

47 Four Oaks Road  
Bedminster, NJ 07921  
October 1, 2009

U.S. Department of Interior  
Office of the Inspector General  
Mail Stop 5341-MIB  
1849 C Street, NW  
Washington, DC 20240

Dear Sir:

I am writing to report what I believe to have been “significant” and regular instances of waste, fraud, and abuse, and basic mismanagement by Larry Wiese, the superintendent of Mesa Verde National Park.

I am doing this because I love the national parks and I love Mesa Verde National Park. Since we retired in 2006, my wife and I have worked as seasonal Park Rangers (Interpretation) ---for one summer at Cape Hatteras National Seashore and for two summers at Mesa Verde National Park. And while at Mesa Verde National Park we began to hear rumors and allegations about Larry Wiese, we heard things that were not in the best interest of the National Park Service, and we began to understand why the park was in the condition it is. Essentially, what we began to discover was a persistent and pernicious pattern of waste, fraud and abuse, and it has been going on for years.

**1-First and foremost, I believe the superintendent, Larry Wiese, has been guilty of wasting time and money in inappropriate travel and time spent away from the park.**

**2-I believe Larry Wiese is guilty of violating two specific laws:**

- **“the law that bars federal employees from discussing employment with a company when they are involved in a decision that could benefit that company.”**
- **“the broader federal "denial of honest services" law which states that government officials can be prosecuted for violating the public trust for directing government business to favored firms.”**

(Paraphrased from an article written by John Heilprin and Dina Cappiello in an Associated Press article about the current investigation of former Secretary Norton.)

**3-I believe the superintendent has been guilty of regularly abusing and misusing his authority and responsibility as the superintendent of a national park.**

In early July, I tried to get some financial information about the park and my efforts eventually resulted in filing a lengthy Freedom of Information Act request on July 31, 2009. Then after getting an initial response from the Intermountain Regional NPS FOIA Office, I modified my request, and resubmitted another FOIA request on September 10, 2009 during which I indicated that I was sending copies of my correspondence to the DOI’s and NPS’s FOIA offices in Washington, D.C.

Suddenly, on September 21, 2009, Larry Wiese announced his retirement from the National Park Service effective November 2, 2009.

Quite frankly, I suspect there is something in the information which I have requested and for which I am still waiting, that is very incriminating. And apparently this led to Larry Wiese's very sudden decision to retire.

Nevertheless, in spite of Larry Wiese's impending retirement, let me illustrate and summarize my allegations by describing those activities which I believe are examples of:

1. **Waste**
2. **Waste and Fraud**
3. **Waste and Abuse**
4. **Abuse of power**

**Waste (e.g. the Significant Mismanagement and Waste of Funds):**

**1- Simply stated, Larry Weise was away from the park most of the time. He traveled too much, his travel expenses were excessively high, and a lot of his travel was just not necessary.** How many meetings and events outside the park are justified, appropriate, and necessary, and when does travel, attendance at unnecessary meetings or gatherings, and "public relations" junkets become just a waste of a federal employee's time and a waste of money? Who determines what meetings are necessary and appropriate, who audits how many meetings the superintendent has to attend, and who protects the Park Service from abuse?

Larry Wiese spent a lot of time and money on travel.

In the fiscal 2009 budget, for instance, the park budgeted **\$421,000** for "travel" even though there are only 50-55 permanent employees and most of the park employees have been discouraged from trips or meetings outside the park. For instance, some of the LE Rangers (law enforcement rangers) complain they can't take courses outside the park because Larry Wiese doesn't want MesaVerde NP to have to pay for off-site training. For the same reason, seasonal interpretive rangers pay their own hotel and meal expenses for two nights during the week of their annual pre-season orientation and training. If most of the employees at MVNP could not travel, and if most of the employees were not taking courses or seminars or attending park-mandated training outside the park, who was, and why? Who was spending \$421,000 or 6.5% of the park's entire budget on outside travel? Needless to say, I suspect most of the travel was done by Larry.

How could so much travel have been justified as legitimate, necessary, and appropriate? Frankly, I believe it can't be, and I believe a lot of the travel was not in the interest of the park, or in the interest of the National Park Service.

Parenthetically, what also is alarming is that in a letter dated August 28, 2009 and sent to me in response to my first formal FOIA request, Jack O'Brian, the Intermountain Regional NPS FOIA Officer wrote that "travel at MEVE is proportionally neither no more nor less than any other unit within the IMR." Is anyone auditing travel budgets within the Park Service? Is anyone determining what kind of travel is appropriate and necessary? Is anyone setting standards for what is acceptable travel, and what is just a waste of limited federal funds? Is anyone investigating the money being spent and wasted by park employees on travel?

**2- I suspect some of Larry Wiese's travel was legitimate and appropriate, some of it was not, and some of it may have been violations of law. In particular, I suspect Larry Wiese is guilty of some "standards of conduct" violations, violations of ethics, and a conflict of interest because of his involvement with and promotion of CyArk.**

In my FOIA letters, I refer to Larry Wiese's frequent participation in seminars, workshops, and conferences during which it appears he was endorsing CyArk, a company that may or may not be a legitimate not-for-profit company.

"CyArk is a non-profit entity whose mission is to digitally preserve cultural heritage sites through collecting, archiving and providing open access to data created by laser scanning, digital modeling, and other state-of-the-art technologies." (From "About CyArk" on the CyArk website) Mesa Verde National Park somehow got involved with CyArk in a project at the park in 2005 and again in 2006. Two years ago, Larry Wiese began talking about working for CyArk and he began showing up at conferences and workshops during which representatives from CyArk were always present.

For instance,

- there was an inaugural CyArk developmental workshop sponsored by CyArk in a hotel in Oaxaca City, Mexico during CyArk's laser project at Monte Alban in October 2008. "Representatives from the National Park Service headed by Larry Wiese, Superintendent of Mesa Verde, actively participated in the workshop discussions." (from the CyArk website)
- there was the Conference on Capturing and Managing Existing Conditions Data for Design, Construction and Operations (SPAR 2008) held March 3-5, 2008 in Houston, Texas during which Larry Wiese was a featured "presenter" along with Elizabeth Lee of CyArk.
- there was the SPAR 2009 Annual Conference in Denver, Colorado on March 30-April 1, 2009 during which Larry Wiese was the moderator for a workshop in which Elizabeth Lee of CyArk was one of the featured participants.
- there was the Digital Documentation Conference 2009 on April 22 and 23, 2009 in Glasgow, Scotland during which Larry Wiese was a featured speaker along with Elizabeth Lee and Ben Kacyra, the founding director of CyArk.

Larry Wiese's involvement with CyArk is questionable for several reasons:

- When he has traveled to these conferences speaking essentially on behalf of CyArk, have his expenses in time and travel been paid for by the Park Service? Or have they been paid for by CyArk? Has he received honorariums, or payment of any kind while "wearing the NPS uniform" and representing himself again and again as an employee of the NPS and as the superintendent of Mesa Verde National Park?
- Two years ago, he was talking with CyArk about working for CyArk if he ever needed or wanted a job after the Park Service. In fact, there were open discussions about this possibility with Betty Janes, the former Deputy Superintendent of Mesa Verde National Park. Eventually, Larry decided to continue at Mesa Verde and Betty Janes decided to retire. Nevertheless Larry Wiese continued to promote and endorse CyArk at workshops, conferences, and in the press. I believe his endorsement of CyArk in such a public and obvious manner and his discussions with CyArk about possible employment while continuing to endorse and promote CyArk was and is very questionable and possibly illegal.
- On its web site, CyArk claims it is a 501 (c) 3 organization. But if you contact CyArk to make a tax-deductible contribution, you are told to send it to the Kacyra Family Foundation because apparently CyArk doesn't actually have 501 (c) 3 status. They say the National Park

Service is one of its partner organizations. Is that true, does the National Park Service know with what it is partnered?

- Finally CyArk's value within the archeological world has been questioned, challenged, and debated. Larry Wiese consistently has presented it as one of the most important tools for archeologist—but that has been questioned and is highly debatable. Why would he continue to promote and endorse CyArk if it wasn't because of real or potential personal gain?

**3- In addition to being away for valid park business, somewhat questionable “park business”, and appropriate vacation time, Larry Wiese has also created other ways to be away---some of which were questionable and some were just wrong.**

For instance, he has established “sister park relationships” within countries like Belize and Mexico. Each of these parks is located on or near beaches, or in beautiful “far away places”, and the superintendent apparently feels regular trips to each of these are appropriate. But how many “sister park relationships” are appropriate? And how often should there be visits between the parks?

**4- All of these questions focus on the question of how much time away from a park is appropriate for any superintendent? Is there a point at which too much time can be spent away from one's primary area of responsibility?** And what constitutes “work time” vis-à-vis “vacation time”? And perhaps most importantly, who regulates or controls how a superintendent makes those decisions for himself? Who audits his budgets and expenditures? And who controls and regulates the travel expenses and budgets of any particular park? And finally, when do excessive travel and the inappropriate use of time constitute waste and fraud?

**5---Because the superintendent spends so much time outside the park, it also seems to have become acceptable for others in his staff to do so.** For instance, our Chief of Interpretation, Tessy Shirakawa, also spends an excessive amount of time away from Mesa Verde National Park. During the first part of our 2009 season, she was away far more than she was at the park. Again and again we were told she was at some meeting somewhere, or attending some training event, or some “public relations” event. Simply stated, why should a full time Chief of Interpretation be away so often? And is it appropriate for a Chief of Interpretation to be absent so often that she doesn't know the interpretive staff by name, or doesn't understand how the interpretive schedules work, or how to perform many of the chores interpretive rangers are expected to do?

Having been the president and CEO of a manufacturing company for years, I know travel and training are necessary. I also know some employees would prefer to travel as much as possible, and that some employees have trouble evaluating the value of certain events or activities, and that without any restraints or control, travel budgets can become easily excessive.

Who audits how a superintendent spends his time, or how his staff is spending time? Who audits travel expenses and vacation vis-à-vis work days? And if a superintendent isn't doing his job, or if some of his staff are allowed to use their time and park money inappropriately, what controls are there to prevent waste and fraud?

Needless to say, I suspect if anyone audits Larry Wiese's travel time and expenditures, they will find an excessive amount of unnecessary, wasteful travel, and some travel and activities that may have violated current laws and regulations concerning federal employees.

## Waste and Fraud

1--- **As I wrote earlier, in addition to being away for valid park business, somewhat questionable “park business”, and appropriate vacation time, Larry Wiese also created other ways to be away--- some of which were questionable and some were just wrong and fraudulent.**

- For instance, there have been rumors for years that Larry Wiese and his family spent time in places like Hawaii, and on many days when he was on vacation he claimed he was working. Apparently by calling the park office once or twice a day, the superintendent felt he could count those days as work days instead of as vacation days. Persistent rumors like these lead to questions about what kind of systems or audits are in place to prevent this kind of abuse? Who audits the superintendent’s vacation time vis-à-vis his work days?
- In 2001, Larry and his wife bought a small house in Cortez for their daughter and her husband. Shortly before the house was sold in 2006, Larry Wiese began driving government cars from his house and the headquarters on top of the mesa down to Cortez ---a 30 mile one-way drive. Then he would spend days renovating the house on government time.

Simply stated, that’s wrong, that’s something for which any other government employee would be punished, and it seems to come close to not only being a waste of a government employees time, but also a fraudulent use of time and of a government car.

2--- Similarly, there have been rumors that Larry wrote and then didn’t revise “Position Descriptions” for his upper management staff and that he has continued to authorize inflated and unsupportable overtime for the Chief Ranger, Jessie Farias, and the Chief of Resource Management, Scott Travis.

Jessie Farias has far fewer responsibilities than those listed in his current “PD”---but because his PD is so inflated, he is paid at the GS-13 rate. In addition to an inflated PD for Jessie Farias, Larry Wiese has approved an inordinate amount of overtime for both Jessie Farias and Scott Travis. Furthermore, the Superintendent regularly approves excessive overtime for both the Chief Ranger and the Chief of Research and Resource Management while few others in either department are getting overtime.

I am not sure why Larry Wiese has been doing this....but there does seem to be an “unholy” alliance between Larry Wiese (the superintendent) and his top management team---namely, Bill Nelligan (the Deputy Superintendent), Jessie Farias (the Chief Ranger), Scott Travis (the Chief of Research and Resource Management), and Tessy Shirakawa (the Chief of Interpretation.) There should be a close working relationship among these people---but there shouldn’t be an acceptance of what is questionable, inappropriate, or wasteful. And there shouldn’t be a willingness to defend and support what is just wrong, and possibly illegal in exchange for favored treatment.

## Waste and Abuse of Power

### **1- For several years, Mesa Verde National Park has not had a contract with its concessionaire, the Aramark Corporation.**

This has resulted in a number of problems:

- Aramark has been unwilling to invest in the facilities---in the Lodge and Morefield Campground in particular--- since it has no assurance it will continue to be the concessionaire from year to year. Consequently, there's been very little maintenance, the facilities are in poor condition, and visitors often mention how run down many of the facilities look.
- The overall concessionaire services have declined because there is a visible lack of commitment.
- Other concessionaires have not been permitted to bid on the work at Mesa Verde so the competitive forces which usually help improve services have been eliminated.
- With no controlling contract, the superintendent has been able to exercise undue influence on the daily operations of the concessionaire's business. In fact, in many ways Larry Wiese has been in a position that makes it possible for him to influence and dictate a number of Aramark policies and operations.

Subsequently, the superintendent has gotten involved in "micro managing" some relatively unimportant issues concerning the concessionaire's operation while ignoring some fairly important ones. For instance, he has gotten involved in decisions about many tables are set out in the concessionaire's main dining room and in determining what they serve on their menu. If you ask why is there's a large empty space in the dining room, or why some menu items are on the menu, and/or why the campground is so poorly maintained, everyone simply will say, "It's because Larry doesn't want more tables in the main dining room this year, he wants certain foods on the menu, and he just doesn't care about the campground." Without a contract, what power does a concessionaire have to debate the capricious and/or unreasonable whims of a superintendent?

Worse still, with a park budget that has limited the amount of stabilization and preservation work that can be done on the thousands of archeological sites throughout the park, Larry Wiese has felt it appropriate for our small stabilization crew to work on new footings for the concessionaire's sign posts in front of the park lodge and in front of the café.

Is it appropriate for the park's skilled stabilization crews to be working on the concessionaire's signs? We had been told in the past that the campground was in such bad shape because the concessionaire was not maintaining everything the way it should be, and that the park staff could not be involved in maintenance of the concessionaire's campground facilities. If that is so, then how can the involvement of the highly skilled and well trained stabilization crew of the park in repairing the signage for the concessionaire's lodge and café be justified?

No one can explain why a RFP (Request for Proposal) or a Concessionaire's Contract was never distributed or publicized, or why bidding among potential concessionaires was never pursued, or why the Park and Aramark have been willing to allow a fairly strange quid pro quo continue to years. But in the end, time and money is being wasted, park staff is not being used for the purposes for which they were budgeted, and Larry Wiese is abusing the authority and power he has as the superintendent of a park. And the concessionaire should have a contract, and it should be a contract that is awarded after following standard federal guidelines and procedures.

**2---Since he has been Superintendent of Mesa Verde, Larry Wiese has had his home renovated three times in 16 years. On one occasion, he wanted special Mexican tiles used, and so an outside contractor had to be hired to do the specialized work.**

If all the park housing had been regularly renovated, it would perhaps be acceptable to have three major renovations done at the Superintendent's home. But after only being there 16 years, to have one's home renovated on an average of once every 5 years just seems wasteful, and a classic example of a waste of federal money for personal use, and an example of an abuse of power.

### **Abuse of power and possible fraud**

**1- I also suspect the superintendent is allowing some very creative accounting procedures. For years there have been rumors that some funds and budget items were being reallocated away from the basic mission of the park to support Larry Wiese's dream of a new visitor center. Or, funds were being diverted to projects which have not been properly analyzed, publicized, and discussed.**

In fact, for years there have been rumors about how the new Visitor Center was being funded, about the interrelationships between Mesa Verde NP and the Mesa Verde Foundation, and about curious accounting as it related to the new Visitor Center. In essence, people have asked for years whether money was being diverted from operational budgets to support the park's requirement to raise matching funds for the new Visitor Center. (See the footnote at the end of this letter concerning the Mesa Verde Foundation)

The park is supposed to be dedicated to the protection and conservation of our archeological resources. And yet, for the last year a number of positions have not been filled and are not even being advertised. For instance, currently the following positions are empty:

1. The Historic Architect position has been vacant since 2006
2. The Head of Stabilization position has been vacant since October 2007
3. The Museum Curator position has been vacant since October 2007
4. The Biological Technician position has been vacant for over a year.
5. The Assistant Superintendent position was vacant for almost two years

So what is happening, and where is the money that would have been and should have been spent on staff being used? How can the park continue to protect and conserve its many archeological resources if so many positions remain unfilled for so long? And more importantly, are some of the funds being saved being used to help Larry Wiese's primary interest for the last few years, namely, the construction of the new Visitor Center at the entrance of the park? Even positions that are supposed to be funded by the Vanishing Treasures program are not being filled, and yet, Vanishing Treasures funding has not declined. So how is the money being spent?

In 2008 the park was given special Centennial Funds and said it was going to hire seven new seasonal rangers and a librarian with the money. But in the end, only a librarian was hired and actually fewer seasonal rangers than normal were hired. So where did the Centennial Funds go? How were they used?

Essentially, it appears that funding for Mesa Verde National Park has not declined, visitation has not dropped significantly, entrance fees and others fees have not declined appreciably, and yet, staffing at almost all levels has declined. What is happening?

If the park is reorganizing its staff to save money in the future, if it is eliminating jobs which are no longer considered necessary, or if it feels some positions are just redundant, then why haven't these decisions been publicized? And why not clarify who then will now be responsible for doing the work of these positions?

**2- Finally, I believe the superintendent is guilty of regularly abusing and misusing his authority and responsibility as the superintendent of a national park.**

Simply stated, Larry Wiese is guilty

1. of a management style which abuses his authority and
2. of making decisions that regularly are arbitrary, capricious, and unreasonable.

For instance, examples and anecdotal stories about his abuse of authority and his arbitrary, capricious, and unreasonable decisions can go on and on:

- He has made decisions about the road signs and basic road signage that are not only capricious, but border on the unfair and unsafe. For instance, with many visitors from both America and foreign countries coming to the park every year and with a very difficult and long road from the entrance to the rest of the park, there's totally inadequate road signage throughout the park.

For instance, when speed limits change, there's no warning, and there's never more than one speed limit sign announcing the appropriate speed limit. Consequently, many visitors are ticketed on a regular and frequent basis for speeding. Is that fair? Is it appropriate?

Worse still, before a very long and very dark, totally unlit tunnel that all visitors must drive through, there is only one small sign warning them of the tunnel and in small print telling them to put their lights on. The problem is that on a bright and sunny day, traveling through the tunnel can be very dangerous. And with sunglasses on, it is almost impossible to see anything. It's a dangerous situation, people often are having near misses with other cars and with the walls of the tunnel, and last year one visitor actually drove a motor cycle into the wall of the tunnel because he couldn't get his sun glasses off quickly enough and just couldn't see anything.

When asked why the traffic signage throughout the park is not better, when asked about why there are not better and more signs about the tunnel, everyone simply will say, "It's because that's what Larry wants." When many of the park roads were rebuilt two years ago and when highway experts recommended changes in the signage, Larry simply overruled them.

These decisions concerning the road signage in the park are not just arbitrary and capricious; they also create substantial and specific danger to public safety.

- Even though the fleece jacket has been approved as part of the "Class 1" uniform and is used by employees throughout the park system, our superintendent doesn't like the fleece jacket and prohibits its use. Without enough money to purchase approved NPS winter coats, many new seasonal are forced to work with just thin wind breakers until they can afford NPS winter coats. If there are no reasonable or explicit safety issues, should a superintendent be allowed to modify and decide what constitutes the appropriate uniform standards? If there are no reasonable or explicit safety issues, should a superintendent be allowed overrule what constitutes a "Class 1" uniform as determined by national standards?



Or, is this just another example of the superintendent's tendency to be capricious and inconsistent in so many of his decisions?

- In the past the park had a number of RV's and camping sites that were constructed for park employees, volunteers, and interns. Most of these were located in the Morefield Campground area, and some were located in other parts of the park. But for some inexplicable reason, Larry Wiese apparently doesn't like RV's and he doesn't like the idea of interns and other park employees camping within the park. And so no one can live in an RV or motor home within the park, and short term interns can't camp in the park. Instead, people who have to live and camp in commercial parks outside the park increasing their housing and travel expenses and adding significantly to their daily commute.

If the reason for this was that there wasn't enough room in the Morefield Campground for park employees to stay there, then Larry's decision would make sense. If the reason was because there was plenty of park housing, and there is no need to have people stay in RV's or to camp in or near the park, then his decision would make sense. But the Morefield Campground is never full, there are loops within the campground which are almost never used, and there is a very large part of Morefield campground that had been built and constructed specifically for employees and volunteers which is virtually empty all summer. Furthermore, there are other parts of the park which have full hook-ups which were built for RV's and trailers which are not being utilized.

Even when the park cannot supply enough housing to all its seasonal staff and summer interns, and even when this means some positions go unfilled or when the summer interpretive staff is not fully staffed because of housing problems, Larry continues to prohibit staff and interns from living within the park in RV's, motor homes, or tents.

Shouldn't the most important concern of the park be that its employees are safe, and that every position is filled....especially during the busiest months of the year? In terms of safety, is it safer for employees to stay or camp in a commercial site and to have to drive 45 a minimum of minutes to and from work everyday than it would be live within the park? Is it reasonable to refuse to provide adequate in-park housing, thereby making it difficult or impossible to hire sufficient seasonal staff?

### **A Conclusion and Some Final Concerns:**

In the past, I've often heard that superintendents in the National Park Service like to think they are God. Sometimes they like to act as if they are not accountable to anyone; they like to act as if they own the park for which they are responsible; and they seem to manage their parks with no oversight, no accountability, and no fear of audits. That's wrong. It is not in the interest of the Park Service, and it is not in the interest of the American public.

Furthermore, I'm concerned that the management at Mesa Verde National Park has lost its focus: it is spending money for the enjoyment and pleasure of its top management at the expense of the park and the rest of the park's employees; it has made decisions that are unethical and possibly illegal; it has made decisions which are arbitrary, capricious, and unreasonable; and it practices a management style which can only be characterized as that of a "bully".

Consequently, I am writing to report what I believe have been "significant" and regular instances of waste, fraud, and abuse by Larry Wiese, the superintendent of Mesa Verde National Park.

Unfortunately, Larry Wiese is known to be extremely vindictive. Employees have raised complaints and concerns before, and they been threatened for doing so. I have been told that if I write a letter like this, if I disclose the fact that our superintendent travels too much, goes on vacations on government time, or abuses his authority, that I'll never work in this park again, and may have difficulty ever working again as a seasonal ranger. Is that true? Will the Whistleblower Protection Act protect someone who is concerned, who feels a national park is not being managed well and that there are frequent examples of waste?

If a superintendent is known to be vindictive, is there any recourse for employees? Is there any way to appeal arbitrary, unreasonable and capricious decisions by a superintendent within the park system? Is there any way to say something is wrong and someone should do something about it? I hope so.

Hopefully some of this information is helpful. If I can answer any questions or help in any way, please let me know. My wife and I finished our season at Mesa Verde National Park on the day after Labor Day, we are now home in New Jersey, and we are more or less "retired" again. Consequently, feel free to contact me at any time.

Finally, for your information, I have included copies of all the letters which were involved in my Freedom of Information request. There must be something in my Freedom of Information Act requests which made Larry Wiese, and Mike Snyder, the Regional Director of the Intermountain Region of the NPS decide that Larry Wiese should retire. I cannot help but wonder at the coincidence in the timing of my final FOIA and Larry's sudden announcement of his retirement.

I truly believe this is a situation that warrants some close attention and an investigation.

Good luck!

Bruce E. Schundler

908-581-1021 (my regular cell phone)  
908-326-6350 (our temporary land line)  
bruce@schundler.net

Enclosures (FOIA related):

- Letter of July 1, 2009 to Linda Lanier—Budget Analyst of Mesa Verde NP
- Letter of July 20, 2009 to Linda Lanier—Budget Analyst of Mesa Verde NP
- Email of July 21, 2009 from Bill Nelligan—Deputy Superintendent of Mesa Verde NP
- Letter of July 24, 2009 to Tessy Shirakawa—Chief of Interpretation at Mesa Verde NP
- Cover Letter of July 31, 2009 to Jack O'Brian—FOIA Officer of Intermountain Regional NPS
- Letter of July 31, 2009 to Jack O'Brian—FOIA Officer of Intermountain Regional NPS with first formal FOIA request
- Letter of August 14, 2009 to Bill Nelligan—Deputy Superintendent of Mesa Verde NP
- Letter of August 28, 2009 from Jack O'Brian—FOIA Officer of Intermountain Regional NPS
- Cover Letter of September 8, 2009 to Jack O'Brian—FOIA Officer of Intermountain Regional NPS
- Letter of September 8, 2009 to Jack O'Brian—FOIA Officer of Intermountain Regional NPS with modified and restated FOIA request

- Letter of September 10, 2009 to Alexandra Mallus---FOIA Officer of Department of Interior, Washington, D.C. (cc: to Diane Cooke, FOIA Officer of NPS in Washington, D.C.)

### **Footnote concerning the Mesa Verde Foundation and Cyark**

Almost every park has some foundation or special non-profit group that raises money for the park or which helps it.

Unfortunately, the **Mesa Verde Foundation** has had some problems in the past. And there have been rumors for years that Larry Wiese used the Mesa Verde Foundation to support and promote his personal dream for a new Visitor Center. There have been rumors that money was been redirected from regular park operating budgets to support the planning and pre-construction work of the Visitor Center---a project which many others feel is ill-advised, questionable, and perhaps just wrong. And yet, the money has finally been allocated.

In trying to get more information about the Mesa Verde Foundation, I continued to have problems. They haven't listed their 2008 Federal Form 2008 on Guidestar, and they have not responded to my requests for copies of their Federal Form 990.

I've had some similar problems in trying to get Federal Form 990's from **CyArk**. According to the California Attorney General's office, CyArk's application as an organization is pending. On its web site, it says it is a non-profit organization, and that contributions to it are tax deductible. And yet, it doesn't have 501 (c) 3 status yet.

Furthermore, it is technically a part of the Kacyra Family Foundation; but the Kacyra Family Foundation, also has not filed its most recent Federal Form 990's with either the California Attorney General's Office, or with Guidestar.