

**STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS OF THE HOUSE NATURAL RESOURCES COMMITTEE CONCERNING THE MANAGEMENT OF PARTNERSHIP EFFORTS WITHIN THE NATIONAL PARK SERVICE.**

**SEPTEMBER 23, 2010**

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Mr. Chairman, thank you for the opportunity to appear before you today to discuss National Park Service partnerships. My testimony will focus on three areas: 1) the continuing progress we are making to ensure facilities constructed in national parks through the combined efforts and resources of the National Park Service, partners, and donors are sustainable; 2) the improvements we have made to our partnership program in response to recommendations from the Government Accountability Office and a 2009 Office of the Inspector General report on the Department of the Interior Challenge Cost Share programs ; and 3) the work we are doing with partners to engage new and younger audiences.

Private philanthropy has played a major role in advancing the national parks and the National Park Service. The park system benefited from private contributions even before Congress created the National Park Service on August 25, 1916. Congress formally recognized the importance of private philanthropy to the National Park System in 1920 when it granted the Secretary legal authority to accept donations for the benefit of the national park and monument system, and in 1935 when it established the National Park Trust Fund Board to receive gifts for the benefit of the National Park Service, its activities, or its services. But philanthropy is more than a source of land and money for the parks. It is a means of building and strengthening bonds

between the parks and their advocates. While all taxpayers contribute to the parks, those who make additional voluntary contributions will have a special interest in their welfare. The parks and the National Park Service benefit from their devotion as well as their dollars.

## **CONSTRUCTION**

Over the past several years, the National Park Service has taken a number of specific actions to better ensure that new park facilities reflect NPS priorities, are appropriately scaled, and are financially and operationally sustainable over the long-term. Previously, Congressional committees expressed concern about partner-funded projects that were not prioritized by the NPS nor included in our five-year, line-item construction program. The concern centered primarily on projects where private funds were promised, but where private fundraising was unsuccessful and partners subsequently pursued federal funds through the appropriations process. Congress has also noted its concern about projects that result in new operations and maintenance costs.

In response to the above concerns, the NPS developed a “Partnership Construction Process” governing the review, approval, and management of capital projects that involve either public or private partnerships. Evidence that this process has been followed is required to secure the NPS Director’s approval for any partner funded construction project. The Partnership Construction Process combines our standard review of all construction projects valued at \$500,000 or greater with our fundraising approval process.

Pursuant to the NPS Partnership Construction Process, projects are reviewed by the NPS Development Advisory Board and the Department’s Investment Review Board, and are

evaluated for compliance with park planning documents. Additionally, partners are required to have fundraising plans, feasibility studies and fundraising agreements in place prior to the launch of a fundraising effort. Those projects requiring funds from the NPS line-item construction budget must be included in the NPS five year plan and prioritized, based on the project's readiness to proceed and service-wide priorities. The Director's approval is required for construction projects costing \$1 million or greater, and congressional consultation and concurrence is required for projects costing \$5 million or greater.

The Partnership Construction Process is designed to ensure that proposed projects meet NPS needs, that facilities are sized and scaled appropriately, and that they are financially sustainable. These issues are considered in the early phase of project consideration and are documented in a Memorandum of Intent between a park and its partner. The Memorandum of Intent (MOI) describes (1) the park's need for the project, (2) the legal authority to carry out the project, (3) the park's and partner's respective capabilities and readiness to take on the project, (4) their roles in the operations of the facility, and (5) how the facilities will be sustained, e.g., through an endowment, fees for services, or other revenue-generating activities. Park superintendents submit these memoranda to their Regional Directors as the first step in gaining regional and Washington-level review and approval for projects. Regional Directors assess whether the project and both partners are ready to move forward. This assessment is based on the documented experience of the partner in raising funds for, as well as constructing or implementing, a project of the size and scope discussed in the MOI. The Regional Director also evaluates the ability and experience of the park staff in managing a project of the scope and scale proposed.

Projects are further reviewed at the concept and schematic design phases by the Department's Investment Review Board and the NPS' Development Advisory Board. At the concept phase, board members review the park's projected operations and maintenance costs for proposed facilities. The boards are placing greater emphasis on project sustainability. Specifically, board members focus on the potential impacts to park operations and budgets and on the partner's ability to cover all or a portion of the operations and maintenance costs. This emphasis is in NPS's interest, and it responds to recommendations by the Office of the Inspector General and the Government Accountability Office in their respective 2007 and 2009 reports.

The NPS's Denver Service Center, which manages most large NPS construction projects, has developed tools for parks to use in determining the appropriate size of a new facility (Visitor Facility Model) and for estimating annual and cyclic operations and maintenance costs (Operations and Maintenance (O&M) calculator). Partners will now be required to develop a Business Plan that describes how annual and long-term O&M costs will be covered. This requirement addresses a recommendation of the GAO report discussed below. The NPS currently assesses Business Plans using in-house expertise within our concessions and budget offices. NPS may also obtain the services of business consultants for such evaluations.

NPS's Partnership Construction Process is resulting in more informed decisions about proposed projects and provides NPS with the opportunity to modify the scope or scale of proposed projects in early phases of project planning. For example, the Partnership Construction Process resulted in revisions to the scope and associated cost of projects at Mesa Verde National Park, the Flight 93 National Memorial, and the Yellowstone National Park visitor center.

The NPS recognizes the need to have a clear understanding, both with partners and within the agency, regarding the total cost of a project and about funding assumptions. Furthermore, project proposals predicated on approaching Congress for earmarked funds that are not included in the NPS budget, or on undetermined funding sources, are rejected. The following provision is inserted into partnership agreements and prohibits partners from lobbying Congress for funds for a project or program unless it is included in the President's budget submission to Congress:

Limitation on Lobbying. The Partner will not undertake activities, including lobbying for proposed Partner or NPS projects or programs, that seek to either (1) alter the appropriation of funds included in the President's budget request to Congress for the Department of the Interior or another federal agency that holds funds for the sole benefit of the NPS under Congressionally authorized programs, including the Federal Lands Highway Program; or (2) alter the allocation of such appropriated funds by NPS or another Federal agency. Nothing in this paragraph is intended to preclude the Partner from applying for and obtaining a competitive or non-competitive grant of Federal financial assistance from a Federal agency, or from undertaking otherwise lawful activities with respect to any Partner or NPS activity, project or program included in the President's budget request to Congress. Nothing in this paragraph should be construed as NPS requesting, authorizing or supporting advocacy by nonfederal entities before Congress or any other government official. Except as provided herein and in applicable laws, nothing in this paragraph shall be construed to curtail the Partner's ability to interact with elected officials.

## **GAO REPORT**

In 2009, GAO completed a report on Donations and Partnerships.<sup>1</sup> The report contains seven recommendations for improvement of NPS management in these areas. The complete NPS response to these recommendations is contained in the report. Today, I would like to highlight three GAO recommendations and commensurate NPS responses that may be of special interest to the subcommittee in the context of this hearing.

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<sup>1</sup> GAO-09-386: "National Park Service: Donations and Related Partnerships Benefit Parks, But Management Refinements Could Better Target Risks and Enhance Accountability."

GAO recommended that NPS's donations and fund-raising policies be appropriately tailored to address the level of risk to the agency. In response, NPS noted that it had revised Director's Order #21 (DO-21) in 2008 to simplify the approval and review process for construction and non-construction projects in national parks. Furthermore, NPS streamlined the partnership construction review and approval process from five phases to three and provided for Regional Director approval of fundraising efforts under \$5 million on the condition that no federal funds will be contributed to the project or program, thereby shifting the approval of projects posing less risk to the agency from the Director to the Regional Directors. Additional improvements to the NPS partnership program follow.

Partnership Agreement templates have been developed to reflect the level of risk of a project to the agency. For instance, agreements that authorize activities considered to be higher risk, such as the donation of facility designs and facility construction to NPS, include language to minimize the risk of these activities to the government. For example, the construction agreement includes very specific language on intellectual property ensuring that the United States has the appropriate rights to design and construction documents created in furtherance of the agreement and thereby reducing the risk of a conflict over the use of that material. In contrast, agreements addressing lower risk activities, such as those authorizing fundraising for design and construction that will be undertaken by NPS, contain provisions that appropriately address risks posed by fundraising activities.

GAO recommended that, to increase transparency and efficiency, the Department of the Interior's Office of the Solicitor work with the NPS to finalize draft model agreements related to donations

and fundraising. Accordingly, we have worked with the Office of the Solicitor to finalize three model agreements (templates): a Friends Group Agreement, a Fundraising Agreement, and a Partnership Construction Agreement. These agreement templates are now being used by the parks and their partners. The templates may be modified to address comments provided by Friends Groups and as a result of NPS's experience in using them.

GAO recommended that NPS improve National Park Service employees' knowledge, skills, and experience about fundraising and partnerships with nonprofit organizations—and encourage employees to improve nonprofits' understanding of the National Park Service—through targeted training, resource allocation, recruiting, and promotion practices. NPS recognizes that professional development in partnerships is an ongoing need and we continue to expand training in this area. The NPS has a dedicated partnership training manager who facilitates national partnership training opportunities and forums annually, supports regional training efforts, and identifies ways to incorporate partnership training into broader curricula, such as the Superintendents Academy and Fundamentals courses. Our courses usually include partners as participants and trainers, so that we both benefit from learning about one another's cultures, missions, and the applicable laws and standards by which we operate.

In order to leverage limited resources, we “teach the teachers” by training regional partnership employees who deal directly with partnership issues in their respective regions, and we are developing a variety of training methods, including face-to-face training sessions. We are also beginning to use web technologies to reach a greater number of employees.

At all levels of the NPS, we recruit managers with partnership experience and we are requiring that many position descriptions include partnership-related knowledge, skills, and abilities.

Although these three GAO recommendations have been highlighted, we would like to note that in response to the GAO recommendation regarding Data Collection, NPS now has incorporated the “Annual Report of Operations and Aid to a Federal Land Management Agency” form and its related requirements into the model Friends Group Agreement. And, with respect to the GAO recommendation for the development of a strategic plan, the NPS continues to consider this recommendation, and intends to begin developing such a plan as early as late 2010. This plan will attempt to define the wide range of NPS partnerships. It likely will include the many ways the agency partners with nonprofits, government agencies and educational institutions along with recommendations on how to enhance the partnership process.

### **CHALLENGE COST SHARE PROGRAM**

The purpose of the NPS Challenge Cost Share Program (CCSP) is to increase participation by qualified partners in the preservation and improvement of NPS natural, cultural, and recreational resources; in all authorized NPS programs and activities; and on national trails. NPS and partners work together on CCSP projects with mutually beneficial, shared outcomes. In 2008, the Office of the Inspector General (OIG) opened an evaluation of all DOI Challenge Cost Share (CCS) Programs including the NPS CCSP and released their evaluation report in September of 2009. The report was critical of aspects of all Departmental CCS programs, citing lack of transparency, documentation, and internal control reviews as issues. The report recommends that the Department’s CCS programs require 1) CCS funding to be announced on Grants.gov; 2) partner



commitment letters; 3) CCS awards to be reported in the Federal Assistance Award Data System; 4) accurate tracking of partner expenditures and in-kind contributions; 5) certifying agreements documenting that all agreed-to-tasks were performed and matching contributions provided; 6) return of unspent CCS funds for reallocation to other projects; 7) accurate reporting of the program's accomplishments, including federal/nonfederal matching ratio; and 8) periodic management control reviews. In response, the DOI Office of Acquisition and Property Management issued a directive dated September 17, 2010 that addresses the eight recommendations.

The directive requires program compliance with existing Departmental guidance relating to cooperative agreement use, requirements, and reporting of awards in the Federal Assistance Awards Data System. The directive also requires greater partner accountability, outlines reporting requirements, and addresses performance measures and project monitoring. All bureaus, including the NPS are expected to revise their program guidance to align with the Departmental directive.

Prior to the issuance of the DOI directive, in FY 2010, NPS CCSP guidelines were revised and tightened to address OIG concerns. By June 2010, four of eight OIG recommendations were able to be closed out with the NPS Office of Financial Management. One recommendation was pending close-out. Three (relating to Grants.gov posting, Federal Assistance Awards Data System requirements, and management control reviews) have been addressed and are currently being reviewed by the NPS Office of Financial Management. The DOI directive will be sufficient to close-out the remaining OIG recommendations for the program.

## **SERVICEWIDE YOUTH PROGRAMS AND PARTNERSHIPS**

Much of our attention in the past five years has focused on the role of partners in funding bricks and mortar projects. We are pleased to have this opportunity to tell you about another facet of our partners' support, and that is the role partners have had in helping NPS engage new audiences – in particular, young people. A primary goal – and need – of our agency is to make national parks relevant to all Americans.

Our youth outreach and recruitment strategy is focused and specific. Park employees across the country are developing long-term relationships with universities, community colleges, high schools, technical schools, non-profit organizations, and national organizations like Outward Bound to provide children with opportunities for community service, internships, employment, learning, and just plain fun.

Many of our partnership programs focus on training and employing youth for environmental careers. These programs are designed to engage young people early, when they are just beginning to think about their career choices. There is a particular focus on inner-city children of color, who may not have known about or considered environmental career opportunities. In addition to mentoring and career development, these programs allow students to carry their experiences back to their families and communities, further broadening awareness of the NPS and the parks. Students continue in these programs throughout their high school career, providing interested students a link to future NPS jobs through the Student Temporary Employment Program (STEP) and the Student Career Experience Program (SCEP), and

ultimately permanent positions. The results are that young people experience the national parks, and the parks become meaningful to their own lives. It also results in the NPS having a more diverse workforce, which brings new energy and new perspectives to our agency and positively influences our operational and management decisions.

We are able to provide these programs by strengthening our ties to community centers and organizations like Boys and Girls Clubs and YMCAs; as well as national organizations like the Greenworks USA Trust, Greening Youth Foundation, and the Student Conservation Association.

Young people participating in the Public Lands Corps and Youth Conservation Corps work with park staff to complete a variety of summer natural and cultural resource conservation projects. Their work experience includes the chance to explore career opportunities that have an emphasis on park and natural resource stewardship.

Paid internships in the field of interpretation and visitor services are offered during the summer to graduating high school seniors and freshman and sophomore college students in partnership with a host of non-profit youth organizations. Work experience gained through internships provides avenues for students to qualify for summer seasonal employment as GS-04 Park Rangers.

Many of our parks are collaborating with non-profit organizations to establish education and environmental institutes inside parks, which typically offer field, classroom, and laboratory environmental science education and overnight experiences in a park for students in grades K-12.

For many young people, their first entry point to a park experience is through curriculum-based education programs presented at their schools or at one of our park-based education or environmental centers. Our partners often provide full and partial scholarships and therefore are able to attract and serve low-income and ethnically diverse students, who otherwise could not participate.

One of our newer programs, the “Let’s Move Outside” Junior Ranger program, encourages young people to enjoy the outdoors and be active and healthy. Park rangers provide programs, workbooks, and incentives to pursue a Junior Ranger badge. Young people who complete at least one physical activity in pursuit of their Junior Ranger badge receive a special sticker that designates them as a “Let’s Move Outside” Junior Ranger. It is a great way to learn and have fun in a park.

### **PARK SPECIFIC YOUTH PROGRAMS AND PARTNERSHIPS**

The following programs are just a few notable examples of the many outstanding ways we are working with our partners to make national parks more accessible and meaningful to the younger generation, to new Americans, and to people who have rarely, if ever, experienced a National Park.

Santa Monica Mountains National Recreation Area is strategically partnering with non-profit and government agencies in youth employment, education and service-learning, volunteerism, and urban outreach. The park collaborates with the Los Angeles Conservation Corps and more than

30 education partners and public school districts in Los Angeles and Ventura Counties, to provide programs that engage approximately 50,000 urban youth annually with quality outdoor learning experiences. These programs help connect young people in cities to the outdoors and to principles of stewardship, while promoting civic responsibility and appreciation of our national heritage.

The Golden Gate National Park Conservancy's I-YEL (Inspiring Young Emerging Leaders) Program is initiated, designed, and coordinated by young people, who receive support and training in planning and implementing projects that create positive change in their communities. Participants engage in many activities, such as teaching drop-in programs at the park's environmental center, conducting outreach activities in communities, attending conferences, or creating their own community service project.

Also at Golden Gate National Recreation Area, the Linking Individuals to the Natural Community (LINC) Summer High School Program allows high school students to join a team that works on outdoor service-learning projects throughout the park, including trail work, plant propagation, and habitat restoration. In addition, students attend leadership workshops and take field trips to special park sites like Alcatraz and Muir Woods, and participate in a four-day camping and service trip to Yosemite.

The Tsongas Industrial History Center is a partnership of the Lowell National Historical Park and the University of Massachusetts' Graduate School of Education, providing heritage education programs for 50,000 school children per year. The park provides the center physical

space in its Boott Cotton Mills Museum building, the university takes the lead in grant-writing and fundraising to fund the exhibits, and both partners work jointly on curriculum, outreach and teaching. This effort won a National Parks Foundation Partnership Award as a model for effective heritage education.

Working with partners, Lowell's Mogan Cultural Center hosts a series of programs each year, engage underserved populations and over three dozen ethnic communities, earlier generations of whom worked in the textile mills. Recently, the center, through exhibits, lectures, projects, performances, and other special events greatly expanded the Park's interaction with newer immigrants from Brazil, Cambodia, Puerto Rico, Laos, and Sierra Leone.

Two programs of the Thompson Island Outward Bound Education Center, Green Corps and Island Ambassadors, provide employment for high school students at Boston Harbor Islands National Recreation Area, teach them job readiness skills, and engage them in hands-on stewardship in the park. This summer the Green Corps cleared trails and invasive plants from salt marsh areas on Thompson Island, prepared garden areas, and created compost bins. The Island Ambassadors cleared trails and campsites, and used the green waste to create artwork such as weaving and paper. They also assisted with monitoring marine invasive species, mapping invasive plants, and collecting GPS data for an on-going phenology<sup>2</sup> study.

Island Pass, sponsored by the Boston Harbor Islands Alliance, is dedicated to improving the accessibility of the islands for those who cannot afford to pay the regular public ferry fare. The

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<sup>2</sup> The study of periodic biological phenomena, such as flowering, breeding, and migration, especially as related to climate. The American Heritage Dictionary.

Island Pass program focuses on bringing groups to the islands from the YMCA of Greater Boston, part of the national Y's initiative to build "Healthier Youth and Healthier Communities." The pass is providing approximately 5,000 people this year with free rides to the islands. The Island Pass program also provides NPS-guided, State-guided and self-guided tours to help Boston's under-served youth explore the islands.

### **Conclusion**

Partnerships like these are making a difference. They enable the National Park Service to engage, as never before, hundreds of thousands of young people and new Americans. Our partners are contributing not only funding for these programs, but their valuable time, energy, and commitment to youth education, recreation, and park stewardship.

Mr. Chairman, this concludes my prepared remarks. I would be happy to answer any questions you or the other members of the Subcommittee have.

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