



OFFICE OF INSPECTOR GENERAL



DEPARTMENT OF THE INTERIOR

RECOVERY OVERSIGHT ADVISORY

A Critical Point Evaluation Product





RECOVERY OVERSIGHT OFFICE

Washington, DC 20240

JAN 10 2010

To: Jon Jarvis
Director, National Park Service

From: Robert A. Knox
Assistant Inspector General, Recovery Oversight Office

Subject: Recovery Oversight Advisory – Youth Cooperative Agreements at Mount Rainier National Park (ROO-ROA-MOA-1016-2009)

To safeguard taxpayer dollars, Congress provided us with funding to oversee and ensure accountability of the \$3 billion appropriated to the Department of the Interior (the Department) in the American Recovery and Reinvestment Act of 2009 (Recovery Act). We are focused on: preventing fraud, waste, and mismanagement; reducing misuse of dollars through early detection; and ensuring transparency in our oversight efforts. As part of our collaboration with the Department, we observed the implementation of four Recovery Act funded cooperative agreements with youth conservation groups at Mount Rainier National Park in Washington State. This advisory highlights findings from our trip and our concern about monitoring compliance with recipient cost-matching requirements in these agreements.

The Recovery Act stipulates that the Secretary of the Interior shall, to the extent practicable, partner with federal, state, local, tribal, or nonprofit groups that serve young adults.¹ Previous OIG reports, however, have highlighted several issues that the Department encountered while managing partnerships with nonfederal entities. In light of the Recovery Act's requirements and the Department's partnership management experience, we sought to determine whether the Recovery Act cooperative agreements at Mount Rainier National Park were implemented in accordance with laws and regulations. We also delved into whether the use of cooperative agreements contributes to the Department's effort to engage youth effectively.

We found that the Mount Rainier partnerships clearly engaged youth participants, and met the primary requirements for cooperative agreements. We do have some concern, however, that cost-matching requirements were not adequately monitored by Park staff during the course of the agreements, likely complicating its ability to enforce or accurately report partner-matching contributions.

Please provide a written response to this advisory within 30 days of receipt detailing the corrective actions the National Park Service (NPS) will implement to meet our recommendations, as well as targeted completion dates and title(s) of the official(s) responsible for implementation.

¹ Title VII, Sec 702

We will post this advisory on our website (www.doioig.gov/recovery) and Recovery.gov. Information contained in this advisory may also be included in our semi-annual reports to Congress. Please contact me if you have any questions.

Background

The Recovery Act stipulates that the Secretary of the Interior shall, to the extent practicable, partner with groups that serve young adults, an edict in keeping with the Department's efforts to engage, educate, and develop future generations with an ethic for conservation and resource stewardship.² Furthermore, the Recovery Act encourages increased competition and requires a higher level of transparency than previously encountered in the federal sector.

In late August, we identified four notices on Grants.gov totaling more than \$325,000 intended to award cooperative agreements for trail maintenance projects at Mount Rainier National Park without full and open competition. The agreements were with four separate youth conservation groups: Earthcorps, Student Conservation Association, Northwest Youth Corps, and Washington Conservation Corps. We visited the Park in early September and observed the construction of a portion of the Glacier Basin Trail and a footbridge along the Park's renowned Wonderland Trail. We interviewed park staff, youth volunteers and program officials from each of the youth organizations, and reviewed the Park's project files on each agreement.

Contributing to the Secretary's Youth Initiative

The primary intention of cooperative agreements is to serve a public purpose rather than acquiring property or services that directly benefit the government. In a message to Department employees dated May 4, 2009, the Secretary directed that Recovery Act projects "where possible, provide opportunities for the employment of young adults and engage their interest in environmental stewardship." NPS has long offered youth service opportunities through partnerships,³ and many parks in the system opted to take advantage of Recovery Act funds to continue these efforts.

Based on our observations and interviews at Mount Rainier, we are confident the Park's cooperative agreements serve a public purpose and further Departmental efforts to engage youth and promote environmental stewardship in the State of Washington. During our visit, we had the opportunity to meet with and learn about the four youth environmental conservation groups working at the Park. The youth participants and program staff we interviewed said that they enjoyed the work and exhibited a sincere dedication to conservation. Many sought to pursue environmental careers, including opportunities for more permanent work with the NPS. We also

² DH-57 *Creating a 21st Century Youth Conservation Corps*

³ The Student Conservation Association (SCA), for example, is a nonprofit youth environmental conservation organization that has partnered with NPS since its inception in 1957 and is used predominantly throughout the Park System. The NPS entered into its most recent cooperative agreement with the SCA in July 2009. This master agreement sets a framework for advancing project goals through NPS and the Conservation Corps Program, under which individual NPS National Parks, Monuments, and Recreation Areas may submit Individual Task Agreements outlining project details. The SCA partnership at Mount Rainier was one of these Individual Task Agreements.

spoke to Park staff members who attributed their career choice to participation in one of these groups when they were younger.

Prior Audit Concerns

Previous OIG reports highlighted several issues the Department encountered while managing partnerships with nonfederal entities. A 2007 audit report of 119 cooperative agreements throughout the Department concluded that “Interior lacked a fundamental understanding as to how and for what purpose cooperative agreements should be awarded.”⁴ Auditors tested the following four decision points for the use of cooperative agreements:

- Was a cooperative agreement the appropriate legal instrument for the transaction?
- Was the award issued with clear legal authority?
- Was there substantial involvement?
- Was competition solicited?

The four cooperative agreements we reviewed at Mount Rainier were the appropriate legal instruments given the trails maintenance and repair projects they encompassed. Park staff and partner organizations collaborated on logistics, scheduling, and execution. Both parties supplied materials and labor to the efforts, and each program incorporated, to varying degrees, learning opportunities related to resource management and environmental conservation.

The agreements were also awarded with clear legal authority through two chief laws: the National Trails System Act, which allows cooperative agreements to develop and maintain trails, and the Public Land Corps Act, which allows the Secretary of the Interior to enter into contracts or cooperative agreements with qualified youth or corps for conservation projects.

The Park’s “substantial involvement” in each project, the cornerstone of cooperative agreements, was adequately summarized in the relevant documentation related to each partnership. We also witnessed youth participants, crew leads, and NPS staff working side by side to complete the projects.

The 2007 report also noted that most of the agreements reviewed were issued without soliciting for competition and therefore did not ensure best value was received by the government. Consistent with this finding, the four agreements at Mount Rainier were single source awards but were justified in order to “give the experience to a wide variety of corps member students.” During this review, we did not analyze whether these agreements provided best value, though an NPS official told us that not all of the youth groups were equal in the value they provided.

⁴ *W-IN-MOA-0086-2004*

Monitoring Cost Matching Requirements

An evaluation of the Department's Challenge Cost Share Program issued in 2009 found that bureaus were not "requiring, enforcing, or monitoring partners' matching contributions... [resulting in] bureaus failing to report, or misreporting nonfederal matching contributions to Congress, and failing to demonstrate transparency of the availability and results of the Program to the public."⁵

The Public Land Corps Act contains a 25 percent cost-matching requirement for nonfederal partners. According to the Park's contracting officer, cost-matching information is contained on the cost estimates and/or the invoices provided by partner organizations. We found that the cost-matching requirements for the cooperative agreements at Mount Rainier were not adequately monitored, primarily the result of inadequate staffing and insufficient financial assistance training of those responsible for overseeing the agreements at the Park level. Inadequate monitoring of partner cost-sharing during the agreement term severely limits the Park's ability to enforce and accurately report partner-matching contributions.

Recommendation

We recommend that the Director, National Park Service:

1. Provide specific training to Park-level staff members, who have oversight responsibilities for cooperative agreements, to ensure adequate and accurate assessment of partner cost-sharing.

cc: Deputy Secretary, Department of the Interior
Senior Advisor to the Secretary for Economic Recovery and Stimulus
Assistant Secretary – Policy, Management, and Budget
Director, Office of Financial Management
Director, Office of Acquisition and Property Management
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Department GAO/ OIG Audit Liaison
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Recovery Coordinator, National Park Service

⁵ *WR-EV-MOA-0004-2008*

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