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GATEWAY VISITOR CENTER AUTHORIZATION ACT OF 1999

JUNE 7, 1999.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 449]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 449) to authorize the Gateway Visitor Center at Independence National Historical Park, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 449 is to authorize the Secretary of the Interior to enter into an agreement with the Gateway Visitor Center Corporation to construct and operate a regional visitor center on Independence Mall in Philadelphia, Pennsylvania, in cooperation with the Secretary.

BACKGROUND AND NEED

The 1997 National Park Service (NPS) general management plan for Independence National Historical Park calls for the revitalization of Independence Mall, with a key component being the construction of a new visitor center. The center would replace the current park visitor center and provide orientation to the national historical park, the city of Philadelphia and other regional attractions. The center would be operated by the non-profit Gateway Visitor Center Corporation. The corporation will raise funds for the center, and work with the NPS in the design, development, construction and operation of the facility.

As planned, visitor center will comprise approximately 50,000 square feet and will cost approximately \$25 million to build. Upon completion, the visitor center would be owned by the National Park

Service; however, revenues generated by the corporation will be used to operate and administer the center.

Independence National Historic Park includes internationally known resources such as the Liberty Bell, Independence Hall, Congress Hall and Old City Hall. The park receives about 1.6 million visitors each year. Admission is free at sites operated by the National Park Service except at the Second Bank Portrait Gallery and the Todd and Bishop White Houses.

LEGISLATIVE HISTORY

H.R. 449 was passed by the House of Representatives on April 12, 1999 and was referred to the Committee on Energy and Natural Resources on April 13, 1999.

On April 13, 1999 the Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on similar legislation: S. 582, sponsored by Senators Specter and Santorum.

During the 105th Congress, Senators Specter and Santorum introduced similar legislation (S. 2039) on July 14, 1998. The Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on S. 2039 on September 17, 1998. That bill was reported by the Committee on September 23, 1998, without amendment, by unanimous voice vote, and passed the Senate, by voice vote on October 7, 1998. No further action was taken by the House of Representatives.

At its business meeting on May 19, 1999, the Committee on Energy and Natural Resources ordered H.R. 449, favorably reported, without amendment.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on May 19, 1999, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 449.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 25, 1999.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 449, the Gateway Visitor Center Authorization Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 449—Gateway Visitor Center Authorization Act of 1999

CBO estimates that implementing H.R. 449 would cost less than \$1 million a year, subject to the availability of appropriated funds. H.R. 449 would authorize the Secretary of the Interior to execute an agreement with the Gateway Visitor Center Corporation under which this nonprofit organization would construct and operate a regional visitor center on Independence Mall in Philadelphia, Pennsylvania. The act would authorize the corporation to charge fees, sell food, merchandise, and tickets, and provide information, facilities, and services to visitors to the Independence National Historical Park and other regional sites. Amounts earned from fees and sales would be used by the corporation to help pay for its operating expenses. The National Park Service (NPS) would provide visitor information and facilities and offer interpretive programs.

Based on information provided by the NPS, and assuming appropriation of the necessary amounts, CBO expects that the agency would provide an annual contribution toward the operation of the center. The appropriate federal contribution has not yet been determined by the NPS, but CBO estimates that it could be several hundred thousand dollars a year. Some of the annual contribution may be offset by savings in operating expenses that may be realized when the NPS closes its existing visitor center at the park once the new Gateway Visitor Center becomes operational in fiscal year 2000.

H.R. 449 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The act contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On March 10, 1999, CBO prepared a cost estimate for H.R. 449, the Gateway Visitor Center Authorization Act of 1999, as ordered reported by the House Committee on Resources on March 3, 1999. The two versions of the legislation are identical, as are the estimated costs.

The CBO staff contact is Deborah Reis. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

SECTION-BY-SECTION ANALYSIS

Section 1 designates the bill's short title as the "Gateway Visitor Center Authorization Act of 1999."

Section 2 lists the findings of the bill which state that a Gateway Visitor Center would support the recent general management plan's goals and priorities for the future of the park. The purpose is to authorize the Secretary of the Interior (the Secretary) to enter into an agreement with the Gateway Visitor Center Corporation (the Corporation).

Section 3 (a) authorizes the Secretary to enter into an agreement, under appropriate terms and conditions, with the Gateway Visitor Center Corporation to facilitate the construction and operation of a regional visitor center on Independence Mall.

Subsection (b) authorizes the Corporation to operate the visitor center in cooperation with the Secretary and to provide information, interpretation, facilities and services to visitors to Independence National Historic Site, its surrounding historic sites, the city of Philadelphia and the region.

Subsection (c) authorizes the Secretary to undertake activities related to the management of Independence National Historical Park, including, but not limited to, appropriate visitor information and interpretive facilities and programs related to the park.

Subsection (d) authorizes the Corporation to engage in activities appropriate for the operation of the visitor center, including charging fees, conducting events, and selling merchandise, tickets and food at the center.

Subsection (e) directs that revenues from activities engaged in by the Corporation are to be used for the operation and administration of the center.

Subsection (f) directs that the Secretary is to take no actions that would derogate the preservation and protection of the values and resources of Independence National Historical Park.

Subsection (g) defines terms used in the Act.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 449. The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of H.R. 449, as ordered reported.

EXECUTIVE COMMUNICATIONS

At the Subcommittee hearing a representative from the National Park Service testified in support of S. 582, as follows:

STATEMENT OF KATHERINE STEVENSON, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCE STEWARDSHIP AND PARTNERSHIP, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to appear before this subcommittee to present the views of the Department of the Interior on S. 582, a bill to authorize the Gateway Visitor Center, a facility to be constructed on the mall at Independence National Historical Park.

This bill would authorize the Secretary of the Interior to enter into an agreement with a nonprofit corporation, the Gateway Visitor Center Corporation, to operate a new visitor center to be built on parkland. It would authorize the Corporation to undertake management-related activities, such as providing visitor information and interpretation, and to engage in other activities appropriate for a regional

visitor center, such as conducting events and selling merchandise and food. The bill would authorize the use of revenues generated by the Corporation for the operation and administration of the Center.

The Department of the Interior supports S. 582. This legislation will enable the implementation of a critical component of the General Management Plan (GMP) for Independence National Historical Park, which was approved in April 1997, by authorizing the operation of a regional Gateway Visitor Center on Independence Mall.

Independence National Historical Park (Independence NHP) is the site of Independence Hall, the Liberty Bell and other historic treasures associated with the birth of our nation. The park is located in the heart of Philadelphia. This great American city is a living museum of historic sites, it has played host to significant events in our nation's history, and has a rich and diverse cultural heritage. Independence NHP attracts more than 3.1 million visitors annually from around the nation and the world. Visitors include school classes, family vacationers and organized tour groups. Regardless of their background each individual finds special meaning in the birthplace of our Nation.

In 1993, Independence NHP began the process of developing its first GMP. Prior planning was the master plan completed over 25 years ago that resulted in the park's current configuration. A GMP was approved in April 1997 after four years of research, planning and unprecedented public participation. The GMP affirmed a critical role for the park: to enhance the overall quality of the visitor experience. The GMP identified Independence Mall as the primary location for the development of new visitor facilities. The GMP also articulated a need for Independence NHP to become a more active partner in the life of the city and the region. In so doing, the GMP recognized the complementary roles of the park and the community—park staff in achieving quality stewardship and interpretation of the park, and the community in ensuring sensitive preservation and development of the surrounding neighborhoods.

Independent of the GMP, a series of studies conducted by the Pew Charitable Trusts concluded that Greater Philadelphia has been missing opportunities for enhanced regional identity and significant economic development by failing to develop the potential of its tourism industry.

These tourism studies and the GMP process, although conducted separately, came to similar conclusions through their joint recognition of Independence NHP as the primary destination for visitors to the City of Philadelphia, and of the inadequacies of Independence NHP's existing visitor center to fully address the needs of those visitors. This led to the proposals endorsed in the GMP to develop a new visitor center on Independence Mall and to redevelop Independence Mall as a gateway to the park and the surrounding historic district, city and region. By way of a

regional center, visitors could potentially experience a richer visit through better understanding of the overall historical and geographic context of the park.

Subsequent to the approval of the GMP in April 1997, the National Park Service entered into a contract with a Philadelphia-based design team headed by the Olin Partnership, a nationally recognized landscape architectural firm. This team produced a Master Plan for Independence Mall, a detailed physical design that elaborated the recommendations contained in the GMP for the placement and relationships of the various facilities and open space. It was presented to the public in October 1997, and has met not only with acclaim from the public, but an outpouring of financial support, detailed below.

The Gateway Visitor Center would directly address what the GMP clearly articulates as the importance of the visitor experience—recognizing the various needs and expectations of visitors; managing their traffic flow through and beyond the park; and allowing them to make the best use of available time by providing more opportunities to discover and visit historical, cultural, and natural resources in the park and beyond. The Gateway Visitor Center is also a major component contributing to the GMP's visitor orientation goal of strengthening Independence Mall itself—providing a dignified and comprehensive setting respecting the historical significance of Independence Hall and the Liberty Bell, while clarifying and enhancing the pedestrian environment.

Visitors to the center will also be able to gain information and tickets to area tours, attractions and events. They will be able to make reservations for accommodations, restaurants and transportation; purchase items at a book and gift store, obtain information and see films about the creation of our nation and about the attractions of Philadelphia and the surrounding region, and have a light meal. The Gateway Visitor Center will be the distribution site for free tickets for admission to Independence Hall during peak periods.

A range of private and nonfederal public entities have come together to fund the development and construction of the Gateway Visitor Center, which will be located on federal land and owned by the federal government. The Gateway Visitor Center will be developed by a private nonprofit corporation, the Gateway Visitor Center Corporation (GVCC). Pursuant to a long-term agreement with the National Park Service, the Gateway Visitor Center will be operated jointly by the National Park Service and the Gateway Visitor Center Corporation. The GVCC Board, comprised of representative stakeholders, includes the Mayor of Philadelphia, a representative of the Governor of the Commonwealth of Pennsylvania, and a representative of the Pew Charitable Trusts.

Current estimates call for an approximately 50,000 square foot facility costing \$24 million (hard and soft costs)

for the physical structure and exhibits. In addition, the overall project development budget includes a \$6 million endowment to help support operation of the facility in the future, including the ongoing maintenance, renewal and replacement of the facility's exhibits.

This overall project budget of \$30 million is in hand or firmly committed, and is split equally between public (non-federal) and private contributions. The Gateway Visitor Center's leading private sector financial backer, and in many ways one of the project's primary catalysts, is the Pew Charitable Trusts, based in Philadelphia. It is one of the nation's largest philanthropies. No federal money will be utilized for the design or construction of the Gateway Visitor Center.

While the Gateway Visitor Center itself can be constructed within Independence NHP based on existing NPS authorities, the proposed legislation permits the GVCC to undertake certain activities that will enliven the visitor experience and generate revenues to defray operating and management expenses of the Gateway Visitor Center. It would allow the GVCC to change fees, raise revenues, rent space for events, sell merchandise, tickets and food, and enter into agreements with other parties for these activities. The funds generated by these activities would be retained by the GVCC to defray ongoing costs of operations, maintenance and repair of the building and exhibits, and for the periodic replacement, improvement and modification of the exhibits in the building.

If authorization is enacted in the near future, the projected completion date for the Gateway Visitor Center is December 2000 based upon construction beginning in September of this year. Once completed, the Gateway Visitor Center will be operated and managed on a long-term basis by the National Park Service and the GVCC pursuant to an agreement between the two parties.

This agreement will define the relationship between the National Park Service and the GVCC on a number of items of particular concern to both parties, such as ongoing liaison between the GVCC and the park, content of the Gateway Visitor Center's exhibits, ticketing for Independence Hall, the presence and role of park staff in the Gateway Visitor Center. In addition, the agreement will set forth policies for addressing such matters as the sale of merchandise, the rental of Gateway Visitor center space, the display and content of written materials, and the maintenance of the facility.

Once the funding mechanisms are in place, the Gateway Visitor Center is designed to be financially self-sustaining. Its annual operations will be supported through revenue generating activities, endowment income, and various stakeholder contributions, including an appropriate contribution by NPS toward operations and maintenance.

This concludes my statement. I would be pleased to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by H.R. 449, as ordered reported.

