

Congress of the United States
Washington, DC 20515

April 1, 2019

The Honorable Betty McCollum
Chair
House Committee on Appropriations
Subcommittee on the Interior,
Environment, and Related Agencies
B-308 Rayburn
Washington, DC 20515

The Honorable David Joyce
Ranking Member
House Committee on Appropriations
Subcommittee on the Interior,
Environment, and Related Agencies
1016 Longworth
Washington, DC 20515

Dear Chair McCollum and Ranking Member Joyce:

We respectfully request a prohibition on funding in the Fiscal Year (FY) 2020 Interior and Environment Appropriations Act for the National Park Service (NPS) to implement their two recent proposals concerning park entry fee increases and changes to the Commercial Use Authorizations (CUA) permitting process for U.S. National Parks.

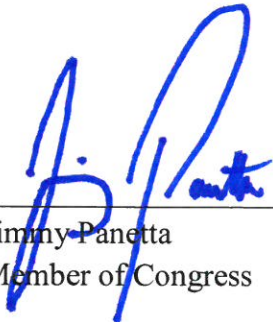
On October 17, 2017, NPS issued a press release stating it was “considering increases of fees at highly visited national parks during peak seasons.” The press release also announced changes to the commercial tour requirements and drastic increases to CUA permit fees. The purported purpose of these proposals is to raise funds to address the \$11.6 billion NPS maintenance backlog. However, NPS failed to follow routine federal agency procedures designed to provide for an open and transparent consideration process for public input, when agencies undertake changes to policies or regulations. In short, NPS did not publish either proposal in the Federal Register, establish a public docket where comments could be filed and reviewed by the public, obtain interagency review of the proposals, conduct a cost/benefit analysis, or assess the impact of the proposals on small businesses. Further, comments filed on the proposals were not made available to the public for review.

On April 12, 2018, with little explanation and again via press release, NPS announced its final policy change for a new park entry fee structure, modifying its initial proposal. On April 19, 2018, NPS issued another press release announcing its final plan concerning the CUA permitting process. The full description of the CUA plan was provided in a one-page document, with no explanation or attempt to address concerns raised with it. Basically, the CUA plan retained much of the original proposal under the guise of standardizing road-based tour CUA permit requirements and fees. Under this plan, scheduled to go into effect October 1, 2019, a road-based tour operator is required to apply for and obtain a CUA for each NPS park in which it operates. To obtain a CUA permit an operator must pay a \$300.00 application fee per permit, and a \$5.00 per person CUA management fee for each passenger brought to the park under each specific CUA permit, and then file an annual report with each park, accounting for all the passengers.


NPS's process for developing and announcing both of these policy changes was woefully inadequate and did not follow standard federal procedures for making changes to policies or rules. NPS gave little notice of the proposals, failed to provide an open and transparent process for their consideration, provided no cost justification, and made no effort to work with or conduct outreach to stakeholders or the public. As we understand it, the entire process occurred behind the closed doors. Moreover, NPS now claims it is exploring further changes to these policies, which again lack proper transparency. This is not the way to develop and implement policy or rules; neither of these policies should be implemented, without further consideration in an open and transparent manner.

The lack of an open and transparent process to comment on the NPS's fee proposals is an ongoing source of frustration for our constituents, the tour and travel industry, and the public at large. For these reasons, we respectfully request inclusion of language in the FY 2020 Interior and Environmental Appropriations Act to ensure no funds are used to implement the flawed park entry fee and CUA program changes, and the entry fee and CUA program policies in place as of January 1, 2018, are restored.

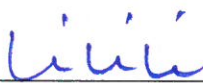
Sincerely,



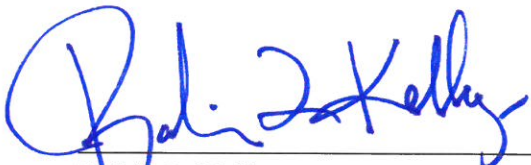
Jimmy Panetta
Member of Congress



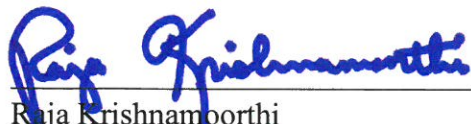
Tulsi Gabbard
Member of Congress




Gregorio Kilili Camacho Sablan
Member of Congress



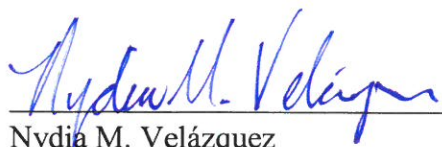
Robin L. Kelly
Member of Congress



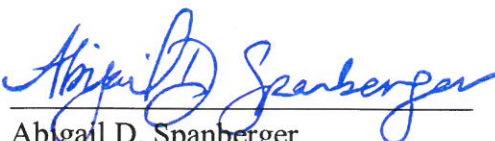
Raja Krishnamoorthi
Member of Congress



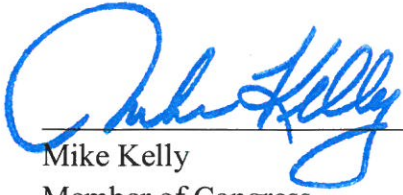
Marcia L. Fudge
Member of Congress



Nydia M. Velázquez
Member of Congress



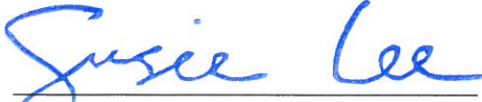
Abigail D. Spanberger
Member of Congress



Mike Kelly
Member of Congress



Steve Chabot
Member of Congress



Susie Lee
Member of Congress