

United States Senate

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COMMITTEES:
JUDICIARY
ENERGY AND
NATURAL RESOURCES
JOINT ECONOMIC
COMMITTEE
BUDGET

September 26, 2023

The Honorable Deb Haaland
Secretary
U.S. Department of Interior
1849 C St., NW
Washington, D.C. 20240

Dear Secretary Haaland,

Utah takes immense pride in its natural beauty and the enjoyment of our nation's remarkable public lands. As you are aware, Utah boasts some of the most iconic National Park units in the United States, and these parks serve as a vital economic driver for our local communities.

As the end of Fiscal Year 2023 approaches, I am deeply concerned about the looming possibility of a government shutdown. This potential shutdown threatens the livelihoods of countless Utahns who rely on the economic benefits generated by our National Parks. I urge you to utilize the authorities granted to you under the Federal Lands Recreation Enhancement Act (FLREA) to ensure the continued operation and accessibility of these cherished public lands during any government shutdown.

FLREA authorizes the National Park Service (NPS) to charge and collect recreation fees on federal recreational lands and waters. In addition to authorizing the collection of fees, the law establishes several uses for which FLREA fee funds may be expended: "(A) repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, and health and safety; (B) interpretation, visitor information, visitor service, visitor needs assessments, and signs; (C) habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography; (D) law enforcement related to public use and recreation; (E) direct operating or capital costs associated with the recreation fee program; and (F) a fee management agreement established under section 6805(a) of this title or a visitor reservation service."¹

Without question, FLREA clearly authorizes the use of nonappropriated funds from fee revenues for essential park activities such as law enforcement, sanitation, trash collection, restroom maintenance, and basic visitor services. Interior has stated that the Department has repeatedly used FLREA revenues for these uses in the past, both in times of regular federal operation and shutdown.²

¹ 16 U.S.C. § 6807(a)(3)(A)-(F).

² Edward T. Keable, RE: DEPARTMENT OF THE INTERIOR-ACTIVITIES IN NATIONAL PARKS DURING A LAPSE IN APPROPRIATIONS – Appendix A (September 6, 2019).

During the December 2018 - January 2019 shutdown, most Utah NPS units remained accessible to visitors due to the availability of FLREA fee funds. This not only provided much-needed respite and recreation but also helped mitigate the economic harm that would have impacted our local communities if these parks had been forced to close their gates. These parks generate substantial revenue for the state, support local businesses, and create jobs for our constituents. The potential closure of these parks during a government shutdown would have a devastating impact on the livelihoods of those who rely on tourism and visitation.

The potential harm of park unit closure extends beyond the economic sphere. It also threatens the long-term environmental preservation efforts in these areas. Park unit closure could result in inadequate protection and management, potentially leading to irreversible environmental degradation. Our National Park units are not only economic engines but also vital natural treasures that we must safeguard for future generations.

In the event that the State of Utah chooses to expend state funds to keep National Parks and other NPS areas open during a government shutdown, I strongly urge you to ensure that these funds are repaid to the state promptly once the shutdown concludes. If an Act of Congress is required, I ask that you support the legislation to facilitate this reimbursement and work with me and my colleagues to ensure that passage of this legislation is prioritized. This reimbursement is essential to alleviate the financial burden placed on our state during these challenging times.

Thank you for your attention to this urgent matter. I am ready and willing to work collaboratively with you to ensure the continued operation of our National Park units and the welfare of our constituents.

Sincerely,



Michael S. Lee
United States Senator