in Hawaii as the Honouliuli National Historic Site (2206).
- *New Units of the National Park System* – To establish the Medgar Evers Home National Monument in the state of Mississippi upon the acquisition of sufficient lands to constitute a



manageable unit (2301); to establish the Mill Springs Battlefield National Monument in Kentucky as a unit of the National Park System upon the donation of sufficient lands to constitute a manageable unit (2302); and to establish the Camp Nelson Heritage National Monument in the State of Kentucky as a unit of the National Park System, upon sufficient lands being acquired to constitute a manageable unit and upon donation of the land (2203).

- *National Park System Management* – To amend the Denali National Park Improvement Act to clarify certain provisions relating to the natural gas pipeline authorized in Denali National Park and Preserve, Alaska (2401); to reauthorize the Historically Black Colleges and Universities Historic Preservation grant program through fiscal year 2024 (2402); to authorize the Secretary of the Interior to enter into a cooperative management agreement for park lands within the District of Columbia (2403); to authorize the Secretary of the Interior to establish fees for medical services provided in units of the National Park System. Under current law, fees collected for medical services provided to visitors and park employees in about a dozen remote western parks must be returned to the treasury. This section establishes a fund within the treasury for these fees, which can then be used at the parks where they are collected, subject to being appropriated by Congress each year, making this language less than optimal for the parks involved (2404); to authorize the Secretary of the Interior to grant to States and local governments easements and rights-of-way over Federal land within Gateway National Recreation Area for construction, operation, and maintenance of projects for control and prevention of flooding and shoreline erosion (2405); to establish the Adams Memorial Commission, a federal commission, to carry out the provisions of Public Law 107–62, which had previously authorized the Adams Memorial Foundation to establish a memorial on federal land in Washington, D.C. to honor the legacy of President John Adams and his family and their service to the nation (2406); to redesignate the U.S. Civil Rights Network as the African American Civil Rights Network (2407); to promote continued use of the James J. Howard Marine Sciences Laboratory at Gateway National Recreation Area by the National Oceanic and Atmospheric Administration (2408); to authorize the transport of bows and crossbows not ready for immediate use in vehicles traveling across NPS lands (2409); and to authorize the use of qualified volunteers in wildlife management on NPS lands (2410).
- *National Trails* – To revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail (2501); to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail (2502); to authorize the Secretary of the Interior and the Secretary of Agriculture to place signage on Federal land along the trail known as the "American Discovery Trail" (2503); and to provide for the study of the Pike National Historic Trail as a potential additional to the National Trails System (2504).
- *Land and Water Conservation Fund* – To permanently reauthorize the Land and Water Conservation Fund (LWCF), and amending it by requiring that 40 percent of the receipts deposited into the fund be available for grants to the states (current law only requires that 40 percent of the fund be available for federal land acquisition purposes and is silent on the amount to be used for state grants) (3001).
- *Sportsmen's Access to Federal Lands* – To require each federal land management agency, including the NPS, to submit a list of areas where access is restricted for hunting, fishing, or recreational purposes, and options for providing access to the areas (4105).
- *National Heritage Areas* – To establish the Maritime Washington National Heritage Area in the state of Washington (a)(1), the Mountains to Sound Greenway National Heritage Area in the state of Washington (a)(2), the Santa Cruz Valley National Heritage Area in the state of Arizona (a)(3), and the Appalachian Forest National Heritage Area in the states of West Virginia and Maryland (a)(4) (6001); to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area (6002); and to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, New York (6003).

- *Wildlife Habitat and Conservation* – To plan and carry out activities on land managed by the Secretary of the Interior, the Secretary of the Army for land managed by the Corps of Engineers, and the Secretary of Agriculture to protect water and wildlife by controlling and managing invasive species (7001).
- *Miscellaneous Provisions* – To establish a program, to be known as the “Every Kid Outdoors program”, to provide free access to federal land and waters for fourth-grade students and up to three accompanying individuals or all accompanying adults in a car. This section would codify the program begun under the Obama administration to allow every fourth grader free access to federal lands and waters (9001); to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal land under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions (9002); to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States (9003); to direct the Secretary of the Interior to annually designate at least one city in the United States as an “American World War II Heritage City”, and to designate Wilmington, North Carolina as the first American World War II Heritage City (9007); to designate the Quindaro Townsite in Kansas City, Kansas, as a National Commemorative Site, which shall not be a unit of the national park system (9008); and to officially designate the National Comedy Center in Jamestown, New York as the National Comedy Center, which shall not be a unit of the national park system (9009);

## **House Actions**

The House convened the first session of the 116th Congress at noon on January 3rd, as required by the 20th Amendment to the Constitution. Rep. Nancy Pelosi (D-CA) was elected Speaker of the House for the 116th Congress.

The Democratic Caucus in the House elected the following as their leaders for the 116th Congress:

- Rep. Steny Hoyer (D-MD) as Majority Leader
- Rep. James Clyburn (D-SC) as Majority Whip
- Rep. Ben Ray Lujan (D-NM) as Assistant Speaker
- Rep. Hakeem Jeffries (D-NY) as Chairman of the Democratic Caucus

The Republican Conference in the House elected the following as their leaders in the 116th Congress:

- Rep. Kevin McCarthy (R-CA) as Minority Leader
- Rep. Steve Scalise (R-LA) as Minority Whip
- Rep. Liz Cheney (R-WY) as Chairman of the Republican Conference

**January 3** – The House agreed to:

- H. Res. 7, which elected certain members of the House to standing committees, including Rep. Nita Lowey (D-NY) as chairwoman of the House Appropriations Committee.
- H. Res. 8, which elected certain members of the House to standing committees, including Rep. Kay Granger (R-TX) as ranking member on the Republican side of the House Appropriations Committee.

**January 3** – The House passed H.R. 21, the Consolidated Appropriations Act, 2019, to make continuing appropriations for the fiscal year ending September 30, 2019. This bill includes appropriations for the remainder of the fiscal year for a number of federal agencies whose appropriations bill had not yet been signed into law, including the Department of the Interior. The bill passed by a vote of 241 yeas to 190 nays. As passed by the House, the bill reflects an agreement that had been reached between the House and the Senate for funding levels for fiscal year 2019 for the bureaus within the Department of the Interior, including the National Park Service. The bill

appropriates \$3.218 billion for NPS in FY 2019 (NPS had \$3.215 in FY 2018. The appropriation for FY 2019 is well above the president's proposed \$2.7 billion for FY 2019). The bill includes the following funding levels:

- Operations of the National Park System (ONPS) – \$2.5 billion in FY 2019 (the NPS had \$2.4 billion in FY 2018).
- Natural Recreation and Preservation Programs (NRP) – \$64.1 million in FY 2019 (the NPS had \$63.05 million in FY 2018).
- Historic Preservation Fund (HPF) – \$91.9 million in FY 2019 (the NPS had \$96.9 million in FY 2018). Within the Historic Preservation account, funding levels are as follows: \$48.9 million for State Historic Preservation Offices and \$11.48 million for Tribal Historic Preservation Offices, equal to the fiscal year 2018 enacted level.
- Grant Programs – \$13.5 million for competitive grants of which \$500,000 is for grants to underserved communities and \$13 million is for competitive grants to document, interpret, and preserve historical sites associated with the Civil Rights Movement; \$8 million for competitive grants to Historically Black Colleges and Universities (HBCUs); \$5 million for preservation grants to revitalize historic properties of national, State and local significance in order to restore, protect and foster economic development of rural villages and downtown areas; and \$5 million for Save America's Treasures.
- Construction – \$364.7 million in FY 2019 (the NPS had \$359.7 million in FY 2018).
- Land Acquisition (LWCF) – \$174.4 million in FY 2019 (the NPS had \$180 million in FY 2018). Within the land acquisition account, funding is provided as follows: \$124 million for State Conservation Grants; \$35.4 million for federal land acquisition; \$15 million for the American Battlefield Protection Program (ABPP), equal to the fiscal year 2018 enacted level; and \$4.9 million for inholdings, donations, and exchanges.
- Centennial Challenge – \$23 million in FY 2019 (the NPS had \$23 million in FY 2018).

The bill also:

- Authorizes a report on facilities of the Department of the Interior damaged by certain volcanic eruptions.
- Requires the Secretary of the Interior to designate the rest area bounded by Alexandria Avenue, West Boulevard Drive, and the George Washington Memorial Parkway on the Mount Vernon Trail within the George Washington Memorial Parkway as the 'Peter B. Webster III Memorial Area' and requires the installation of a plaque honoring Peter B. Webster III at the site.
- Extends the authorization of appropriations for the Tennessee, Augusta Canal, and South Carolina National Heritage Areas for an additional two years through September 30, 2019.
- Provides \$1 million for the work of the Women's Suffrage Centennial Commission.
- Extends the federal lands fee program (FLERA) through FY 2020.

**January 4** – The House agreed to:

- H. Res. 24, which elected certain members of the House to standing committees, including Rep. Raul Grijalva (D-AZ) as chairman of the House Natural Resources Committee.
- H. Res. 25, which elected certain members of the House to standing committees, including Rep. Rob Bishop (R-UT) as ranking member on the Republican side of the House Natural Resources Committee.

**January 11** – The House passed:

- H.R. 266, to make appropriations for the Department of the Interior for the fiscal year ending September 30, 2019. This bill is identical to the provisions for the Department of the Interior that were included in a multi-agency appropriations bill, H.R. 21, that passed the House on January 3 (see details of the NPS provisions of H.R. 21 above). The bill passed by a vote of 240 yeas to 179 nays.
- S. 24, to provide for the compensation of Federal and other government employees affected by lapses in appropriations. The bill passed by a vote of 411 yeas to 7 nays and would ensure

that federal employees would be paid despite the government shutdown. The following members of the House voted against the bill: Rep. Justin Amash (R-MI-3); Rep. Andy Biggs (R-AZ-5); Rep. Paul Gosar (R-AZ-4); Rep. Glenn Grothman (R-WI-6); Rep. Thomas Massie (R-KY-4); Rep. Chip Roy (R-TX-21); Rep. Ted Yoho (R-FL-3). The bill now goes to the president to be signed into law.

## **Coalition Actions**

**Upcoming Webinar On Legislative Advocacy** – The Coalition will be hosting a webinar focusing on legislative advocacy and the Coalition’s advocacy toolkit on January 17th and again on January 23rd. More information and registration information can be found at <https://protectnps.org/free-webinar-opportunity/> .

**Coalition Joins Groups Calling For Passage Of Funding Bill** – The Coalition and a dozen other organizations have joined together to ask members of the House of Representatives to support H.R. 266, the FY19 Interior, Environment and Related Agencies Appropriations bill, which, together with other pending appropriations bills, “would reopen portions of the federal government, putting Americans back to work and reopening all our national parks.” The other co-authors of the letter were the American Hiking Society, Atomic Heritage Foundation, Big Bend Conservancy, The Corps Network, National Parks Conservation Association, National Tour Association, National Trust for Historic Preservation, Scenic America, Southeast Tourism Society, St. Croix River Association, United States Tour Operators Association, Voyageurs National Park Association, and the Western National Parks Association. [Click on this link](#) to see the letter.

**President Urged To Close Parks During Shutdown** – The Coalition has joined with four other organizations in sending a letter to the president on the shutdown. The text follows:

“We respectfully ask that you agree to fully fund the government and reopen agencies currently closed. Otherwise, we strongly urge that you close units of the National Wildlife Refuge System, the National Parks, and other public lands, until sufficient funding is available to ensure appropriate staffing levels to prevent irreparable harm to our nation’s conservation heritage.

“Despite herculean efforts by career staff, concessionaires, state and local governments, and conservation partners to keep sites operational, the risks to visitor safety and to wildlife habitat protected by our national wildlife refuges, parks and other public lands, grow by the day, as the shutdown persists. With only a small number of “excepted” staff—primarily public lands managers and law enforcement personnel—currently working (without pay), it is simply impossible to steward these shared American treasures properly, leaving thousands of lands and waters accessible to the public with no staff on site, even for an emergency. We fear it is only a matter of time before more visitors are severely injured — or worse. These concerns are not merely hypothetical. We have already witnessed the tragic news of visitors to national parks injured or killed.

“America is blessed with the best professional land management staff and conservation law enforcement in the world. These women and men are critical to secure and maintain the health of our public lands. Without professional staff on site to manage these properties, we have witnessed a rash of destructive acts and habitat degradation, including illegal dumping, off-roading, vandalism of buildings, cut locks, rammed gates, and human waste left beside closed bathrooms, or along trails and in habitat. The adverse impacts upon our nation’s cherished lands and waters could take years to recover. Further, law enforcement staffing levels are already precariously low for America’s large network of public lands and waters, and now we are asking these officers to work without pay, in dangerous circumstances and with little or no backup. This is not right.

“Finally, we have concerns about proposals from multiple bureaus within Interior to bring back paid staff to work on programs that are not essential to life, health, or protecting the natural resource, while ‘excepted’ personnel, including law enforcement, who are fulfilling essential functions, receive no pay. We cannot endorse an approach of only paying some personnel to selectively keep certain lands open and programs operational, through extraordinary budget maneuvers at the expense of critical near-term safety functions and broader long-term operations.

“We urge the Administration to end this shutdown expeditiously and properly fund the government to protect our shared natural heritage. If not, we urge the closure of national wildlife refuges, parks and other public lands until funding is restored to prevent lasting damage. The health of our public lands and wildlife habitat, held in trust for current and future generations of Americans, demands it.”

Others signing the letter (which can be read [at this link](#)) were the president of the National Wildlife Refuge Association, the president of the U.S. Fish and Wildlife Retirees Association, the president of the National Wildlife Federation, and the president of the Trust for Public Lands.

## **From The Archives**

This section contains incidents taken from *Morning Report* issues published during the corresponding week (approximately) 25 years ago in 1994. All entries appear in the original verb tense; “submitters” are those people who originally submitted the incident report.

- *Yellowstone NP* – Rangers arrested two Montana men on December 31st for poaching two elk near milepost 27 on the Gallatin Highway. Concerned witnesses reported seeing the two men dragging a dead elk near U.S. 191 in the park and provided rangers with a description of the suspect vehicle. The vehicle was stopped near the park boundary and a freshly killed cow elk was found in their possession. During the investigation, rangers discovered that the men had killed and abandoned a second cow elk. The two men claim they were unaware that they were within the park when they killed the elk. Both were charged with illegal hunting under 16 USC 26. Their rifles and the elk were confiscated. They men are scheduled to appear before a U.S. magistrate in Mammoth Hot Springs some time in January. Submitted by Chief Ranger’s Office.
- *Joshua Tree NP* – On December 16-17, 1993, NPS and BLM rangers concluded a five-month undercover investigation into the theft of artifacts from public lands with the arrest of two individuals. During the investigation, numerous artifacts reportedly stolen from NPS and Forest Service lands were purchased by the undercover officer. The primary suspect in the investigation, who has purportedly been collecting artifacts in California and Arizona for over ten years, was also observed - and videotaped - collecting artifacts and defacing archeological sites. He was arrested and charged through Riverside County with grand theft, receiving and selling stolen property, defacing archeological sites, and destroying archeological features in caves. His residence in Desert Hot Springs, California, was searched, and officers found records there documenting 58 different addresses he has used since 1983. A residence in Joshua Tree, California, was also searched, and an olla (a wide-mouth earthenware pot), a metate (grinding stone), and two manos (hand grinding stones) were recovered. The olla had been removed from Joshua Tree NM; the metate and manos were taken from BLM's East Mojave NSA. One suspect at this residence has been interviewed, and additional charges may be filed through San Bernadino County. On the 17th, an undercover "sting" operation was conducted on a gallery in Palm Springs, California, which had previously been implicated in buying and selling artifacts from public lands. The undercover officer in this operation sold a Cahuilla basket, a Mogollon bowl and two stone tools to the gallery after telling the owners verbally and in writing that the items had been taken from public lands. The owner is being charged with receiving stolen property, a felony under California law. Several other individuals have been implicated by the suspects, and further searches and arrests may be forthcoming. Submitted by Todd Swain.
- *Yosemite NP* – Rangers pursuing information acquired during a resource violation contact on December 5th recovered a \$425 leather jacket stolen from Yosemite Lodge. The theft was made during one of a series of 37 room burglaries from the lodge, all with a similar, non-forced entry MO. Further investigation led to the December 13th arrest of a room keeper for Yosemite Concessions Services for the theft of the jacket. The man was also found to be on probation in Mariposa County for several previous burglary convictions. His residence in Mariposa was searched on December 14th by rangers and country probation officers; they discovered stolen

property valued at approximately \$10,000 which linked the man to nine burglaries committed at the lodge. The investigation is continuing. Submitted by Jeff Sullivan.

## Acknowledgements

This newsletter comes to you through the efforts of a number of people:

- Production: Steve Pittleman
- Regular Correspondents: Don Hellmann, Dennis Burnett, Rick Smith, and Duncan Morrow
- Issue Contributors: Deb Liggett, Steve Hastings, Dan Halainen, Cathy Halainen

If you see something that might be of interest to Coalition members, send it to Bill Halainen at the Weekly National Park System Report: [BHalainen@gmail.com](mailto:BHalainen@gmail.com). Please don't submit them via his personal email address or Facebook page.

## A Closing Observation

“During the government shutdown, we’ve seen terrible and sometimes irreversible damage to our national parks, including cut down trees, stolen artifacts, overflowing trash and human waste and illegal off-roading on fragile wilderness areas. Gates to parks have been open while thousands of park rangers have been sidelined. And the few rangers who are on duty are not enough to safeguard visitors and park resources the way they deserve to be protected and, in fact, the way they’re legally mandated to be protected. The Department of the Interior recklessly ignored laws put in place to protect our public lands and wildlife and continues to pressure park staff to keep their gates open without adequate staff. Acting Interior Secretary Bernhardt is violating the law, and we implore the Inspector General to investigate this matter before our parks, visitors, local communities and wildlife suffer any longer. America’s national parks are some of the most beloved places on earth and have been preserved for generations. These places deserve more than to be used as a bargaining chip in this administration’s political stunt,”

[Theresa Pierno](#), president and CEO, National Parks Conservation Association.

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The *Weekly National Park System Report* is a publication of The Coalition To Protect America’s National Parks. It is prepared by Coalition member Bill Halainen, former editor of the *NPS Morning Report*, and produced and disseminated by Coalition member Steve Pittleman.

The Coalition is a non-profit organization of past and current NPS employees and their allies that “studies, educates, speaks, and acts for the preservation and protection of the National Park System and mission-related programs of the National Park Service.”

To receive a copy of this free publication, join or support the coalition. Any current, retired or former salaried employee (GS, wage grade, seasonal, temporary, or SES) of the National Park Service can join the Coalition ([click on this link](#)). Coalition supporters can also join and receive the newsletter ([click on this link](#)). If you need to contact the Coalition office on other matters, including changes of address, [click on this link](#).

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