

FROM SENATORS FLAKE, LEE AND ALEXANDER

On February 3, 2014, Senators Flake, Lee and Alexander wrote to me concerning my nomination to be Assistant Secretary for Fish and Wildlife and Parks. I am providing the following response to the Committee for the record.

Question 37: Despite earlier commitments, the Department of the Interior (the “Department”) has been seemingly unable to find “common ground” among diverse interests, even on comparatively small matters. With your nomination to be Assistant Secretary for Fish, Wildlife, and Parks, there is an opportunity to reset, and your nomination hearing provides an ideal occasion for you and the Department to express in concrete terms that it is shifting away from its current “politics-as-usual” posture. For our part, you could begin by making a commitment to support legislation that would reimburse states that provided funds to temporarily reopen national parks during last year’s government shutdown. If confirmed, this would be an area squarely within your purview.

When previously asked about this issue, you stated, “I understand that an act of Congress is needed to provide the National Park Service with the authority to reimburse the State....” You declined, however, to indicate whether you would support such legislation.

Given your current role overseeing the Department’s budget and financial policy, you are presumably aware that following the government shutdown the Continuing Appropriations Act, 2014 (Pub. Law No. 113-46) provided retroactive pay to all federal employees and provided retroactive funding for federal agencies. What’s more, those parks that were temporarily reopened during the shutdown collected gate entry fees. Nevertheless, it would appear that the National Park Service retained a shutdown windfall by keeping the money that some states provided to temporarily pay salaries and maintain park operations during the shutdown – both items Congress later retroactively funded.

We can likely all agree that the best scenario would have occurred if we had been able to avoid a shutdown in the first place. But, we also hope that we can agree that those states, municipalities, companies, and individuals that came together to mitigate the damage created by one, should not needlessly continue to bear its consequences. So, we ask again, would you support legislation that requires the National Park Service to reimburse those states that provided funds to reopen national parks during the shutdown?

Answer: As I stated in my hearing, I support repayment to the states in these circumstances, and understand that an act of Congress is needed to provide the National Park Service with the authority to reimburse the states for the portion of any donated funding that was expended or obligated to operate the parks during the Government shutdown. If confirmed, I commit to working with you and to other Members of Congress on legislation that would authorize reimbursement to the states for these donated funds.