

## United States Senate

January 10, 2019

The Honorable David Bernhardt  
Acting Secretary  
Department of Interior  
1849 C Street, NW  
Washington, DC 20240

The Honorable Emily W. Murphy  
Administrator  
General Services Administration  
1800 F Street, NW  
Washington, DC 20405

Dear Mr. Acting Secretary and Madam Administrator:

I write to request information regarding National Park Service (NPS) staffing of the Old Post Office Tower (tower) located within the Trump International Hotel during the current government shutdown.

The Old Post Office is a historic building under lease by the General Services Administration (GSA) to the Trump Organization, which is required to permit public access to certain areas of the building, including the tower.<sup>1</sup> The tower was closed by the NPS on December 22, 2018, when funding lapsed for certain agencies including the GSA and the Department of Interior (DOI), of which the NPS is a part.<sup>2</sup> On January 2, 2019, it was reported that the tower would reopen with funding from GSA,<sup>3</sup> and it did.<sup>4</sup> When questioned about this funding, a GSA spokesperson described the funds for reopening the tower as “not associated with the current fis-

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<sup>1</sup> General Services Administration, *Report of Material Provisions of the Old Post Office Development Agreement Submitted Pursuant to Old Post Office Building Redevelopment Act of 2008*, at 6 (Public Law 110-359) (June 2013) ([www.federalnewsradio.com/wpcontent/uploads/pdfs/GSA\\_OPO\\_congressional\\_report.pdf](http://www.federalnewsradio.com/wpcontent/uploads/pdfs/GSA_OPO_congressional_report.pdf)).

<sup>2</sup> *Old Post Office Tower at Trump Hotel to Open During Shutdown*, E&E News (Jan. 2, 2018) ([www.eenews.net/stories/1060110755](http://www.eenews.net/stories/1060110755)).

<sup>3</sup> *Old Post Office Tower at Trump Hotel to Open During Shutdown*, E&E News (Jan. 2, 2018) ([www.eenews.net/stories/1060110755](http://www.eenews.net/stories/1060110755)).

<sup>4</sup> *Shutdown Spares Federal Park Rangers at Site in Trump Hotel*, Washington Post (Jan. 4, 2019) ([www.washingtonpost.com/politics/shutdown-spare-federal-park-rangers-at-site-in-trump-hotel/2019/01/04/c72a618c-1075-11e9-8f0c6f878a26288a\\_story.html?utm\\_term=.6cf42b888260](http://www.washingtonpost.com/politics/shutdown-spare-federal-park-rangers-at-site-in-trump-hotel/2019/01/04/c72a618c-1075-11e9-8f0c6f878a26288a_story.html?utm_term=.6cf42b888260)).

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cal year's (FY 2019) appropriations bill."<sup>5</sup> Subsequently, it was reported that GSA would tap the Federal Buildings Fund to pay to reopen and staff the tower with NPS employees under an inter-agency agreement between GSA and DOI, which GSA stated was pursuant to Public Law 98-1.<sup>6</sup>

I would like nothing more than to have all of our rangers and other federal civil servants back at work on behalf of the public. As the clock tower at Trump International Hotel in Washington stands open, staffed by NPS personnel, valuable public buildings such as the Smithsonian are shuttered. Meanwhile, mounting trash and unsafe conditions at national park sites across the country are putting people and wildlife in jeopardy. At least three people have died at national park sites since the shutdown began.<sup>7</sup> Conditions are being described as "dire" and on the brink of causing lasting damage and financial repercussions for parks and surrounding communities.<sup>8</sup>

While GSA has authority to transfer funds to NPS under certain conditions, the lengths to which to your agencies have gone to open the tower facility within a Trump business enterprise have raised public concerns that the tower may be receiving special treatment,<sup>9</sup> in light of a shutdown that has left 800,000 federal workers furloughed or working without pay and crippled our national parks.

In order to better understand the current state of this matter and in light of the concerns outlined above, I request that you answer the following:

1. Please confirm the funding source for (1) the National Park Service employees, and (2) any other federal employees who are staffing the tower during the partial govern-

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<sup>5</sup> *Old Post Office Tower on Trump property to Remain Open During Shutdown*, The Hill (Jan. 2, 2019) ([www.thehill.com/homenews/administration/423605-old-post-office-tower-on-trump-property-to-reopen-during-shutdown](http://www.thehill.com/homenews/administration/423605-old-post-office-tower-on-trump-property-to-reopen-during-shutdown)).

<sup>6</sup> General Services Administration, GSA statement on Old Post Office Tower operations (Jan. 4, 2019) ([www.gsa.gov/about-us/newsroom/news-releases/gsa-statement-on-old-post-office-tower-operations](http://www.gsa.gov/about-us/newsroom/news-releases/gsa-statement-on-old-post-office-tower-operations)).

<sup>7</sup> *Park Service Takes 'Extraordinary Step' of Dipping Into Entrance Fees Amid Shutdown*, Chicago Tribune (Jan. 6, 2019) ([www.chicagotribune.com/news/nationworld/ct-park-service-government-shutdown-20190106-story,amp.html?\\_\\_twitter\\_impression=true](http://www.chicagotribune.com/news/nationworld/ct-park-service-government-shutdown-20190106-story,amp.html?__twitter_impression=true)).

<sup>8</sup> *Garbage, Feces, Other Bad Behavior Take Toll on National Parks During Shutdown*, USA Today (Jan. 1, 2019) ([www.usatoday.com/story/news/nation/2019/01/01/free-all-national-parks-overrun-garbage-other-bad-behavior/2456757002/](http://www.usatoday.com/story/news/nation/2019/01/01/free-all-national-parks-overrun-garbage-other-bad-behavior/2456757002/)).

<sup>9</sup> *Shutdown Spares Federal Park Rangers at Site in Trump Hotel*, Washington Post (Jan. 4, 2019) ([https://www.washingtonpost.com/politics/shutdown-spare-federal-park-rangers-at-site-in-trump-hotel/2019/01/04/c72a618c-1075-11e98f0c6f878a26288a\\_story.html?utm\\_term=.6cf42b888260&noredirect=on](https://www.washingtonpost.com/politics/shutdown-spare-federal-park-rangers-at-site-in-trump-hotel/2019/01/04/c72a618c-1075-11e98f0c6f878a26288a_story.html?utm_term=.6cf42b888260&noredirect=on)).

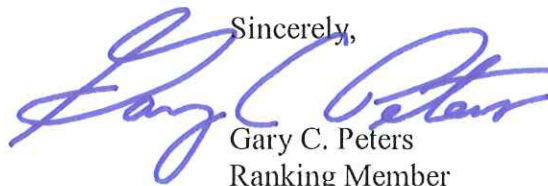
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ment shutdown. How much has GSA paid to date during this partial shutdown? Did GSA pay for these employees prior to the current shutdown?

2. What other costs are GSA and/or DOI paying to keep the tower open and provide services, what is the funding source, and how much has been paid and/or obligated to date? Did GSA pay any of these costs prior to the shutdown?
3. What other federal facilities are currently being kept open during the shutdown using the same funding source(s) as the tower? What federal facilities have been closed during the shutdown? How did GSA make the decision as to how to allocate these funds among federal properties during this government shutdown, and why was the tower prioritized over other federal facilities?
4. Who made the decision to reopen the tower? Please confirm the authority under which it was reopened. What other facilities did GSA determine needed to be reopened after closing those facilities due to the lapse in funding?
5. What, if any, communications did GSA and/or DOI officials have with White House officials concerning the decision to reopen the tower and the funding to keep the tower open? With officials from any business entity affiliated with President Trump or his family?
6. Was the tower kept open to the public directly preceding, during, and/or after the October 2013 shutdown?
7. Please provide a copy of the current lease and any prior leases with the Trump Organization for the Trump International Hotel in Washington, DC, as well as a copy of the current interagency agreement between GSA and DOI and prior interagency agreements from 2010 to the present that cover staffing of the tower by NPS employees.

I request that you provide separate agency responses to the above questions on or before January 31, 2019.

Sincerely,



Gary C. Peters  
Ranking Member

cc: Ron Johnson  
Chairman