

Congress of the United States

Washington, DC 20515

May 31, 2018

Mr. P. Daniel Smith
Deputy Director
National Park Service
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Mr. Smith:

On March 30, 2018 the Friends of Claude Moore Colonial Farm (FCMCF) received a notice from the National Park Service (NPS) that the non-profit's thirty year cooperative agreement with NPS will expire on December 21, 2018.¹ Claude Moore Colonial Farm is a privately funded and managed national park site that operates a living history museum portraying family life on a small, low income colonial farm in the pre-Revolutionary War era.² Given the successful model of public-private partnership exemplified by the popular farm and its uniquely independent status within the national park system, we seek clarification of NPS policies and requirements concerning cooperative agreements with partner organizations such as FCMCF.

Claude Moore Colonial Farm opened in 1973 on undeveloped GSA surplus land that was transferred to NPS.³ In 1981, after NPS planned to close the farm, FCMCF was created under 501(c)(3) status and signed a cooperative agreement with NPS giving the organization responsibility for funding, maintenance, improvements, staffing, and all other functions needed to independently operate the farm.⁴ This original 1981 agreement ended in 2006 and has been extended multiple times before finally expiring on December 31, 2017.⁵ We are aware that for several months NPS and FCMCF engaged in failed negotiations for a new cooperative agreement. During the negotiation period, NPS offered a draft cooperative agreement on March 5, 2018 that was congruous with more recently developed cooperative agreements.⁶ FCMCF, however, expressed concerns that new provisions offered in the draft agreement significantly departed from those in the previous long-term cooperative agreement and thus were incompatible

¹ Letter from P. Daniel Smith, Dep. Dir., NPS, to Anna Eberly, Exec. Dir., Friends of Claude Moore Colonial Farm (Mar. 30, 2018), available at <https://www.nps.gov/clmo/learn/management/upload/Claude-Moore-Letter-Accessible.pdf>.

² CLAUDE MOORE COLONIAL FARM, *About Us*, <http://1771.org/about>. (last visited May 29, 2018).

³ *As Difficult as Possible: The National Park Service's Implementation of the Government Shutdown: Joint Hearing Before the H. Comm. on Oversight and Gov't Reform and H. Comm. on Natural Resources*, 113th Cong. 24-31 (statement of Anna Eberly, Exec. Dir., Friends of Claude Moore Colonial Farm), available at <https://www.gpo.gov/fdsys/pkg/CHRG-113hhrg88621/pdf/CHRG-113hhrg88621.pdf>.

⁴ *Id.*

⁵ *Supra* note 1.

⁶ *Id.*

with the successful long-term operation of the farm in its current form.⁷ FCMCF subsequently declined to accept the agreement and agreed to the short-term extension set to expire this December.⁸

We appreciate that NPS seeks to enter into cooperative agreements with partner organizations that ensure compliance with current NPS guidelines, and provide appropriate mechanisms for oversight. We also recognize the unique relationship between FCMCF and NPS and its departure from ordinary public-private partnerships in the park system. In particular, FCMCF does not rely on NPS for significant funding and receives no apparent regular assistance with its farm operations.⁹ Given this unique foundation and the nearly four decades of successful operations at Claude Moore Colonial Farm under the current agreement, we seek clarification on the suitability and necessity of applying all uniform standards found in modern NPS cooperative agreements on FCMCF.

To assist our oversight on this matter, please provide the following documents and information as soon as possible, but no later than 5:00 p.m. on June 14, 2018:

1. Documents sufficient to explain how the Friends of Claude Moore Colonial Farm (FCMCF) is unique in its operation of a national park site compared to other partner organizations that enter into cooperative agreements with NPS;
 - a. Please provide an explanation of how a modernized cooperative agreement can be drafted to accommodate FCMCF's unique circumstances and also comply with NPS's required guidelines for cooperative agreements.
2. A list sufficient to show all mandatory reviews of NPS partner organizations, including but not limited to audits, inspections, periodic meetings, and evaluations, and the corresponding frequency required of such reviews;
3. Documents sufficient to show all reviews of Claude Moore Colonial Farm, including but not limited to audits, inspections, and evaluations, from January 1, 2008 through May 24, 2018;
4. Documents sufficient to explain the level of detrimental impact to NPS when a partner organization, such as FCMCF, uses the sale of donated books on topics potentially unrelated to the historical era portrayed at the national park site to support its operation;

⁷ Elliot Williams, *Claude Moore Colonial Farm's Future is in Question Over a Contract Dispute with the NPS*, WASHINGTONIAN, (May 3, 2018), available at <https://www.washingtonian.com/2018/05/03/national-park-service-shut-down-claude-moore-colonial-farm-living-history-mclean-northern-virginia/>.

⁸ *Id.*

⁹ *Supra* note 3.

5. Documents sufficient to show NPS's current process for approving Claude Moore Colonial Farm's merchandise, brochures, printed materials, and social media posts prior to their publication or sale;
 - a. Please provide an explanation of how NPS would approve Claude Moore Colonial Farm's merchandise, brochures, printed materials, and social media posts under the terms of the NPS's proposed modernized cooperative agreement.
6. Documents sufficient to show NPS's potential or formalized plans, for the Claude Moore Colonial Farm site should NPS and FCMCF fail to sign a new cooperative agreement prior to the current agreement's expiration on December 21, 2018; and
7. Documents sufficient to explain how the proposed land exchange between NPS and the Fairfax County Park Authority at Langley Fork Park and Langley Oaks Park may consider, involve, or impact the Claude Moore Colonial Farm site after December 21, 2018.

In addition, we ask that you provide Members and Committee staff with a briefing and site visit no later than June 8, 2018. Please contact Sang Yi and Melissa Beaumont of the Oversight and Investigations Subcommittee staff at (202) 225-7107 with any questions about this request. Thank you for your attention to this matter.

Sincerely,



Rob Bishop
Chairman
Committee on Natural Resources



Bruce Westerman
Chairman
Subcommittee on
Oversight and Investigations



Barbara Comstock
Member of Congress

Enclosure