

**Testimony of Dan Puskar
Executive Director
Public Lands Alliance**

To the “Democratic Forum on President Trump’s Favoritism
Toward the Oil and Gas Industry During the Government Shutdown”

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Chairman Grijalva, Congressman Lowenthal, and Members of the Committee, thank you for the opportunity to share the stories and impacts of the latest federal government shutdown, now in its 34th day.

My name is Dan Puskar and I serve as the executive director of the Public Lands Alliance. On behalf of my organization and our 165 member organizations, I implore the Administration and Congress to immediately restore funding for our public lands through FY 2019.

It is unconscionable that America’s national parks, refuges, forests and conservation areas have been held hostage by a political fight about separate issues that require serious debate and consideration.

About the Public Lands Alliance (PLA)

For more than 40 years, the Public Lands Alliance has worked to connect, strengthen, and represent the nonprofit partners of America’s public lands. Land management agencies call them friends groups, cooperating associations, education partners, field institutes, and conservation service corps. These nonprofit organizations have no shareholders, only a public trust to benefit the American people by enhancing our public lands and the visitor experience.

Under normal conditions, our members contribute more than \$250 million in donations and services annually to parks, refuges, forests, and conservation lands. Unfortunately, the lack of appropriations for the Department of the Interior and the U.S. Forest Service, and the choices of how land management agencies steward the public lands through this political impasse, has created unnecessary, impossible situations for the nonprofit community.

In my testimony, I will share more details about these unnecessary crises and the impacts to the public lands partner community. I cannot speak to the Administration’s views or decisions regarding oil and gas, yet I can - and am grateful for the opportunity - to describe how the nonprofit community is struggling to navigate the shutdown of many important DOI and US Forest Service operations.

Nonprofit Funding To Keep Open Public Lands Facilities

As appropriations lapsed on December 22, 2018, impacted agencies including the National Park Service, Bureau of Land Management, Fish and Wildlife Service, and U.S. Forest Service shuttered visitor facilities while leaving many entrance gates open. Restroom access and cleaning, trash collection, facilities and roads maintenance (including plowing), campground reservation services, backcountry and other permits, and public information would cease – unless someone else agreed to pay the federal government’s bills.

Nonprofit public lands partners often share visitor facilities with land management agencies to operate their retail stores or residential learning centers. They rely upon basic visitor amenities to conduct their conservation, education and recreation programming. They were presented with a catch-22:

- Use private funds to keep visitor facilities open through donations to their land management agencies with no expectation of repayment; or
- Close or suspend their stores, learning centers, and other programs, which reduces the nonprofit organization's revenue and denies visitors opportunities.

The nonprofit partner, the public land, and the visitor loses no matter which path is chosen.

Several nonprofit organizations have stepped up. For example, Great Smoky Mountains Association donated more than \$50,000 to the National Park Service (NPS) to staff three major visitor centers, service adjoining restrooms, and conduct trash removal from December 22 through January 1. The Association had to gamble that its park store sales and membership enrollments at those visitor centers would cover its operating costs and the shutdown donation.

Though the Association won its bet that week, the situation was untenable and further funds could not be gambled. More than \$50,000 in private funds have now been spent on trash removal and cleaning toilets instead of youth internships, the Junior Ranger program, or the salaries for Association employees. This donation was the equivalent of a full pay period for the Association's 60 employees.

The NPS has required nonprofit organizations to sign an agreement, among many other forms, to provide these donations. One of clause of the agreement states:

“Unless the United States Congress appropriates funds and expressly directs the NPS to reimburse the Donor for Donor funds previously obligated or expended by the NPS, the NPS will not reimburse the Donor for such previously obligated or expended funds.”

Congress should not expect any U.S. state, corporation, or nonprofit organization to fund the basic responsibilities of government. I encourage the Committee on Natural Resources to enact legislation that enables the NPS and other land management agencies to reimburse the nonprofit organizations who have stepped up to the plate.

Shutdown by the Numbers

The story of the Great Smoky Mountains Association is not unique. PLA estimates that nonprofit partners have donated more than \$300,000 since December 22, 2018 to keep visitor facilities open. In these five weeks, at minimum:

- \$4.1 million lost in retail sales and visitor programs, which will have a negative effect on the amount of funds donated to parks, refuges, forests and conservation lands in FY 2019 and beyond for their real conservation, education, and recreation needs.
- 536 nonprofit employees laid off, furloughed or compelled to take leave without pay. Like federal employees who have been furloughed, these people have families to support and mortgages to pay. Unfortunately, Congress has made no provision to award them back pay.

- 24% of surveyed nonprofit organizations have cleaned restrooms and/or removed trash in visitor facilities.

These numbers will continue to rise as the shutdown continues. As upsetting as these numbers are, the stories behind them are equally concerning:

- *Closing retail stores harms small businesses.* Many educational and interpretive products sold on public lands are specially made through collaboration between a land management agency, their nonprofit partner, and a small business. Wish Designs of Lawrence, MA, a small business that does embroidery, screen printing, and custom garments, has had 85% of its business disappear with the government shutdown. The likelihood of it receiving more orders for its products is nil as the shutdown continues.
- *Many capital projects are in limbo.* Nonprofit organizations fund capital projects on public lands, from historic restoration to new kiosks and visitor centers. During the shutdown, nonprofit leaders are unable to work with agency partners to discuss project goals, to coordinate on designs or contracts, or to engage in construction activities. The results are project delays and cost escalation.
- *Cooperative agreements and grants will need to be modified.* Conservation service corps and other programs managed by nonprofit partners often rely on financial agreements with land management agencies. Many of these agreements have been suspended. Youth and veterans have lost their pay checks and been diverted from service projects. Depending on how long the shutdown lasts, the ramifications may include the need for burdensome agreement modifications, reductions in the scope of work, or the loss of an agreement entirely. Agency personnel who manage these agreements have not been considered essential during the shutdown.
- *Hiring freeze.* Both nonprofit organizations and their agency partners need to hire many seasonal workers to staff visitor and conservation programs. For parks and public lands with high summer visitation, this hiring of rangers, educators, and trail workers would be well underway now. Postponing these activities in land management agencies, as hiring has not been considered an essential function, will have calamitous impacts in the summer for the performance of essential tasks.
- *Reduction of Recreation Enhancement Fees:* Nonprofit partners consistently leverage the funds raised by entrance and recreation fees for effective public-private partnerships. Additionally, many agencies channel these funds to deferred maintenance projects that improve visitor access and safety, providing better facilities for nonprofit programming and inspiring donations. Currently, few if any fees are being collected. Spending fee money on activities that normally rely on appropriated funds will reduce future public-private project opportunities and exacerbate the deferred maintenance backlog.
- *Impacts to Historical, Cultural, and National Resources:* Many historic sites are shuttered and public lands are vulnerable to misuse. The descriptions of vandalism and natural resource damage at Joshua Tree National Park is now synonymous with this shutdown.

- *Impacts to tourism.* National parks have had record visitation in recent years. For many travelers, winter is the time to make big travel plans and America's public lands do not appear to be a reliable destination. A lingering shutdown will undoubtedly diminish public lands tourism which has a direct impact on gateway communities and the hospitality industry, not to mention diminished sales and lodging taxes harm local government. The ripple effect is severe.

What Comes Next

This shutdown, the longest in U.S. history, will force the nonprofit partners of America's public lands to rethink how they invest in their operations and reserves. Emphasis will need to be placed on making themselves organizationally healthy, potentially reducing contributions to public lands. Based on recent events, organizational leaders and citizens alike would be foolish not to anticipate more shutdowns in the coming year, and that uncertainty may diminish tourism, services, and aid to public lands.

On behalf of PLA and our members, I again ask the Administration and Congress to end this shutdown immediately and provide funding for America's public lands through the end of FY 2019. I also request Congress to authorize land management agencies to reimburse nonprofit partner organizations for their investments to cover routine federal obligations during the shutdown.

PLA is eager to work with both Democrats and Republicans on the House Committee on Natural Resources to achieve these outcomes for the benefit of our public lands and their visitors. Thank you again for the opportunity to speak with you today.