HEARING ON H.R. 3981, H.R. 4109, H.R. 4141 AND H.R. 4158

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS AND PUBLIC LANDS

OF THE

COMMITTEE ON RESOURCES

HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

ON

H.R. 3981, TO MODIFY THE BOUNDARIES OF THE GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT, AND FOR OTHER PURPOSES.

H.R. 4109, TO AUTHORIZE THE GATEWAY VISITOR CENTER AT INDEPENDENCE NATIONAL HISTORICAL PARK, AND FOR OTHER PURPOSES.

H.R. 4141, TO AMEND THE ACT AUTHORIZING THE ESTABLISHMENT OF THE CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA TO MODIFY THE BOUNDARIES OF THE AREA, AND TO PROVIDE FOR THE PROTECTION OF LANDS, WATERS, AND NATURAL, CULTURAL, AND SCENIC RESOURCES WITHIN THE NATIONAL RECREATION AREA, AND FOR OTHER PURPOSES.

H.R. 4158, TO AUTHORIZE THE PRIVATE OWNERSHIP AND USE OF CERTAIN SECONDARY STRUCTURES AND SURPLUS LANDS ADMINISTERED AS PART OF ANY NATIONAL HISTORICAL PARK THAT ARE NOT CONSISTENT WITH THE PURPOSES FOR WHICH THE PARK WAS ESTABLISHED, IF ADEQUATE PROTECTION OF NATURAL, AESTHETIC, RECREATIONAL, CULTURAL, AND HISTORICAL VALUES IS ASSURED BY APPROPRIATE TERMS, COVENANTS, CONDITIONS, OR RESERVATIONS.

JULY 16, 1998, WASHINGTON, DC

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THURSDAY, JULY 16, 1998

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON NATIONAL PARKS AND PUBLIC LANDS, COMMITTEE ON RESOURCES, *Washington, DC.*

The Subcommittee met, pursuant to notice, at 10 a.m., in room 1324, Longworth House Office Building, Hon. James Hansen (chairman of the Subcommittee) presiding.

Mr. HANSEN. The Committee will come to order.

STATEMENT OF HON. JAMES V. HANSEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. HANSEN. Good morning. We will hear testimony today on four bills: H.R. 3981, 4109, 4141, and 4158.

The first bill for consideration is H.R. 4141 introduced by Speaker Gingrich to expand the boundaries of the Chattahoochee River National Recreation Area. This bill will increase protection for this endangered river and will allow for increased recreation opportunities in one of the fastest-growing areas of the country.

I understand the Park Service has had some concerns about the landowner opt-out provision of the bill. Let me explain that one reason I favor this approach is that, unless there is sufficient public process so that all concerned can view the interim map before this becomes law, we need this provision to ensure that a landowner does not fall within the boundaries unknowingly. The opt-out ability only applies until July 1, 1999, when the permanent map will be prepared. I understand that the permanent [sic] map will be prepared this week and if we can get out to the community and have some public process, I would not object to removing the opt-out provision. Perhaps if the Park Service and the Superintendent could be helpful in that process, we could all agree.

I would like to commend the Trust for Public Land for their hard work in preparing the maps and doing a great deal of the work for the Park and I commend the Speaker for his diligence in pursuing this needed expansion.

The next bill we will hear today is H.R. 3981, introduced by Congressman Herbert Bateman. This bill would modify and expand the boundaries of the George Washington Birthplace National Monument in order to include an area known as Ferry Farm. The area, lying on the banks of the Rappa—how do you say that?—Rappahannock—thanks, Herb—River contains George Washington's boyhood home and is approximately 85 acres in size.

H.R. 3981 also authorizes the Secretary of the Interior to enter into a cooperative agreement with the Kenmore Association for the management of the boyhood home site. This area will be managed to preserve the cultural and natural resources associated with the boyhood home of George Washington and also to enhance the public understanding of Washington's childhood.

The next bill, H.R. 4109, introduced by Congressman Jon Fox, would authorize the Gateway Visitor Center at Independence National Historical Park. This bill authorizes the Secretary of the Interior to enter into a cooperative agreement with Gateway Visitor Center Corporation to construct and operate a regional visitor center on Independence Mall. The agreement would authorize the cor-

poration to manage the center in cooperation with the Secretary and to provide information, interpretation, and services to visitors to Independence National Historical Park, its surrounding historic sites, the city of Philadelphia, and the region, in order to assist in the enjoyment of the resources located in the greater Philadelphia area. Revenues generated by the corporation activities will be used to operate and administer the center.

The last bill is H.R. 4158, introduced by Congressman Roscoe Bartlett, the National Park Enhancement Protection Act. H.R. 4158 would give the Secretary of the Interior full discretion to review whether lands or structures within national historical parks are secondary structures or surplus lands and not consistent with the reasons the park was established. After such review, if the Secretary determines it to be in the public interest, he may sell, lease, permit the use of, or extend a lease or use permit for those lands and structures determined to be surplus or secondary structures. Any revenues generated from these lands or structures will be deposited in a special trust fund in the Treasury and will be available to the Secretary without further appropriation for operation, maintenance, improvement of, or for the acquisition of land or interests for the national park system unit which originated the proceeds.

[The prepared statement of Mr. Hansen follows:]

STATEMENT OF HON. JAMES V. HANSEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Good morning everyone and welcome to the hearing. We will hear testimony on four bills, H.R. 3981, H.R. 4109, H.R. 4141 and H.R. 4158.

The first bill for consideration is H.R. 4141 introduced by Speaker Gingrich to expand the boundaries of the Chattahoochee River National Recreation Area. This bill will increase protection for this endangered river and will allow for increased recreation opportunities in one of the fastest growing areas of the country. I understand the Park Service has some concerns about the land owner opt out provision in the bill. Let me explain that one reason I favor this approach is that unless there is a sufficient public process so that all concerned can view the interim map before this becomes law, we need this provision to insure that a landowner does not fall within the boundaries unknowingly. This opt out ability *only* applies until July 1, 1999 when the permanent map will be prepared. I understand that the interim map will be prepared this week and if we can get this out to the community and have some public process, I would not object to removing the opt out provision. Perhaps if the Park Service and the Superintendent could be helpful in that process we could all agree. I would like to commend the Trust for Public Land for their hard work in preparing the maps and doing a great deal of the work for the Park and I commend the Speaker for his diligence in pursuing this needed expansion.

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We are very pleased to have the sponsors of these bills here with us today. I also thank all the other witnesses here today and look forward to their testimony.

Mr. HANSEN. We are very pleased that most of the sponsors are here. And before I turn to my friend from American Samoa, I would ask Mr. Bateman, Mr. Bartlett, Mr. Fox if they would come up and take their seats, and I understand the Speaker will be coming in. So we'll have you ready to go. Sit wherever you're comfortable. And Mr. Borski, please.

I will turn to the gentleman from American Samoa.

STATEMENT OF HON. ENI F. H. FALEOMAVAEGA, A DELEGATE IN CONGRESS FROM AMERICAN SAMOA

Mr. FALEOMAVAEGA. I thank the chairman and I would certainly like to offer my personal welcome to our distinguished colleagues who are sponsors of these pieces of legislation. I'd like to personally welcome them this morning.

Mr. Chairman, although all of the bills before the Subcommittee today are park related, they are very different in what they seek to accomplish. H.R. 3981, which was introduced by the gentleman from Virginia, my good friend Mr. Bateman, would add an 85-acre parcel known as the Ferry Farm to the George Washington Birthplace National Monument. This new addition follows action by the Congress of 5 years ago that added 12 acres to this park unit.

H.R. 4109, introduced jointly by my good friends, the gentleman from Pennsylvania, Mr. Fox, and my good friend Mr. Borski, authorizes the National Park Service to enter into a cooperative agreement with a non-profit corporation to construct and operate a visitors' center on national parks land within Independence National Historical Park. With some of the controversy that has been generated from proposed public-private partnerships, especially at Gettysburg National Military Park, I think we will want to look closely at this measure.

Mr. Chairman, I have concerns with H.R. 4141, as introduced by the Honorable Speaker Mr. Gingrich. I am unaware of any feasibility or suitability study being done on this substantial addition to the Chattahoochee River National Recreation Area. The inclusion of language allowing landowners to opt out of the park is also troubling. In addition, it seems that the Appropriations Committee is getting out in front of the authorizing committee on this proposal by providing some $15 million in land and water conservation funding, even as they cut back the National Park Services' land and water conservation funding request for the entire National Park Service by nearly 50 percent. Evidently the National Park Service

also has a number of concerns and questions with the legislation and I will want very closely to hear from not only our Speaker, but the representatives of the Park Service.

The same can also be said, Mr. Chairman, for H.R. 4158, introduced by the gentleman from Maryland, Mr. Bartlett, which authorizes the disposal of certain land or structures at national historical parks. And I want to know whether this is a policy we want to embark on and I'm very interested to raise these issues with the testimonies that will be provided by the officials of the National Park Service this morning.

And, Mr. Chairman, again, I thank the witnesses for their presence and look forward to hearing their testimony. Thank you.

Mr. HANSEN. Thank you. In deference to the Speaker, who's on a very tight schedule, we thought we'd let him go first. However, he doesn't happen to be here. I understand he's coming up the stairs. So if that's all right with everyone——

[Laughter.]

In the State legislature, we used to saunter at times like this. I don't know what we do here. We'll just wait.

Mr. BATEMAN. Pleased to defer, Mr. Chairman.

Mr. HANSEN. Tell me that he's not quite that close, so——

[Laughter.]

Mr. Bateman—because we have Mr. Borski and Mr. Fox running the same piece of legislation, possibly we'll start—Herb, if it's OK, we'll start with you.

STATEMENT OF HON. HERBERT H. BATEMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Mr. BATEMAN. Thank you very much, Mr. Chairman, members of the Committee.

I'm here today to speak to you about an important effort to preserve one of the most important historical properties in the nation, George Washington's boyhood home, Ferry Farm. Ferry Farm, located on the Rappahannock River, across from historic Fredericksburg in Stafford county, Virginia, was the site of George Washington's formative years. In 1738, when he was 6 years old, his family moved to Ferry Farm where he lived until he reached young manhood.

At Ferry Farm, the hackneyed phrase "George Washington slept here" takes on real meaning. It was here that the young Washington threw a coin across the Rappahannock River, chopped down the fabled cherry tree, and uttered the words, "I cannot tell a lie." It was here that he suffered family tragedies, including the death of his sister Mildred in 1740 and of his father in 1743. It was here that he learned the craft of surveying and developed the character, will, and determination to overcome difficult obstacles that enabled him to lead the armies of the new nation to victory in America's Revolution and to become our first and arguably our greatest President.

There can be no doubt of the historical significance of the property, as you read more extensively in the briefing statement attached to my testimony. The statement recently prepared by the National Park Service researchers. A 1991 archeological investigation of the property revealed the presence of highly significant ma-

terial dating to Washington's occupancy of the property. The Park Service has determined that the buried archeological resources and the ability of the site to yield important information on the life of George Washington clearly indicate that the site is of national historic landmark quality.

[The information referred to follows:]

Mr. BATEMAN. Moreover, the post-Washington history of the site is of significant historic interest. Union soldiers marched across the property constructed a pontoon bridge crossing of the Rappahannock during the first battle of Fredericksburg. The archaeologists concluded that the 18th and 19th century archeological sites and the landscape features on the property, quote, "create an exciting and powerful interpretive setting," unquote. The juxtaposition of the artifacts from the principal founding father of our nation and from the terrible civil war provide a unique educational opportunity for generations of Americans to understand the birth and fitful growth of our nation in its infancy.

It is truly remarkable that such a significant portion—more than 80 acres—of the original Washington property has remained undeveloped for over two centuries. Yet this property has and still is threatened by development. Stafford County is one of the fastest-growing localities in the greater Washington metropolitan area. Much of the property surrounding Ferry Farm has already been developed.

The Kenmore Association do deserve a tremendous amount of credit for this. Being a non-profit organization, founded in 1922, to preserve the home of George Washington's sister, Betty, the association admirably intervened 1996 to prevent the property from being developed as a Wal-Mart shopping area. Kenmore, however, is a private, non-profit entity. It cannot protect this property in perpetuity. Only the Federal Government, through the National Park Service, can ensure that the property is protected for all future generations.

This is the purpose of H.R. 3981. The legislation before the Subcommittee would enable the Park Service to obtain a historical preservation easement to the property. To do so, the property must first be included within the boundaries of a unit of the National Park Service. The bill, therefore, authorizes the Park Service to include the property within the boundaries of the George Washington Birthplace National Monument. This would enable the Park Service to acquire an interest in the property, in this case, a historical preservation easement. The legislation also clarifies that the Park Service may enter into a cooperative agreement with the owners of the property, which would be Kenmore Association, to ensure that the property is managed in accordance with National Park Service guidelines for historic preservation.

This legislation is an outstanding example of the type of public-private partnership that we in the Congress should be striving to implement. Because Kenmore would retain title to the property, all costs associated with restoration of the property, developing interpretive structures, conducting archeological excavations, maintaining the property, and any liability would be borne by Kenmore. The Park Service would only incur the one-time cost of the easement but would, in return, ensure that this property is permanently pre-

served and managed in accordance with Park Service guidelines. Kenmore has prepared a long-range plan for the property and has had preliminary discussions with the Park Service about a management plan.

Thank you, again, Mr. Chairman, and members of the Subcommittee, for your patience in providing me this opportunity to discuss this important legislation. As the member representing the First District of Virginia, I have a keen awareness of the need to preserve America's heritage. The First District, which I like to call America's First District, is home to Williamsburg, Jamestown, Yorktown, Fredericksburg, and so many other sites of profound importance to the understanding of our nation's history. Ferry Farm, George Washington's boyhood home, is without question of great historical significance. I urge you to favorably report H.R. 3981 so that it may be enacted in this session of Congress, and thereby ensure that the boyhood home of our first President is preserved for posterity.

Thank you very much.

[The prepared statement of Mr. Bateman follows:]

STATEMENT OF HON. HERBERT H. BATEMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Thank you Mr. Chairman.

Mr. Chairman, I am here today to speak to you about an important effort to preserve one of the most important historical properties in our nation—George Washington's Boyhood Home, Ferry Farm. Ferry Farm, located on the Rappahannock River across from historic Fredericksburg in Stafford County, Virginia, was the site of George Washington's formative years. In 1738, when he was 6 years old, his family moved to Ferry Farm where he lived until he reached young manhood.

At Ferry Farm, the hackneyed phrase "George Washington slept here" takes on real meaning. It was here that the young Washington threw a stone across the Rappahannock River, chopped down the fabled cherry tree, and uttered the words, "I cannot tell a lie." It was here that he suffered family tragedies, including the death of his sister, Mildred in 1740, and of his father in 1743. It was here that he learned the craft of surveying and developed the character, will, and determination to overcome difficult obstacles that would enable him to lead the armies of the new nation to victory in the American Revolution and to become our first and arguably our greatest President.

There can be no doubt of the historical significance of the property. As you may read more extensively in the briefing statement attached to my testimony—a statement recently prepared by National Park Service researchers—a 1991 archeological investigation of the property revealed the presence of highly significant material dating to the Washington occupancy of the property. The Park Service has determined that the buried archaeological resources and the ability of the site to yield important information on the life of George Washington, clearly indicate that the site is of national historic landmark quality.

Moreover, the post-Washington history of the site is of significant historic interest. Union soldiers marched across the property and constructed a pontoon bridge crossing of the Rappahannock during the first battle of Fredericksburg. The archeologists concluded that the 18th and 19th century archeological sites and landscape features on the property "create an exciting and powerful interpretative setting." The juxtaposition of artifacts from the principal Founding Father of our nation and from the terrible civil war provide a unique educational opportunity for generations of Americans to understand the birth and fitful growth of our nation in its infancy.

It is truly remarkable that such a significant portion—more than 80 acres—of the original Washington property has remained undeveloped for over two centuries. Yet this property has—and still is—threatened by development. Stafford County is one of the fastest-growing localities in the greater-Washington metropolitan area. Much of the property surrounding Ferry Farm has already been developed. The Kenmore Association, which is a non-profit organization founded in 1922 to preserve the home of George Washington's sister, Betty, admirably intervened in 1996 to prevent the property from being developed. Kenmore, however, as a private non-profit entity,

cannot protect this property in perpetuity. Only the Federal Government, through the National Park Service, can ensure that this property is protected for all future generations.

That is the purpose of H.R. 3981. The legislation before the Subcommittee would enable the Park Service to obtain a historical preservation easement to the property. To do so, the property must first be included within the boundaries of a unit of the National Park Service. The bill, therefore, authorizes the Park Service to include the property within the boundaries of the George Washington Birthplace National Monument. This would enable the Park Service to acquire an interest in the property, in this case an historical preservation easement. The legislation also clarifies that the Park Service may enter into a cooperative agreement with the owner of the property to ensure that the property is managed in accordance with National Park Service guidelines for historic preservation.

This legislation is an outstanding example of the type of public/private partnership that we in Congress should be striving to implement. Because Kenmore would retain title to the property, all costs associated with restoration of the property, developing interpretive structures, conducting archaeological excavations, maintaining the property, and any liability would be borne by Kenmore. The Park Service would only incur the one-time cost of the easement, but would, in return, ensure that this property is permanently preserved and managed in accordance with Park Service guidelines. Kenmore has prepared a long-range plan for the property and has had preliminary discussions with the Park Service about a management plan.

Thank you again Mr. Chairman and members of the Subcommittee, for providing me this opportunity to discuss this important legislation with you. As the member representing the First District of Virginia, I have a keen awareness of the need to preserve America's heritage. The First District, which I like to call America's First District, is home to Williamsburg, Jamestown, Yorktown, Fredericksburg, and so many other sites of profound importance to the understanding of our nation's history. Ferry Farm, George Washington's Boyhood Home, is without question of great historical significance. I urge you to favorably report H.R. 3981 so that it may be enacted in this session of Congress, and thereby ensure that the boyhood home of our first President is preserved for posterity.

GEORGE WASHINGTON BOYHOOD HOME (a.k.a. Ferry Farm)
BRIEFING STATEMENT ON NATIONAL HISTORIC LANDMARK ELIGIBILITY

May 15, 1998

William C. Bolger
National Historic Landmarks Program Manager
Northeast Region
National Park Service
Philadelphia PA

ISSUE: The County of Stafford Virginia, the George Washington Boyhood Home Foundation, Inc., and the Kenmore Association are or have been involved in the preservation and historic site development of a portion of the Washington Family's farm, known as the Ferry Farm. These entities have expressed interest in seeking National Historic Landmark status for the property since 1990. NPS staff have offered guidance on undertaking the necessary research for examining the eligibility of the site for NHL designation. The archeological investigation that has followed our guidance has produced important information pertaining to the early years of George Washington. While NPS has not received a draft nomination at this time and no official determinations have been made regarding eligibility, we have been asked to comment on the suitability of including the property within the authorized boundaries of the George Washington Birthplace National Monument (GEWA). This statement represents the recommendations and opinions of NPS field staff; the Secretary of the Interior possesses the sole authority for designating National Historic Landmarks.

ASSESSMENT OF SIGNIFICANCE AND INTEGRITY: NPS Archeologist Dr. David G. Orr and I met at the site on March 8, 1996 to examine the property and talk with researchers who have knowledge of the history of the Washington tract.

Description of the Property:

The Ferry Farm tract today consists of some 90 acres of mostly undeveloped land situated on the east side of the Rappahannock River opposite the City of Fredericksburg, Virginia. It is bounded on the east by State Route 3. State Route 3 Connector crosses the property near its southern limit. The land consists of flood plain along the river with a low bluff to the east and undulating uplands above the bluff.

The northern end of this tract contains the site of the Washington house and outbuildings. Immediately north of the house site is an 18th century road cut that leads down to the location of one of the historic ferry crossings into Fredericksburg.

Historic Significance of the Property:

George Washington is a figure of transcendent importance in the history of our country. The significance of Ferry Farm involves three issues:

1) its importance in Washington's life,
2) the integrity of the property with respect to the Washington occupancy, and
3) its ability to yield important information on the life of Washington.

Ferry Farm was one of three tracts of land that Washington's father, Augustine, owned and occupied during George's childhood. George was born at Pope's Creek, Va.(GEWA) where he lived until he was three. The family then moved to Little Hunting Creek to the property later known as Mount Vernon. In 1738, when he was six his family moved to Ferry Farm which was his residence until 1754. Augustine died in 1743 leaving his 11 year old son George the 600 acre Ferry Farm. George's mother, Mary continued to live on the farm and direct its operation until 1772. On September 13, 1771 George personally surveyed and drew a plan of a portion of the property which includes the tract in question. After 1754 Washington lived at Mount Vernon which remained his primary residence for the rest of his life. The three Virginia properties are the only domestic properties associated with Washington. While many residential structures have been landmarked for their association with Washington all but Mount Vernon served as military headquarters for short periods of time during the Revolutionary War. Therefore, it is the opinion of this office that Ferry Farm does occupy an important role in Washington's life.

The integrity of the property is harder to evaluate. The farm in Washington's time was about six times larger that the surviving tract and included some six hundred acres. Much of this other land is now developed as suburbs of Fredericksburg and does not retain rural-agricultural character. One key question is whether the surviving tract is sufficient to adequately represent an agricultural land holding. While this may ultimately be a subjective call two points are worth considering. First, the surviving tract constitutes the core area of the Washington era farm as indicated on Washington's own survey. Second, the tract includes not only the site of the farm house and out buildings but valuable flood plain and the site of the historic ferry crossing as well as upland fields. The chief objection regarding integrity in previous reviews by NPS has been the absence of extant structures dating to the Washington tenure. In earlier discussion with the Boyhood Home Foundation officials we left the question of significance of the land itself open and indicated that a case for Landmark designation would be significantly strengthened should a historic archeological site or sites relating to Washington be discovered, hence the third issue of the site ability to yield important information on the early life of George Washington.

In 1991 the GWBHF organized a panel of leading archeologists to select and guide archeological consultants in an investigation of the property. After a phase one survey of the property had been completed Dr. Alan D Outlaw conducted test excavations at the site believed to be the location of the Washington house. Outlaw located the remains of a house that had been destroyed by fire. Examination of the destruction level found that it was largely in tact and dated no later than the 1770 and no earlier than 1730. Subsequent research by Mr. Jack Warren of the University of Virginia into Washington family correspondence seems to offer proof that the fire actually occurred on Christmas eve of 1740 and that the Washington family was in residence at the time. Dr. Orr, who served on the archeological panel offers the following summary of the findings and evaluates their significance:

> The archaeological investigations summarized in the Outlaw report (1993) revealed the presence of highly significant material dating to the Washington occupancy. The chief feature was the presence of the cellar of the Washington family structure and its contents. I have no doubt that this artifactual assemblage in the context of the buried architectural features is of National Historic Landmark quality. Additional archaeological work may indeed reveal the presence of other features relating to the Washington occupancy.

The post-Washington history of the site also warrants consideration as well. Orr comments on the features at the site that relate to Ferry Farm's role during the two battles of Fredericksburg (1862 and 1863) when major pontoon bridges were constructed across the Rappahannock at the old ferry crossing:

> Additionally, the Civil War period landscape features relating to the bridge crossings are highly significant. These consist of the road, 19th century archeological sites, and possible landscape features associated with the house itself. The combination of the above two sets of material resources create an exciting and powerful interpretative setting... The fact that Washington's boyhood home witnessed fraternal strife and horrific acts of civil violence less than a century after the creation of the Republic testifies eloquently to the unresolved problems which were left by the founding fathers.

The Union soldiers were well aware of Ferry Farm's association with the founder of the nation. The site had long since become associated with the myths regarding Washington's character formation as a young boy, particularly the cherry tree incident. S. Millett Thompson, a Lieutenant in the thirteenth New Hampshire Volunteers mused on the association in his diary during the battle of 1862. *"We cross too from the old Washington plantation, wherein (it may have been) was the garden wherein grew the cherry-tree, whereat the boy, George, went with his little hatchet, whereabout he could not tell a lie; whereof we have all been told, and whereby we all have been, morally, much benefited, of course."* The questionable veracity of the myths is not nearly as important as the fact that school children through out the country for over one hundred fifty years were taught these stories, including the Union soldiers who were stationed on or near the farm during the Civil War.

Research by Gary Norman of Kenmore Plantation in 1997 on the post Civil War history identified important information regarding dredging and filling operations along the Rappahanock at Ferry Farm that may lead to further archeological discoveries at the site. The following is taken from Norman's December 4, 1997 memorandum:

> The following is from a Report of the Chief Engineer, U S Army: "The channels at Fredericksburg and Spottswood bars were widened to 120 feet by contract, and the dredging completed in 1873. A dike 1600 feet long was built along the left bank opposite Fredericksburg to confine the dredged material which was placed behind it and to contract the waterway of the stream over the bar. A dike was also constructed along the left bank, below the steamboat wharf-line, and filled with dredged material."
>
> An appendix summary of the progress of the project contained the following revelation: "1870 and 1871...A small longitudinal dike was constructed at Fredericksburg, for the purpose of contracting the channel, but chiefly to supply a recess for the deposition of the material [from dredging]."

> This is excellent evidence to support our supposition that the River was once much wider at the ferry landing. A table in the Official Records, vol. 46, pt. 1, p. 647 indicates that the length of the pontoon bridge constructed at Ferry Farm on May 10, 1864 was 420 feet, almost a hundred feet longer than the present width of the river.
>
> The implications here are astounding. If the "inlet" at Ferry Farm was filled in the 1870s, then it is possible that we can find the preserved remains of the Ferry Landing buried a respectable distance from the River. It would also mean that everything that was thrown into the river at Ferry farm prior to 1871 might still be buried in the "meadow", and there is even a remote possibility of finding remains of one of the ships wrecked by the Confederates in the river during the War.

In conclusion, the recent archeological findings at Ferry Farm together with the remainder of the farm land constitute a resource that should be considered for NHL designation by the Secretary of Interior for its association with George Washington. The boundaries of the tract should be the remaining 90+ acres described above. The Period of significance should be 1738 to 1774 with consideration of expanding it to a later date in order to include the later commemorative history of the site and particularly the Civil War activity.

Mr. HANSEN. Thank you, Mr. Bateman. Appreciate your testimony.

Mr. Bartlett, we want to turn the time to you, sir. Would you pull that mike over close to you? I'd appreciate it.

STATEMENT OF HON. ROSCOE G. BARTLETT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. BARTLETT. Thank you very much. H.R. 4158 is a very narrowly drawn bill to accomplish a very simple, single purpose. Through the years, the Congress has given the Park Service funds that could be used only for purchasing properties that were outside the park boundaries, but were needed in order to protect the viewscape of the park. Parks like Gettysburg—there are a number of farms outside Gettysburg that are not owned by the Park Service, but they simply have an easement there so that those parks cannot be developed.

But the Congress through the years has mostly given money to the Park Service that could be used only for purchasing lands that could not used for purchasing easements. As a matter of fact, most of the lands that have been acquired to protect the parks have been acquired fee simple by purchasing the lands, rather by purchasing easements, simply because the Park Service had no flexibility. They were given money that could be used only for purchase of the lands.

What this legislation attempts to do is to permit the Park Service to use their good judgment. By the way, it is not obligatory, not mandatory in any way. The Park Service would not have to do one thing if they do not wish to. But if they wish to, this legislation would permit the Park Service to designate which parts of those lands which they have acquired to protect the park, where the purpose could be served just as well if the lands were to return to the private sector, go back on the tax rolls, and the Park Service would retain an easement.

We have placed language in the bill which we feel is very clear to authorize the private ownership and use of certain secondary structures and surplus lands—that is lands that are not the essence of the park, but were acquired to protect the park—administered as part that are not consistent with the purposes for which the park was established—that is, not the essence of the park—if adequate protection of natural, aesthetic, recreational, cultural, and historical values is assured by appropriate terms, covenants, conditions, or reservations.

For instance, if a farm outside of Antietam, if that farm were to be sold back to the private sector, easements could be put on it requiring that that farm must remain a farm in perpetuity, that the only way it could be farmed is with horses if that was what the Park Service desired. Now we—all of our farmers are not Amish, but we have enough Amish farmers that I'm sure they could find Amish farmers that would farm those farms with horses. So that when you were visiting this historic park, the viewscape would look like it looked when the battle occurred.

This is very simple legislation and I cannot understand how it could be misunderstood, but apparently it can because just at 9 this morning, we got a communication from the Park Service and

apparently later today they're going to testify that they are opposed to this legislation. But the reasons they state are not consistent with the bill itself: "We do not view any land within a national park to be surplus." Neither do we. That is not the intent of this bill.

The intent of this bill is simply to permit the Park Service to use their good judgment when we not permit them to use their judgment in the past and we gave them moneys that they could use only for purchasing lands to now use their good judgment to decide whether or not they need to retain those lands fee simple or whether they could meet the needs of the Park Service by simply retaining appropriate easements on those lands.

Now there is one unique situation. Let me take just a moment. You're going to hear about it a little late because you have a witness. This is a unique situation relative to the C&O Canal. Now the C&O Canal is an historic park and it was the towpath and the canal. About 25 years ago, the Park Service decided that they would like to enlarge that Canal, that park. So apparently someone in Washington sat down and drew on paper lines that were so many feet from the Canal and towpath. And then they acquired properties within those boundaries.

When they acquired some of those properties, when you actually went onsite—you will hear the witness testify today—some of those properties are about 70 feet above the towpath, up an essentially vertical cliff, and you cannot even see the properties from the towpath. They are not in the viewscape of the C&O Canal and, really, their acquisition in no way protected the canal because they were not even in the viewscape of the canal. Yet right across the Potomac River, there is all sorts of commercial development that is clearly within view of the C&O Canal and that has not been protected by the Park Service. So this is a unique situation where these lands may, by definition of the Park Service, be within the park.

But, ordinarily, our bill is not addressing lands within the park. It is addressing only lands that have been acquired to protect the park. And it's only these lands that the bill is meant to apply to. And had we given the Park Service the flexibility in the past of using the money we gave them to either purchase lands or to purchase an easement on the land and to use the remainder of the money for improving the park, the majority of the time they would have purchased an easement and used the remainder of the money for improving the park.

This legislation now will permit them to go back and take any of the lands that we have required them in the past to acquire in fee simple, to sell those lands, keeping appropriate easements, and to use the revenues generated from that to improve the local parks. Those moneys do not go back into some big black hole inside the Beltway. They go into a fund that can be used for improving the local parks.

Again, this legislation is not mandatory. It is only permissive. The Park Service does not have to do one thing if they wish. And, contrary to the analysis of the Park Service—and they will testify a little later—we are not talking about lands within the park. Nobody wants to sell the Liberty Bell or to put strip malls inside Yo-

semite Park. This only relates to lands outside the park that are required to protect the park where that purpose could have been achieved just easily by acquiring a scenic easement. The lands would still stay on the tax roll. Someone else would pay for maintaining those lands. And we think this is legislation which is in the best interests of the Park Service and our citizens, the users of the park, and the taxpayers.

Thank you very much.

Mr. HANSEN. Thank you, Mr. Bartlett.

The next bill we'll hear is H.R. 4141, introduced by Speaker Gingrich, to expand the boundaries of the Chattahoochee River National Recreation Area. Speaker, we'll turn to you, sir.

STATEMENT OF HON. NEWT GINGRICH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA AND SPEAKER OF THE HOUSE OF REPRESENTATIVES

Mr. GINGRICH. Thank you very much for allowing me to comment and to share with you. I have some material I'd like to submit for the record, if I could, and then I'll just talk in general.

Mr. HANSEN. OK.

Mr. GINGRICH. That material includes letters of support from various Georgians, including the Governor.

[The information referred to follows:]

Mr. GINGRICH. Now the essence of this is pretty straightforward. The Chattahoochee River National Recreation Area has been very, very successful. It's very intensely used. The Chattahoochee River itself is ranked as one of the ten most endangered rivers in the country and it provides the drinking water for the Atlanta metropolitan area and for about half the population of Georgia. In fact, it is—The Chattahoochee is the smallest river basin to serve as the major water supply for a metropolitan area in the United States, which makes the challenge of it particularly difficult and it's compounded because in the area of the Chattahoochee above the city of Atlanta, the population growth is extraordinary. It's the second most rapidly growing area in the country. It's had 400,000 people move in since 1990 and continues to grow at a dramatic rate.

We have an opportunity, by expanding the recreation area, to save for the future both the quality of water of the river as it goes toward Atlanta and the quality of recreational opportunities in a way that's psychologically very important. And local citizens working together, led by people from a River Keepers Organization, which is a private group, but reaching out across a very wide range of Georgia organizations, have both developed a plan working with the Park Service, which is a public-private partnership in which a variety of developers and landowners have agreed to give easements. Others have agreed they would sell the land or swap the land.

There is a proposal—and I want to commend Chairman Ralph Regula who's been very aggressive at looking for ways to get matching money to make sure that the citizens of the country were making investments where we could stretch the Federal dollar as far as possible. We believe it is possible that, for $25 million of Federal money, we will be able to ultimately leverage $90 million of State, local, foundation, and private money. Roy Richards, a

leading industrialist in Georgia, has led the project to get the local money. The State of Georgia has allocated $15 million already. There are a number of foundations and corporations that have indicated they would be committed.

In addition, we believe that the legislation protects property rights and establishes a negotiated relationship in which the Park Service will work to develop a 2,000 foot corridor on each side of the river and will work with private landowners in a way that I think will be a remarkable partnership.

Finally, I'd just like to share a quote from the River Keepers' guide to the Chattahoochee, a book written by Fred Brown and Sherry Smith, with the support of my good friend Sally Bathay. They wrote, "Only God can make a river and he's not making any more." And I think that our view, quickly, in a lot of areas, is that the Chattahoochee is so central both to our water supply and to the quality of life that being able now to proactively save the areas along the river prior to their being developed and dramatically increasing the runoff is both psychologically sound in quality of life and economically sound in quality of water. And having the level of local participation we do know, we believe we have proven that there is a massive public commitment to work with the Federal Government to expand the recreation area and to save the river.

And I very much appreciate you allowing me to come today and to testify and I'd be glad to answer any questions.

[The prepared statement of Mr. Gingrich follows:]

Mr. HANSEN. Appreciate your presence, Mr. Speaker.

The gentleman from American Samoa, Mr. Faleomavaega, you have any questions for Speaker Gingrich?

Mr. FALEOMAVAEGA. Mr. Chairman, it's a rare opportunity and it's certainly a privilege and honor for this Subcommittee to have our Speaker grace us this morning with his presence, and certainly I would be the last person to question the gentleman's expertise and knowledge and understanding of the Chattahoochee River and problems associated with the proposed legislation, but I would like to say that we're, indeed, very honored to see that the third highest officeholder in the land IS here with us. And I don't how the gentleman is able to take time to take care of the situation in Georgia when he has national issues that confronts him every day. But certainly we really, really thank you for your being here, Mr. Speaker.

Mr. GINGRICH. Listen, my good friend, as you remember from your own election experiences, this body was designed by the Founding Fathers. If you don't take care of the folks back home, you don't get to take care of the Nation either.

[Laughter.]

And, in addition, I used to teach environmental studies. I've been actively involved with the Chattahoochee River now for some 28 years, starting in 1970. And I've had a very long involvement with the Georgia Conservancy. The three-State water compact between Florida, Alabama, Georgia, and the Federal Government was actually finalized in a 15-hour meeting in my office in Atlanta, which I chaired because they couldn't get it solved. And I commend Erskine Bowles for having helped—part of the Clinton Administration having helped make that possible.

So I've had a very long, intimate involvement with the Chattahoochee, and the fact is I would guess 20, 30 times a year my wife and I walk somewhere along the Chattahoochee, so we've personally experienced the treasure that we have in that recreation area. That's why to me this is something—I'm honored the Committee would allow me to come over—the Subcommittee would allow me to come over and testify in favor of the bill and I hope at some point you'll look favorably on its being reported.

Mr. FALEOMAVAEGA. If the chairman would yield further, certainly, to thank the Speaker for his comments, staff has just informed me that another contributor to the Chattahoochee River and this formation of the legislation and the passing, certainly my former boss and a privilege I had working with the gentleman, the late Congressman Phil Burton. And just because of that, Mr. Chairman, I will ensure the Speaker that I will go out of my way to make—and I sincerely hope that also that our friends from the National Park Service will be cooperative in seeing that maybe we should be able to work something out on this legislation.

Thank you, Mr. Chairman, and thank you, Mr. Speaker.

Mr. HANSEN. The gentleman from Tennessee.

Mr. DUNCAN. Thank you, Mr. Chairman. I have no questions, but I do want to say that I particularly appreciate the provision in this legislation that apparently some oppose to allow private property owners who wish to opt out of this legislation. But also I'm impressed and I salute the Speaker and others involved for raising so much of this through non-Federal money.

About 4 or 5 years ago, at the request of my friend John Wilkinson, who's now with the World Bank but who was at the Kennedy Center at the time, I introduced a bill that we passed to partially privatize the Kennedy Center so they could have more control over the money that they raised because—and I think Mr. Borski was involved in that also. But the Kennedy Center was willing to raise most of their own budget. And so I'm always impressed when we have organizations who come in here who are willing to raise most of the money for some significant project. So I think this is a great piece of legislation and I salute you, Mr. Speaker, and thank you.

Mr. GINGRICH. Thank you.

Mr. HANSEN. Thank you, Mr. Speaker. We appreciate your coming and your testimony and we intend to move this bill along.

Mr. Fox, we'll turn to you, sir.

STATEMENT OF HON. JON D. FOX, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. FOX. Thank you, Mr. Chairman. And I thank Chairman Hansen, Ranking Member Faleomavaega, and Congressman Duncan for allowing us to speak on behalf of the Fox-Borski bill this morning.

H.R. 4109 would authorize the Gateway Visitor Center at Independence National Historic Park. The center will have a key role in the promotion of attractions to the Delaware Valley and help tourists better access information about these attractions. The visitor center would truly be a gateway to the parks and attractions in the Philadelphia area. The city of Philadelphia and other re-

gional leaders support the center. By passing this legislation, the Congress will allow the Gateway Visitor Center, a non-profit corporation, to work with the National Park Service to enhance public tourist opportunities.

Every child learns, Mr. Chairman, in elementary school about the importance of Philadelphia in the colonial history. the Second Continental Congress held in Philadelphia resulted in our Declaration of Independence. The Constitutional Convention, also convened in Philadelphia, resulted in the great nation's current form of government in 1787. The result, of course, of that convention was our U.S. Constitution which is now the model for all other democracies in the world.

The Philadelphia area also has a number of historical sites that would be better served by the enhanced promotion of the center. As you know, Pennsylvania was the home not only to Benjamin Franklin, Betsy Ross, Robert Fulton, U.S. Speaker Muhlenberg, President Buchanan, and the founder of our Commonwealth, William Penn. The Gateway Visitor Center will enhance tourist enjoyment, increase the knowledge of students' history, and better remind citizens of the roots of our democracy.

Almost everyone knows about the bitter, winter encampment of the Continental Army at Valley Forge. What many people do not know is that it is just a short ride from Independence Mall in downtown Philadelphia to the Valley Forge National Historic Park which is so large it actually is in two districts, mine and Curt Weldon's. And who can forget the dramatic crossing of the Delaware River led by General Washington on Christmas Eve, surprising the Hessian troops encamped in New Jersey and resulting in the first in a number of successes for Washington's troops.

While these historic sites are more well known through what we learn in history class, it is just a small sample of what the area has to teach us about our national history. The home of John James Audubon in Mill Grove near Philadelphia located in my district is the home of our nation's first conservationist who left his land as a sanctuary for the birds he was dedicated to protecting. Another historic battlefield is located in Congressman Weldon's district. This is the Battle of Brandywine.

Pennsylvania's preserved as well the Delaware Canal with the canal and the mule barge in Congressman Greenwood's district near Philadelphia. And the John Heinz Memorial Wildlife Refuge in Tinicum Township. The list goes on as we where Philadelphia became world famous not only for those things I mentioned, Mr. Chairman, but also the Franklin Institute, which utilizes a number of approaches to make learning about science fun. And not far from there is the heralded Philadelphia Museum of Art.

And the fact is that we are proud to be here today, Congressman Borski and myself, to support this legislation. The center will not only fulfill a key part of our strategic plan for Independence National Historic Park, but will help visitors, students, families, and America's future leaders learn about our country and where it began.

Thank you very much and we appreciate the Committee's favorable consideration of the legislation. We look forward to any questions you may have.

Mr. HANSEN. Thank you, Mr. Fox. Appreciate your testimony.

Mr. Borski, I apologize. In our opening comments we should have mentioned the important part you're playing on this and I apologize to you that that was overlooked. We'll turn to you, sir.

STATEMENT OF HON. ROBERT A. BORSKI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. BORSKI. Thank you very much, Mr. Chairman, Mr. Faleomavaega, and my friend, Mr. Duncan. Let me thank you for the opportunity to come before the Subcommittee this morning in support of H.R. 4109, legislation I have introduced with my good friend Congressman Fox and every member of the city and suburban delegation.

Every year, nearly 5 million visitors come to Philadelphia and Independence National Historic Park to visit and learn about the beginnings of this great country and the foundings of democracy. I am proud to represent the park, which many consider the crown jewel of the National Park Service. It's home to the Liberty Bell, Independence Hall, and the birthplace of the Declaration of Independence and the Constitution of the United States. We must do all we can to preserve it.

The present location of the visitors' center is situated in an area with limited public transit access and on a narrow street. The location for the proposed Gateway Visitors' Center will offer increased access to visitors. I'm committed to the development of this region and worked with my friend Mr. Fox and other area members to make sure that recently passed TEA–21 contained $6.5 million dedicated for the construction of an Independence Gateway Intermodal Transportation Center. This transportation center will work in conjunction with the Independence Mall renovation projects and will enable transportation improvements to be made in the Independence Mall area, thereby increasing access to the historic area of the city.

Mr. Chairman, the plans for both the Gateway Visitors' Center and the Independence Gateway Intermodal Transportation Center preserve history while at the same improving access and creating a new entrance to the park. H.R. 4109 is imperative to the renovation of the park included in the National Park's General Management Plan. It is extremely important for me and for Philadelphia to serve as a travel and tourism gateway for tourists worldwide, and for those who visit the historical area and experience its significance in the development of this great nation.

The Gateway Visitors' Center will serve as the region's principal point of orientation by providing a range of exceptional services and programs, attracting visitors to the resources offered in and beyond the park. Independence National Historic Park houses two of our nation's most prized objects: Independence Hall and the Liberty Bell. I believe that H.R. 4109 is vital to the preservation of these treasured artifacts that represent the ideas upon which our nation was founded and the struggle for freedom and democracy.

And, Mr. Chairman, let me thank you and the members of the Subcommittee for hearing us today and I hope you would move this measure forward.

Mr. HANSEN. Thank you. Appreciate your testimony.

Questions for our colleagues? The gentleman from American Samoa, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

To our good friends from Pennsylvania, Mr. Fox and Mr. Borski, you know one of the lessons I learned about legislation: if you've got it in the bag, just shut up and let it go. And I notice here, from the testimony from the Interior and from the National Park Service their position is that they support the legislation. So, gentlemen, congratulations for your efforts in working this legislation.

I also want to compliment the gentleman from Maryland for his eloquent statement explaining a very unique situation with this legislation. And I certainly will be interested in hearing from our friends in the National Park Service why—the difficulty in endorsing what our good friend from Maryland is proposing and so I want to thank our friends, our colleagues, for their testimony.

Mr. HANSEN. Thank you. The gentleman from Tennessee, Mr. Duncan.

Mr. DUNCAN. Thank you, Mr. Chairman. Let me just say that most of my people live in and around Knoxville, but I have the privilege of representing the great Smoky Mountains National Park, or a large portion of it, and that is by far the most heavily visited national park and it has approximately 10 million visitors, but at 5 million visitors a year, your Independence National Historic Park there is also one of the most heavily visited, because even some of our great parks in the West only have 2 or 3 million visitors a year. And so I think it sounds like you're talking about a good project and I certainly will support it.

And I want to say to Mr. Bartlett that I strongly support your legislation. I know you're going to have some opposition, but I think the only thing—I wish you were making it mandatory instead of voluntary, because the Park Service is opposed to it and it's voluntary, then probably they're not going to do it anyway. But, you know, I read not long ago that over 30 percent of the land in this country's owned by the Federal Government; that another 20 percent is owned by State and local governments and quasi-governmental agencies. And that's been growing by leaps and bounds over the last 25 or 30 years. And I'll tell you, if we don't start recognizing that private property is in danger almost in this country and we're putting restrictions on private property that's left in the hands of citizens.

But to put more property onto the private tax rolls, I think, is a great thing. But I can tell you that it's hard to find a Federal agency that's willing to part with even one acre of land. They just want to keep adding on.

Mr. BARTLETT. Mr. Duncan, thank you very much for your comments. We feel that if this legislation becomes law, that many of the parks, when they look at lands which they have acquired simply to protect the park that are not a part of the park, they're simply there as a part of the viewscape, when they realize that they could sell those properties, retaining appropriate easements so that the parks are protected just as well as if they owned the land and that they can have the money realized from that sale for developing the park, we think that there will be a lot of the local parks that will be looking at the lands that are not a part of the park

that they have acquired only to protect the park. And, by the way, that they probably would not have acquired that way except that the Congress gave them money that could only be used for purchase of the land.

We feel that they are going to exercise their good judgment and they're going to move a lot of this land back to the private sector where they will be on the tax rolls where someone else will maintain the land and it can be maintained exactly as the Park Service wants it maintained because they will have total control through easements and that sort of protection. So that the parks will be at least as well protected with this mechanism and they will get money for improving the local parks and the lands will go back on the tax rolls and someone else will be maintaining them.

So it's a win-win situation for everybody. Thank you very much for your support.

Mr. DUNCAN. Well, I certainly agree with you. And I support the legislation and I hope you're right. And maybe with the incentive that they will receive—that they will get to keep the—are they going to keep all of the money or a part of the money or what——

Mr. BARTLETT. The proposal in our legislation is that the local park would have all of the revenues generated from that to improve the local park. Otherwise, if that money goes into a big black hole in Washington, there's going to be little incentive for the local park to dispose of this land, keeping an appropriate scenic easement.

Mr. DUNCAN. Well, I think it's good legislation and I hope we can get it through.

Mr. BARTLETT. Thank you very much, sir.

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. HANSEN. The gentleman from—we'll recognize you on your own time.

Mr. FALEOMAVAEGA. I'm sorry. OK. I just wanted to ask Mr. Bartlett. I think the problem here is—as you well know, that you've probably gotten a copy of the testimony of the National Park Service—and as along the line of what our friend from Tennessee was asking you, rather than giving the discretionary authority to the Secretary of the Interior to sell the lands, why don't we just mandate by legislation, say, just take it out of the authority of the National Park Service? And do what Congress would mandate what to do with those lands? And I'm just adding that as a suggestion to the gentleman, rather than giving discretionary authority to the Secretary, why don't we just by legislation mandate that these lands—if the National Park Service is no longer using them—just say, by Congress, specify what you want to do with it? Yes.

Mr. BARTLETT. "Using" is an interesting word because the lands were acquired to protect the viewscape. So that when you look out from Gettysburg, you don't see a shopping mall. They want to see farms; what was there when the battle occurred. Now, around Gettysburg, they have, in fact, acquired many of these farms through scenic easement. They're protecting the viewscape of the park through scenic easement.

But in many places, the Congress has not given them that flexibility. We have given them money that could be used only for purchasing land. Had we given them the money and we could have

told them, purchase lands and improve the park and you use the money as you see fit, they would have certainly purchased scenic easements on the land and used the additional moneys for improving the parks. The Park Service is now very short of money for maintaining and improving the parks. This will provide a source of revenue for them.

It needs to be protected. We hope that we have drawn the legislation very narrowly so that the essence of the park is not an issue of this legislation. You know, nobody wants to sell off the Liberty Bell or build strip malls in Yosemite. It's only lands that were acquired to protect the parks. And I think the Park Service has misunderstood the legislation. But it's certainly a win-win situation for the Park Service. They get to keep the increased revenues and we believe they have misinterpreted the legislation.

And if it needs clarification, we would elicit their help in clarifying the language so that it cannot be misunderstood. Because our intent is certainly a noble intent.

Mr. FALEOMAVAEGA. And I would like to react to the gentleman's comments. I'm trying, just for purposes of clarification, if the gentleman has property identified, any of those pieces of land which the proposed legislation addresses, and that, given the proper authority in terms of what the Congress wants done with those lands. Because my fear is that the Park Service is not going to—they're going to fight us tooth and nail unless Congress has land so-and-so tract whatever it is that my friend from Maryland wants to dispose of, then we'll do it accordingly, by law, rather than giving that discretionary authority to the Secretary or to the National Park Service to do what your proposed legislation intends to. I'm just suggesting that to the gentleman.

Mr. HANSEN. We would be very happy to work with the Committee to accomplish that goal.

Mr. FALEOMAVAEGA. All right. Thank you.

Mr. HANSEN. Appreciate the comments from our colleagues. You're welcome to join us on the dais if you're so inclined. I know you're all busy, but we'd be happy to have you with us. Thank you very much.

Our next panel—our next one panelist will be Destry Jarvis, Assistant Director of External Affairs of the National Park Service.

Mr. Jarvis, you take the middle seat there. We appreciate it. And Mr. Jarvis will be referring to all four of these bills, briefly, we hope.

STATEMENT OF DESTRY JARVIS, ASSISTANT DIRECTOR FOR EXTERNAL AFFAIRS, THE NATIONAL PARK SERVICE; ACCOMPANIED BY SUZANNE LEWIS, SUPERINTENDENT, CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA

Mr. JARVIS. Yes, Mr. Chairman, I appreciate the opportunity to be here today. If I may, I'd like to introduce to the Committee three park superintendents who have me this morning.

Mr. HANSEN. By all means.

Mr. JARVIS. Suzanne Lewis, superintendent of Chattahoochee River National Recreation Area; John Donahue, superintendent of George Washington Birthplace National Monument; and Martha

Aikens, the superintendent of Independence National Historical Park.

Mr. HANSEN. Do you want them to join you? Why don't you have the superintendents come up?

Mr. JARVIS. If it's OK with you, Mr. Chairman, I would love to have them here with me.

Mr. HANSEN. And if we have questions for the superintendents, we've got them right by a mike. Appreciate them being with us today.

Mr. JARVIS. Shall I proceed in the order that you've presented the bills?

Mr. HANSEN. However you want to do it, Mr. Jarvis. We'll listen to you, sir.

Mr. JARVIS. I will begin with H.R. 4141, the bill to amend the authority establishing the Chattahoochee River National Recreation Area. And I would say, Mr. Chairman, that the Department cannot support the bill as it is presently written. However, we well recognize and in fact have been working vigorously, Superintendent Lewis and her staff, to pursue the need for enhanced boundary authority in order to carry out the purpose of the 1978 Act that established the national recreation area and the 1984 amendment that amended the boundary.

The problem here is that the counties in the northern portion of this NRA, the four northern counties—Cobb, Forsyth, Fulton, and Gwinnett—have been growing much faster than the national average and much faster than the Park Service's ability to cope with the notion, established in the 1978 Act and the 1984 amendment that we should protect the corridor along this 48-mile stretch of the river. In order for us to proceed, we recognize that the authority and the boundary drawn in those previous laws is insufficient and that we do need boundary legislation.

The character of use has changed in recent years, as well. When the NRA was established, the thought was this is primarily a river-based, a water-based, recreation area. Most of the use would be concentrated in floating the river. In point of fact, as the Speaker noted and others, the superintendent would be happy to attest, most of the use now is land-based. People are coming to recreate, to picnic, to walk along the river banks, and the present boundary does not allow us to do that adequately. What is being pursued by the Park Service and the local area and the many political and private citizens in the area is a joint effort to protect this landscape, again, as the Speaker indicated.

But let me come to the point of our concern with the bill as written, and that is that it includes two provisions, the so-called opt-out provision and the willing seller provision, that are, essentially, worse than existing law. We have pursued land acquisition and the management of this park for the last 20 years with condemnation authority, but have never used it. It hasn't been necessary, up to this time. In general, the Park Service regards condemnation authority as a stand-by authority only to be used in the most severe instance of immediate threat to the integrity of the park. That has not happened at Chattahoochee River and I don't anticipate it happening, however we believe that having the authority in those emergency situations is essential to assure that we can do what

Congress mandates in the establishment and management of these areas. The same is true with the willing seller provision. We believe that having the authority, even when we don't use it, is important.

We fear that if the opt-out provision is included, given the rapidity of growth and the plethora of developers, that developers may even offer landowners a financial incentive to opt out, not even buying their property, but simply paying them to opt out. That may be perceived as an idle fear, but I think it's a real one that could occur and we want to have the opportunity to present this vision to the local people through public process and let them consider all their options on an equal basis.

We are not proposing that we will go in willy nilly and condemn land. That hasn't happened and I assure you it wouldn't happen. But with these provisions, it ties the hands of the Park Service to achieve the vision that I think was contemplated both by the Speaker and by the original legislation in 1978.

We would also like—there is a provision in the bill that suggest that a GMP be prepared on the additions. We would like for that provision to cover the entire NRA and do a new general management plan for the entire NRA, not just for the addition. Because of this change in use pattern, because of the change in land use around us, we think a new GMP for the entire park, if this legislation is enacted, is warranted.

And that concludes my remarks on the Chattahoochee River.

[The prepared statement of Mr. Jarvis may be found at end of hearing.]

Mr. JARVIS. If I may turn to H.R. 3981, that adds the—or proposes to protect the Ferry Farm of George Washington's boyhood home as a boundary modification to George Washington's birthplace. The bill would authorize us to add this immediately to the boundary. We believe that, consistent with legislation that is pending before this Committee that has passed the Senate and the chairman's substitute to Title III of H.R. 1693, having to do with the new area study process, we believe that we should do a special resources study of this site before it is added or before it is considered by Congress for addition to the National Park system. We have done a preliminary determination of eligibility for nomination as a national historic landmark and I believe I can say that we believe the property to be nationally significant. We have not done a study, though, to determine whether it is feasible and suitable for management by the National Park Service.

The bill authorizes us to acquire an easement over the property in a cooperative effort with the Kenmore Association and we believe that is a worthy thing to do. The property is under some threat. The property was, at one point, about to become a Wal-Mart store site and, through local initiative, the county and the State and the city of Fredericksburg, and many private citizens encouraged the Wal-Mart Corporation to move to another location in the area, which they have done and which, I think, from their point of view is probably a better site for a store. It also enables the Kenmore Association to manage this site appropriately and protect it.

We think a partnership is warranted. We'd like to do the study before we decide how much management, if any, the Park Service

undertakes in the future. And we believe that it merits the attention of this Committee in this way.

[The prepared statement of Mr. Jarvis may be found at end of hearing.]

Mr. JARVIS. If I may turn to H.R. 4109, to authorize the Gateway Visitors' Center at Independence National Historical Park and say that we certainly support this legislation. It may be unclear to the Committee exactly why this legislation is needed, since we don't normally seek authorization of a visitors' center within a unit of the Park System. This one is truly different in that the partnership with the Gateway Visitors' Center Corporation is what is needing the authorization.

This corporation will engage in activities in this facility that would not normally be part of a Park Service operation. But because the general management plan for Independence saw a role for the Park Service in the region and in the city, not just in the boundaries of the historical park, we believe the partnership with the corporation is warranted and this legislation is necessary. The corporation and its operating entities within the visitors' center will be able to conduct a range of revenue-producing activities associated with the building and putting those revenues back into operation and maintenance of the building. Revenue-producing things that, for example, they might sell tickets to Philadelphia Phillies' baseball games or to other cultural events in the city outside the park and take proceeds from those ticket sales and put them into operation of the building. When the building is constructed, they will transfer title to it to the Park Service and we will share in the operating cost of the building to the extent that we would have costs in operating a visitors' center if we were the sole occupant.

I think it's important to point out, it amply illustrates the point of partnership. The Phase I of the implementation of this plan is expected to cost $65.6 million. The visitors' center itself is a $30 million project of which $6 million is for an endowment for its operation and maintenance expenses. All of that money is in hand or firmly committed from private sources. All of that $30 million. Of the $65.6 million, only $3.5 million will be a Federal responsibility. And that was requested in the Federal—in the President's budget and is in both the House and Senate reported Appropriations bills for Fiscal Year 1999. So, essentially, with very little Federal commitment of resources, this new visitors' center to serve both the 3 million visitors to the park and all of the other visitors who will come to Philadelphia and the region around it will be accommodated in this great new facility.

Another concern that has been raised is: You have a visitors' center. You know, what's wrong with it? Well that visitors' center was constructed nearly 30 years ago when Interstate 95 was viewed as the major access to the downtown part of the city and there was an exit ramp that was being contemplated that would lead right to the parking garage and the new visitors' center. After the visitors' center was under construction, the ramp off of 95 was canceled. So that that is not the way that two-thirds of the visitors to this park access it. It's isolated from two-thirds of the visitor base. Most people go directly to Independence Hall or the Liberty Bell. We believe a new visitor center is essential to the efficient and effective oper-

ation and this language—this authority is essential to our purposes.

[The prepared statement of Mr. Jarvis may be found at end of hearing.]

Mr. JARVIS. And if I may turn now to the final bill, H.R. 4158. The Department strongly opposes enactment of this legislation, Mr. Chairman, and believes that we have in existing law sufficient authority to engage in the leasing or sale of properties within boundaries of units of the National Park System. In addition, there is language in Title VIII of your substitute to S. 1693 that expands our leasing authority, which we also support.

What's objectionable about the current piece of legislation is that it goes beyond what's necessary or appropriate, both in its findings and in its actual authority that would be granted to the Park Service. Let me illustrate. There are 38 national historical parks, units of the National Park System, that would be covered by the bill as it is written. Of those 38, only 11 have private rights retained within them—called use-in-occupancy agreements. Of those 11 parks, there are 111 such retained use-in-occupancy rights. Of that 111, 75 are on the C&O Canal National Historical Park. Of those 75, 73 are in Washington County, Maryland. Of those, virtually all are properties that are within the boundary, with—more than within the viewshed; many of them lie between the Canal and the Potomac River.

Within the 50-year flood plain, they were seriously damaged by the 1996 floods. Many of these are house trailers. Some of them are cabins. All of them, virtually, received serious damage.

As they have been acquired over the last 20 years, and others like them—there were some 300, originally—we have been systematically removing them because they are incompatible with the purpose of this national historical park. And we have removed some in recent years as those use-in-occupancy terms expire. All of the remaining 75 use-in-occupancy term agreement will expire by 2001.

One of those properties has been determined to be an historic structure and it will be retained. It currently is under a hardship agreement and, as long as that individual resides there, that individual will get an extension of that use-in-occupancy agreement. But in the other cases, we intend to remove those structures because they are incompatible with the purpose of this national historical park.

[The prepared statement of Mr. Jarvis may be found at end of hearing.]

Mr. JARVIS. I believe that is sufficient and I'd be happy to answer questions.

Mr. HANSEN. Thank you, Mr. Jarvis. We're honored to have the park superintendents with us at this time. Do you have any comment you'd like to make on any of these issues?

Ms. LEWIS. I'd be happy to answer any questions that you might have. I think that the Chattahoochee River National Recreation Area is an extremely important unit of the National Park System and that this bill provides language to set us on a course to continue that effort that the Speaker addressed this morning, with the exception of the two items that we have concern with.

Mr. HANSEN. Well, I hope it can be resolved. You folks are on the front line. I like to stumble into your parks occasionally, see what you're doing. I concur on these national recreation areas. I have one in my district called Glen Canyon National Recreation Area. It does get a little attention, I've noticed.

Questions for the panel? The gentleman from American Samoa. Feel free to talk to your park superintendents, though.

Mr. FALEOMAVAEGA. Thank you very much, Mr. Chairman. And I wanted to thank Mr. Jarvis again for his presence and the fellow superintendents for their appearance this morning.

I just wanted to know if the proposal under the provisions of H.R. 4141 have set any—is this an unprecedented proposal to consider the opt-out provisions as well as the willing seller concept or—why is the National Park Service having problems with this? Is this the first time that such a proposal is giving this out for legislation? Or——

Mr. JARVIS. It would be the first opt-out provision that we've ever had to deal with. There are other parks that have operated under willing seller only restrictions and they tend to be slower to come on-line, remain fractured and fragmented in ways that sometimes prove incompatible with public use, particular where a linear corridor is involved. It takes only one small blockage to disrupt the linear movement of visitor use.

Superintendent Lewis, would you like to say anything about the opt-out clause?

Ms. LEWIS. I think being a local manager on hand, having just 2 years there and watching the tremendous growth that has occurred, we also share a concern that having to have private landowners currently make a decision that affects the long-term status of their land in less than 12 months is of concern to us. In an urban area, such as the Atlanta region, landownership is changing hands very rapidly in that area and, again, asking people to make such a short-term decision is problematic.

Mr. FALEOMAVAEGA. And do you have a recommendation to cure this problem with an opt-out provision, as proposed in the bill, or do you just suggest that we don't need it or what do you suggest to improve it?

Mr. JARVIS. Well, I think that——

Mr. FALEOMAVAEGA. Is there a better option than opt out as well as willing seller?

Mr. JARVIS. Certainly, simply deleting the opt-out provision would be what we would recommend. I think the chairman's opening remarks indicate a way to go as well. There is a witness later in the hearing who will present a proposed map, a partner that we've been working with in the local area. We would be very eager to get out to the public to discuss this at the earliest opportunity. Superintendent Lewis is committed to that. We want people to know what's being proposed. We want them to understand what their opportunities are. And we don't want them to lock themselves into a decision immediately that they might regret later on.

Because we're not going to exercise condemnation authority willy nilly. This is going to be, for all intents and purposes, a willing seller acquisition program. But we don't want them to opt out before

they may later decide that their best course of action is to be included. There is no opt in provision.

Mr. FALEOMAVAEGA. OK. The bill also provides an authorization of $25 million. As I expressed an earlier concern about providing the money first and we haven't even authorized the—we, without even an authorizing legislation—and this seems to be the problem also and utilizing the Land and Water Conservation Fund. What is the National Park Service position on this?

Mr. JARVIS. Well, Congress appropriates our funding. We have a process of looking at the land acquisition needs of the Park Service and submitting a priority list each year. The Congress regularly adjusts that to its liking and would do so on into the future and that is part of the way our government operates. We don't object to those kinds of things happening. We know that's part of the process.

We do have our own priorities. We have units of the National Park System that have been authorized for many, many years that still have private lands that occasionally come up for sale and we'd like to buy them.

Mr. FALEOMAVAEGA. With a $25 million authorization, where does the priority lines of the Chattahoochee River? And maybe the superintendent can share what her understanding is? How does it compare with the priorities within the whole National Park System as far the authorization for funding?

Ms. LEWIS. At the Chattahoochee River, a two-pronged strategy in that the existing boundary of 6,800 acres, of which the Park Service has acquired around 4,500. So the $25 million proposed appropriation is well targeted to complete the original acquisition to 6,800 acres. This legislation would allow us to once again pursue the Speaker's vision and that is to provide linear corridors in areas where we currently don't have authorized venues.

Mr. FALEOMAVAEGA. I understand, Madam Superintendent. I know you are a willing supporter and I can fully appreciate that. But what I want to know from Mr. Jarvis is where does this fall in the line of priorities within the whole National Park System? In other words, all right, the Speaker needs $25 million for Chattahoochee. How does this compare to hundreds of other parks and how do you rate the priority within the Park Service of this $25 million authorization that has been requested of us?

Mr. JARVIS. Well, sir, the only time the Park Service prioritizes land acquisition is in the President's annual appropriation request, in the budget.

Mr. FALEOMAVAEGA. Yes.

Mr. JARVIS. And it was not in—this project was not in our Fiscal Year 1999 appropriation request for land acquisition. That does not mean that it isn't significant and that it wouldn't show up in future years. It's an important acquisition. But it's come on-line here since the President submitted his budget and the Congress, as I say, always makes its priority adjustments for us.

Mr. FALEOMAVAEGA. On H.R. 3981, you suggest that we need to have a study. How long do you think it will take to complete this study if the National Park Service were to be authorized to do the study?

Mr. JARVIS. If we are authorized to do the study, we believe we can do it within available funds for special resource studies. We would propose to begin it in Fiscal Year 1999 and have it be completed in Fiscal Year 2000. Probably about a 14 to 16 month process. And provide the report to the Committee when it's completed.

Mr. FALEOMAVAEGA. Can this be done internally without authorization for a study?

Mr. JARVIS. Well, we've testified on the chairman's provisions of his substitute to S. 1693 both here and in the Senate and we believe that special resource studies should be authorized by the Congress and we'd like to have that authorization before we proceed.

Mr. FALEOMAVAEGA. OK. On the bill, the H.R. 4109, you support the proposal. How does this contrast with the fiasco and the mess that we're in in Gettysburg National Park?

Mr. JARVIS. Well, if I might—before I answer that, I'd like to ask Superintendent Aikens to describe briefly to you the general management plan and what it calls for at Independence and then I will contrast where we are with Gettysburg.

Mr. FALEOMAVAEGA. Well, again, I'm not trying to cut the gentlelady off. I just want to say to Mr. Jarvis: Are we contradicting ourselves by way of policy?

Mr. JARVIS. Not at all.

Mr. FALEOMAVAEGA. I mean the Secretary's initiative, the policy of doing this thing on the strength of his own authority, and now we come here to say, let's do it legislatively. Is there a difference here?

Mr. JARVIS. Not at all, sir. In the case of Gettysburg, this is a visitors' center that solely serves Park purposes, at Gettysburg. It was called for in the general management plan for Gettysburg. We've identified very high priority——

Mr. FALEOMAVAEGA. So it's not going to be a circus? It's not going a circus or a theme park or popcorn at all?

Mr. JARVIS. It's not going to serve a theme park—it's not going to serve non-Park purposes. In the case of Independence, we have a truly unique situation that is beyond the existing authority of the Park Service to pursue, so we need authorization to engage in this kind of partnership with the Gateway Visitors' Center Corporation.

Mr. FALEOMAVAEGA. One more question, Mr. Chairman, if I may. I'm sorry; I didn't mean to prolong here. On H.R. 4158, as we had discussed it earlier from the gentleman from Maryland, Congressman Bartlett, you say that the National Park Service does not recognize surplus land. What if a bill were to be amended or adjusted to suggest that whatever parcels of land that need to be gotten out of the authority of the National Park Service, would you have any objections to that?

Mr. JARVIS. Yes. Remember that Congress draws our boundaries.

Mr. FALEOMAVAEGA. Right.

Mr. JARVIS. And authorizes us to acquire private lands inside those boundaries. There are very few instances where we are given open-ended land acquisition authority to reach out cross-country and buy whatever becomes available. We are told what we can buy within our boundaries and we have bought as money has been available.

None of that land is surplus. Those boundaries were drawn with great forethought by the Congress. Many times—I hope most times—based on studies done by the Park Service as to which lands were critical to the protection of that park. And protection is part of the purpose of the park. We don't simply protect the Old Faithful geyser, we have a bit of Yellowstone's ecosystem around it. And that is true of historical parks as well. Protecting the viewshed is a major purpose of the park. And Congress has drawn those boundaries so that we may protect what is in those boundaries. And we do so, in most cases, by land acquisition.

I would also say that the Park Service is not mandated to acquire fee simple interest. We have the—in every place that we have acquisition authority, we can acquire less than fee. There is no place that Congress says, you will only buy fee simple. We usually do buy fee simple, simply because more often than not the cost of an easement is 90 percent of the value of fee simple. And in the case of properties that are interwoven within the primary resource, as in the case of the C&O Canal where you have properties lying between the towpath and the river, we cannot restore the character of that historical canal with trailers and cabins next to the towpath or between the towpath and the river. We have to——

Mr. FALEOMAVAEGA. My time is running and I want to give the gentleman from Maryland the opportunity to detail the concerns that he has about the response of the Department. And so, Mr. Chairman, I thank you. I don't mean to——

Mr. HANSEN. I'd like to hear from the chairman—from the superintendent. She had a comment on this.

Ms. AIKENS. Oh, I thought you were talking about the superintendent from Chattahoochee. My name is Martha Aikens. I'm superintendent at Independence Park. And what I just wanted to say is that the whole concept for the Gateway Visitors' Center actually evolved through our GMP process, which included a very extensive public involvement process. We had close to 20 public workshops, public meetings; we even included a televised town meeting in which we discussed all the relevant issues relative to how we would approach managing the park in the future.

The regional concept for the Gateway Visitors' Center evolved out of the whole idea of how best to look at the whole visitor services concept for not only the park, but for the district. So we're very proud of the Gateway Visitors' Center concept. It has widespread public support. We involved not only the average visitor coming through the park, but we involved all of the communities that would be affected by the kinds of decisions that we make in the park. So we think that it is a very good concept and we hope that we can count on the Committee to support us.

Mr. HANSEN. Thank you.

Mr. FALEOMAVAEGA. Mr. Chairman, if I may? I'd like to ask Mr. Jarvis to submit the land acquisition priority listing that you currently have at the National Park Service to be made part of the record. I certainly would like to have the members of the Committee to also have access to that listing. Thank you, Mr. Chairman.

[The information referred to may be found at end of hearing.]

Mr. HANSEN. Thank you. Mr. Jarvis, on H.R. 4141, doesn't that opt-out provision under this bill only apply to the interim map? That's the way I read the bill.

Mr. JARVIS. Yes. Yes, but once you opt out, you're out. And if we made adjustments in the map when the permanent map is prepared, there's no opt in provision.

Mr. HANSEN. But the opt-out provision does not apply to the permanent expansion map that your folks are going to do—what—in the July 1, 1999?

Mr. JARVIS. But if the landowners precipitously opt out in the meantime, then they're out.

Mr. HANSEN. Between that period.

Mr. JARVIS. Or at least that's the way the bill is written now. There's no opportunity for them to opt back in.

Mr. HANSEN. I have some additional questions, but I first recognize the member of the Committee, Mr. Kildee from Michigan for 5 minutes.

Mr. KILDEE. Thank you, Mr. Chairman. Really, I enjoyed the testimony. Benefited from the testimony of the witnesses, but I have no questions at this time. I yield back the balance of my time.

Mr. HANSEN. Thank you. Mr. Bartlett, not a member of the Committee, is on the stand with us. We would recognize him for 5 minutes if he has questions for this panel.

Mr. BARTLETT. Thank you very much and thank you for the courtesy of permitting us to sit here with you. Mr. Jarvis, our bill was really not meant to apply primarily to lands within the park. There are lands which you acquired to protect the viewshed of the park. It was meant primarily to apply to those lands. You kept applying it to lands within the park.

Now the C&O Canal is a unique situation. And you mentioned the large number of structures there. Many of those structures, by the way, you have not acquired and as far as I know you have no intention of acquiring them. That is the Potomac Fish and Game Club where there are a number of cabins and so forth there.

You made one statement which I'd like some explanation of. You've mentioned that you're tearing down these houses and so forth along the canal because they are incompatible with the purposes of the park. Now it's my understanding that the C&O Canal is an historic park. Is that correct?

Mr. JARVIS. That's correct.

Mr. BARTLETT. It is not a wilderness park?

Mr. JARVIS. That's correct.

Mr. BARTLETT. Then why are you intent on returning it to wilderness? You see, sir, when the C&O Canal was in operation, that was as far from wilderness as it could be. Because that was the most valuable land in Maryland, the land right along the park. It was farmed if it was farmable. It was warehouses. It was businesses. It was inns and so forth, because this was a major artery for commerce. This was not a wilderness area and what you are now trying to do is to return it to wilderness.

I would have problem if you were to require—and, by the way, there were lots and lots of houses and businesses and farms that were within the viewshed of the C&O Canal, because this was the most valuable land and it was the most developed land in Mary-

land because this was the commercial route through Maryland until the railroad was built. So we are not, we are not preserving this as an historic park when we tear down these structures. Now if indeed you wanted to preserve it as an historic park, you would require the people who owned these structures to make them look like they would have looked when the canal was in operation.

By the way, the local newspaper, which is not a member of that vast right-wing conspiracy, has taken an editorial position that these lands ought to be retained by the owners and that the structures ought to be there and their primary view is that this is security for the many, many people who travel on the canal.

You know, this canal—most of the canals within the District that I have the honor of representing in the Congress, it is a national treasure, but, sir, it is not a wilderness park. And I've been there. I've seen what you're doing. You're tearing down these houses. You don't even remove the foundation. It grows up to briars. It looks just awful. If I would. And, you know, this is not a wilderness. We shouldn't be attempting to return it to wilderness.

Now you'll have a witness in a few minutes who lives 70 feet above the canal. You can't even see his house from the canal. There is no way that that could be involved with the preservation of the essence of this park. So there's a lot here and, sir, I would encourage you to go out there and to walk the canal as I have done and to see what's out there. Go to the Potomac Fish and Game Club. Go to these residences that are 70 feet above the canal. You can't even see them from the canal.

And yet you acquired these 25 years ago, essentially with a gun to the head of the people who owned them. And now you are forcing the people out at the end of their lease and tearing them down. I just need an explanation of these things so that our people can understand it.

Thank you.

Mr. HANSEN. Was that a question?

[Laughter.]

Mr. BARTLETT. That was a question.

Mr. HANSEN. Do you want to respond, Mr. Jarvis?

Mr. JARVIS. Yes, I would, Mr. Chairman. I have been on the canal many, many times, on foot and on bike and in my car to the canal. And, although I'm not familiar with the particular property of the gentleman that you referred to that's 70 feet above the canal cliff, I would say that you are correct that we are not attempting to restore this to a, quote, "wilderness," but it a historical park and, to the extent that there are historical structures, we absolutely want to maintain them and have them restored either by us or by a lessee to the appearance of the historical period.

Most—the vast majority of the properties in question here are house trailers or cabins that have been constructed in modern times that cannot be made to look like historical structures. Many of them are in the 50-year flood plain and when the floods hit us—they did in 1996, as you all know—the effect is devastating and a great deal of clean-up effort has to go on after that.

I am, I guess, a bit confused about areas outside the boundary that we may be acquiring and I'd be happy to look into it further. I believe that we're acquiring properties inside the boundary. And,

unlike the C&O Canal where we acquire inside the boundary—and the other examples that you gave of places like Gettysburg and Antietam Battlefield—we are in fact working with farmers and landowners to purchase an easement to keep it as a farm and keep it in production because that is what it was at the time of those important battles. And we don't need or expect to acquire fee simple interest in those farms. But that is not the situation along the C&O Canal, as I understand it.

I'd be happy to pursue this further, outside of this hearing.

Mr. HANSEN. Further questions? Mr. Faleomavaega?

Mr. FALEOMAVAEGA. I have no further questions, Mr. Chairman. Again, I want to thank Mr. Jarvis and our distinguished superintendents for their presence here this morning and look forward to working with them and hopefully we could resolve some of the issues and problems that have been raised concerning the proposed bills. Again, thank you.

Mr. HANSEN. Thank you very much. We appreciate this panel. Thank you for your consideration. And we appreciate having your superintendents with us. It's always a privilege to have you. Appreciate the work that you do.

Now we'll excuse you and go to the third panel. Our third panel is Margaret Tutwiler, James Pickman, Alan Front, and Blaine Weaver. Would they come forward, please? If we could limit you to 5 minutes, we'd really appreciate it. If you just have a great burning desire that you have to go a couple of minutes more, let me know. This light system in front of you is just like a traffic light. Green, you go. Yellow, you wind up. And red, if you run it, well, we bang the gavel on you.

Ms. Tutwiler, we'll go to you first, please.

STATEMENT OF MARGARET DEB. TUTWILER, MEMBER OF THE BOARD OF TRUSTEES, KENMORE ASSOCIATION, INC.

Ms. TUTWILER. And I'll be more than glad to accommodate you, Mr. Chairman. I'll be very brief.

Thank you for this opportunity to be here today to testify on behalf of the board of trustees of the Kenmore Association in behalf of bill H.R. 3981. As Chairman—Congressman Bateman said earlier today, Kenmore is located in historic Fredericksburg, Virginia, which is the home of George Washington's only sister Betty. It is one of our nation's oldest house museums, built in 1775. The preservation of the Kenmore house was among the first national preservation efforts, second only to the effort to save Mount Vernon. In 1922, local Fredericksburg citizens joined in raising funds to purchase the historic house and the grounds as a sacred trust, thereby saving the house from destruction.

The Kenmore Association was incorporated in May 1922 and was charged with the perpetual stewardship, maintenance, and management of the Kenmore house. In 1926, the Kenmore Board of Regents was created to ensure the preservation of this property. Today, with over 100 women representing all 50 States, Great Britain, and France, the board of regents continues to guide the Kenmore Association's activities, educational programs, and fund-raising efforts. Furthermore, Kenmore is governed by a 16-person board of trustees comprised of businessmen and women from

throughout the United States. Kenmore house is open year-round and has thousands of visitors through it every year.

In addition to the colonial artifacts found on the grounds of Kenmore and the unparalleled early American craftsmanship in the house itself, the Kenmore property is of considerable historical significance. George Washington's sister Betty lived at Kenmore with her husband Colonel Fielding Lewis. During the American Revolution, Colonel Lewis was one of the chief financial backers of General Washington's army.

Only a few generations later, Kenmore experienced the ravages of the Civil War. In fact, it served as a hospital for the Union Army.

The Kenmore house is an important part of our American heritage because of its associations with our nations' founding fathers, as has been pointed out earlier here this morning. It's importance as a splendid example of colonial art and craftsmanship and its witness to American life for more than 220 years.

In 1996, the Kenmore Association led one of the most important preservation battles of recent years: the fight to save George Washington's boyhood home, Ferry Farm, from commercial development. As you know, Ferry Farm is located just across from the Rappahannock River in Fredericksburg. It's where George Washington spent his formative years, ages roughly 6 to 20. In 1996, a commercial retail entity attempted to purchase and develop a large portion of Ferry Farm. The Kenmore Association stepped in and purchased the entire Ferry Farm property in order to save the historical farm from commercial development.

George Washington's Ferry Farm is a unique site. Ferry Farm is the last place associated with George Washington that has not been protected for the American people. The preservation of George Washington's Ferry Farm is a compelling preservation undertaking, as both the Congressmen and the Park Service have testified to this morning.

It was the place that prepared Washington to overcome the challenges of his life, experiences that shaped the character that made him the most revered of our founding fathers. At Ferry Farm, the character was formed that helped shape our nation.

We need the National Park Service to help us protect Ferry Farm for future generations by acquiring, as has been pointed out, an easement ensuring that George Washington's Ferry Farm will be protected forever. Working in conjunction with the Park Service in a unique public-private stewardship, the Kenmore Association, with over 70 years of preservation experience can protect and manage this land of extraordinary importance to our nation's heritage. The passage of the proposed legislation will ensure Ferry Farm's safekeeping.

Thank you, Mr. Chairman.

[The prepared statement of Ms. Tutwiler may be found at end of hearing.]

Mr. HANSEN. Thank you very much. Mr. Pickman.

STATEMENT OF JAMES PICKMAN, PRESIDENT, GATEWAY VISITOR CENTER CORPORATION

Mr. PICKMAN. Mr. Chairman, thank you for the opportunity to testify on behalf of H.R. 4109, the bill to authorize the Gateway Visitor Center at Independence National Historical Park in Philadelphia. My name is James Pickman. I am the president of the Gateway Visitors' Center Corporation, which is a non-profit, tax exempt organization formed to work in partnership with the National Park Service to develop and operate the Gateway Visitor Center.

The idea for a regional visitor center on Independence Mall emerged from two separate tracks that came together to form the partnership that's here before you today. As Mr. Jarvis and Superintendent Aikens testified, the concept for a regional visitor center emerged from the Park Service's general management plan, which was developed over a 4-year period from 1993 to 1997, to enhance the visitor experience, to be a catalyst for the revitalization of Independence Mall, and to strengthen the Park Service's partnerships with the surrounding community.

At the same time that this was going on, the Pew Charitable Trusts, which is based in Philadelphia—it's one of the largest philanthropies in the country—was exploring how the Philadelphia region could take better advantage of the numerous attractions in that region to enhance the tourism industry and spur economic growth and job creation. One of the conclusions that came out of that exploration was the need for a new regional visitor center. And they thought that Independence Mall would be a perfect location because it also adjacent to two of the most popular attractions in the region: Independence Hall and the Liberty Bell.

So there were these two separate processes going on that reached similar conclusions. In 1995, the two joined forces to test the feasibility of such a center and when that proved affirmative, they moved forward together to try and take this vision and turn it into a reality.

Let me briefly describe the partnership between the Park Service and the Gateway Visitor Center Corporation. The Gateway Visitor Center Corporation is a non-profit organization that represents a range of the stakeholders in the region. Its board consists of Mayor Rendell, the deputy chief of staff to Governor Tom Ridge, a senior representative of the Pew Charitable Trusts, and other representatives from the region. The corporation is also in the process of adding three board members to bring a national perspective, including historians and preservationists.

The agreements that are being worked out now with the Park Service—which govern the design and construction and the operation of the center—call for a true partnership and, to make one general comment on those agreements, it's that the Park Service gets the right to approve of almost everything from the design of the building to the content of the exhibits and to any merchandise that would be sold in the gift shop.

The visitor center, as was discussed earlier, will be located on Park Service property. It will be owned by the National Park Service and it will the prime orientation and information facility for the park, for the adjacent historic district, for the city, and the region. Its purposes are to inform, to excite, to stimulate, to educate, and

set visitors on their way, either right on the doorstep—at Independence National Historical Park—or beyond it in the city and the region. In addition, the visitor center is a pivotal component of the remaking, the complete remaking, of Independence Mall. The mall is a 3-block, 15-acre open space that was created in the 1950's and 1960's that I believe has been a failure in its operation. The desire to revitalize Independence Mall grew out of the Park Service's general management plan process.

In terms of funding, the estimated cost of the visitor center is, as was stated, $30 million, with $6 million of that being set aside as an endowment for operations. All of that money is fully committed or in hand and half of it is from private philanthropies, led by the Pew Charitable Trusts. The other half is from the Commonwealth of Pennsylvania and the city of Philadelphia. There are no Federal dollars.

In terms of operations, which is not the subject here today, as was stated by Mr. Jarvis, there will be a division among the stakeholders and I can just assure you it will be done on a basis of fairness. No one's going to be subsidizing someone else. On the preliminary numbers that we've run, I can assure you that any contribution of the Park Service will be less than half of the operating costs. That we know for sure.

Let me just conclude by just mentioning why H.R. 4109 is critical to going forward. First, as was said, it allows the center to engage in activities that relate to things outside of the National Park's boundaries, in effect, to be a regional visitor center. For example, we can promote attractions in the region, such as Valley Forge or the Philadelphia Museum of Art.

Secondly, it allows the center to engage in revenue-generating activities such as charging commissions on reservations for hotels in the region or even renting the facility after hours for receptions. Let me just make clear that there will be no charge for visitors to come into the center. That's absolutely not going to happen. And, third, it allows the center to retain any earnings to help support its operations.

Not only is the enactment of this legislation vital to the realization of this vision, but the timing is also very, very important. The funders committed $30 million for a regional visitor center and it's very hard to go forward with any seriousness unless we know that that type of facility is plausible. So we urge very strongly the timely enactment of this legislation. I thank you very much for this opportunity.

[The prepared statement of Mr. Pickman may be found at end of hearing.]

Mr. HANSEN. Thank you, Mr. Pickman.

Mr. Front.

STATEMENT OF ALAN FRONT, SENIOR VICE PRESIDENT, TRUST FOR PUBLIC LAND

Mr. FRONT. Thank you very much, Mr. Chairman. My gratitude is twofold. First, I appreciate the expeditious way that the Subcommittee has approached this legislation, as I hope to explain in a minute. That kind of dispatch is both necessary and warranted in this case. And second, I am grateful for the chance to appear be-

fore you again today, representing my organization, The Trust For Public Land, but in a larger sense also representing a very broad and large partnership of interests that are working together to, as you heard Speaker make reference to earlier, to protect a very special resource area.

I'd like to discuss the work that that partnership is doing and why H.R. 4141 is so vitally necessary to its completion. Before I do that, I'd like to spend just a moment sharing with you my own and my organization's introduction 10 years ago to the Chattahoochee National Recreation Area, which Superintendent Lewis will at least recall the wild stories.

To do that I ask you to imagine the intense suburban subdivision development on the border of the Atlanta city limits. And place into that picture a small, very rustic farm, with a hand-hewn cabin, no electricity, a wood stove for heat, in which resides to this day a gentleman, a true gentleman named Daisy Hyde, who is advancing in years and was even 10 years ago. I believe that he is approaching, if he hasn't past, his 90th birthday.

Mr. Hyde found himself with a critical in-holding in the existing boundary of the Chattahoochee National Recreation Area. He also found himself facing substantial tax obligations that led him to decide to sell his property to the Park Service with a provision that would allow him to maintain his residence and maintain the farming lifestyle that he had conducted there for many of those 80-some odd years. The Trust For Public Land worked with Mr. Hyde to arrange just such a transaction and he paid off his obligations. Today I believe that he is the only mule farmer in Atlanta, or at least he is the dean of the Atlanta mule farming community.

We knew very little about the Chattahoochee at that time. We have since learned very emphatically that this area is important; that Mr. Hyde's river is in fact probably the most complex and critical environmental issue facing Atlantans. Again, you heard the Speaker talk about its importance in manifold ways. It is critically important for park use and visitor demand. It's critically important for water quality for the Atlanta community, and, in fact, for a swath of the south that stretches down to Alabama and Florida. And it's important for economic development because this is the lifeblood of that region.

We have taken a straw poll. Years ago we took a straw poll in Atlanta and asked various communities—the social justice community, civic leaders, the philanthropic community, the business community—what's the most important thing we could work on together? And the unanimous answer was the Chattahoochee River. Out of those discussions grew this partnership which is leviathan in size and Herculean in strength and which, I believe, is providing assistance and prepared to provide assistance to the Park Service in truly unprecedented ways.

Twenty years ago, as Superintendent Lewis mentioned, this Committee created the Chattahoochee National Recreation Area. And in that creation, established a series of 12 or so units along the 48-mile stretch of the river. The pearls that currently don't have a necklace threading them together, but a number of very important areas along the river. Time has virtually stood still if you visit the Hyde farm, but the Atlanta real estate market moves on

a very different clock. So many of the areas within that 6,800-acre boundary have already been developed by private landowners who exercised their private property rights and did not wait for Park Service acquisition.

As a result, inside the boundary are now some lands that are inappropriate for Park Service consideration. At the same time, there are park-quality lands that run along the river and in fact create that necklace between the pearls, lands that the Park Service currently has no ability to reach out and work on, but are within the designated area of a Federal or national interest, but the Park Service cannot address. And, as the Park Service has recognized that and the partnership has recognized that, they've also recognized that there is an attendant water quality benefit that the Park Service can help to contribute to along with the benefits that can be derived from creating a green-line park along the river, a park that will actually remedy some of the truncated recreational experiences that visitors face when they go to these units, but can't go any further.

The Speaker alluded to the partnership and what it was doing. I would just repeat that Governor Zel Miller and the State of Georgia have committed $15 million of their money to help stretch the capacity of the Park Service and create—not only a greenway, but also to establish water quality protections for the citizens of Atlanta and people well beyond. That private landowners have been extremely willing to participate in this program, but also, like those private landowners who have already developed their property, they will not wait indefinitely. And the private philanthropic community already has produced commitments of $25 million to support this effort. Twenty-five million dollars that is contingent on Federal action on the greenway.

And so, both because of the rapidity of real estate turnover and because of the availability of this private and State largess which we cannot count on unless the Federal Government matches the commitment that's being made by non-Federal partners, we are very hopeful that the Committee will act expeditiously on H.R. 4141 and that we'll be able to realize this vision and cut the ribbon the Chattahoochee real soon.

As a last note, there has been a good deal of discussion about the map for the Chattahoochee River and I have brought a map with me that, not intending to tease this panel, is not quite ready for submittal into the record. But I wanted at least to demonstrate that there really was a map out there somewhere. It's being tuned up right now and, in a matter of days, we do plan on submitting this as a map that would be referenced by the bill and I believe that this is an outstanding way to resolve what I've heard to be one major controversy in this legislation.

[The information referred to may be found at end of hearing.]

Mr. FRONT. Thank you very much.

[The prepared statement of Mr. Front may be found at end of hearing.]

Mr. DUNCAN. [presiding] Thank you, Mr. Front, for your testimony.

Before we go to Mr. Weaver, I understand that Ms. Tutwiler needs to leave, and, Mr. Faleomavaega, do you have any questions or comments for Ms. Tutwiler?

Mr. FALEOMAVAEGA. Yes, I don't have any questions. I just want to compliment her presence here, Mr. Chairman. It certainly has been my privilege and honor to work with Ms. Tutwiler and her tremendous contributions to our nation certainly as a high official with our State Department in the years that she served with former Secretary Jim Baker. We're very, very honored to have her be here.

And I'm sure that she's heard what the National Park Service has expressed their concerns about the need of a feasibility study. My only hope is that this feasibility study doesn't end up another 5 years and still the project is not completed. But I sincerely hope that maybe, Ms. Tutwiler, we can work together with this legislation and see if the National Park Service could help us expedite what is needed to make sure that the feasibility study can be implemented and doing so in a very short order.

Again, thank you very much for your coming here, Ms. Tutwiler.

Ms. TUTWILER. Thank you very much. And thank you for your comments and letting me return to a meeting in the private sector that is very important. I appreciate it very much.

Mr. DUNCAN. Well, thank you. Go back and tell your other trustees that I said you did a great job and you represent them well.

[Laughter.]

Ms. TUTWILER. Thank you very much.

Mr. DUNCAN. Thank you very much.

Mr. PICKMAN. Mr. Chairman, can I ask your indulgence?

Mr. DUNCAN. Yes.

Mr. PICKMAN. There's a board meeting of the Gateway Visitor Center Corporation in Philadelphia, and if I can catch a 12 train, that would be terrific.

Mr. DUNCAN. Yes, sir.

Mr. PICKMAN. But if there are questions that you need to keep me——

Mr. DUNCAN. No, no, no, that's—no, I understand. I understand.

Mr. FALEOMAVAEGA. Mr. Pickman, as I said before to our colleagues when they proposed the bill: If it's in the bag, shut up and move on. And so, I think you're more than happy to leave us. Be that as it may. But we appreciate your testimony.

Mr. PICKMAN. You know, I asked counsel before I got up here whether I should abbreviate my abbreviated statement and he said, no, go ahead and give it, so I was listening to you, sir. And I thank you very much.

Mr. DUNCAN. Thank you very much for being with us and, Mr. Weaver, you can go ahead and begin your testimony at this time.

STATEMENT OF BLAINE WEAVER, RETIRED FINANCIAL INSTITUTION EXECUTIVE

Mr. WEAVER. Good morning, Mr. Chairman and Committee members. Thank you for allowing me to make a presentation today, July 16, 1998. My name is D. Blaine Weaver and I reside in Washington County, Maryland, in the Sixth Congressional District, represented by Congressman Roscoe G. Bartlett.

Today I am here to advocate support for House Bill number 4158. Why am I doing this? Because I have 5 grandchildren, ages 6 to 10 years old, who just completed a week of fishing and water skiing at our summer home in Washington County, Maryland, along the C&O National Historic Park. Since they enjoy these activities very much, their question to me and mine to you is: Why won't we be able to use this property after the year 2000?

Our property tract number 30–109 is located along the Potomac River, above dam number 4 where there is no canal and all the properties in this area are high above the river, approximately 60 to 75 feet. It's never been used by the public or it's never been used by the Park Service because this property, again, is high above the river and the towpath adjoins immediately to the river.

Many of the adjacent lessees—or the right-to-use, as the Park Service likes to call it—and I feel that the Department of the Interior employees in the early to mid-1970's used heavy duress tactics, always with the threat of condemnation, to allow the Federal Government to obtain these properties. Our only option was to sell and have the use or retain the use and the property condemned. In our case, we were not really paid a fair market price for the property and the 25-year lease fee was deducted along with the salvage fee at the time of the sale, leaving the net proceeds to us. Any one knowing the future value of money knows the Federal Government received a real bargain.

Also, 23 years ago, in this same time period, I was misled by the statements issued by the Park Service acquisition officer that they would procure all adjoining property along the entire 184-mile length of the canal and it would become the C&O Canal National Historic Park. This did not occur. I can cite many instances where the properties were not procured or very favorable conditions were granted. And this occurred all along the canal from Georgetown to Cumberland, Maryland.

I'll cite a few of these instances. Starting in Georgetown, there is Water Street, between the restored C&O Canal and the Potomac River with many restored offices, condos, restaurants, and businesses.

In our immediate area, above dam number 4, Jack Berkson deeded 17 feet along the Potomac River, which was actually the towpath, of his 90 acres to the government. He reserved the right to cross the towpath, place docks for 300 feet along the river during the summer months for a period of 99 years. Mr. Berkson is currently developing 90 acres in lot sites for residential housing.

Also above dam No. 4, Mr. Perini did not give up any of his land and now has a very beautiful residence immediately above the river and towpath. In addition, the property was subdivided into residential lots.

Also above dam No. 4, as we heard earlier from Congressman Bartlett, the Potomac Fish and Game Club, which has 550 members, has numerous cabins and trailers situated between the canal and the Potomac River.

The National Park Service has changed the original boundaries of the C&O Canal by acquiring our properties, which were not part of the original C&O Canal.

Also the National Park Service declared that they were going to turn the properties back to nature, as the lessees—or the right-to-use—expired. However, in our immediate area, the foundations and various types of junk remain on these properties. Also, when the canal was in operation, the property owners along the river interacted with the canal workers. We have kept this tradition alive for people using the towpath by providing assistance, direction, and emergency help when needed. Last week, a hiker from the Netherlands lost his backpack with the credit cards and money and he asked to use the cell phone to call his bank in the Netherlands. I referred him to a regular phone approximately a mile away.

Apparently, the National Park Service will issue blinders to all the bicyclists and hikers so that they do not see all the non-nature properties still along the C&O Canal and the towpath. Lo and behold, if they look across the Potomac River to the West Virginia landscape, they will see all kinds of non-nature property and activity, which includes new private boat ramps, boat docks, all types of housing from mobile homes to high-priced residential homes. I wonder if the National Park Service is planning also to turn the West Virginia side of the Potomac River back to nature?

This property has been in our family 41 years. Tract number 38–109. I request your assistance in obtaining a 99-year lease extension, right-of-use-and-occupancy, or the opportunity to buy back the land from the government. All the other lessees that I've spoken to want the same opportunity to do the same thing with their properties that was acquired by the Park Service back in the mid-1970's.

Thank you very much for this opportunity to testify at this hearing and we sincerely seek your assistance and the Subcommittee's assistance in supporting H.R. 4158. Thank you.

[The prepared statement of Mr. Weaver may be found at end of hearing.]

Mr. DUNCAN. Mr. Weaver, thank you very much. I noticed in one of the newspaper articles that a representative of the Sierra Club referred to this proposal as a radical right-wing proposal. Are you a radical right-wing extremist of some type?

Mr. WEAVER. No, sir. I've worked hard all my life. I started out working when I was 13 years old at $3.50 a week. I have acquired my assets and owe no money at this time and have no radical, right-wing leanings whatsoever. I do listen to Rush Limbaugh, so maybe that might affect me a little bit, sir.

Mr. DUNCAN. Well, I can tell you that more and more people across the country are beginning to realize that the Sierra Club, which used to be a moderate, mainstream organization, has gone very radically to the left and is very quickly losing much of the good reputation that it once had.

We have a vote going on and so we're going to have to stop this hearing at this time, but I do want to say that we very much appreciate your being here today and the sincerity with which you've testified and you have a great Congressman in Congressman Bartlett, who is attempting to help you in every way that he possibly can. And we'll go ahead and stop the hearing at this time because

of the vote we have, but thank you very much for being here. And that will conclude the hearing.

[Whereupon, at 11:53 a.m., the Subcommittee adjourned subject to the call of the Chair.]

[Additional material submitted for the record follows.]

STATEMENT OF MARGARET DEB. TUTWILER, MEMBER OF THE BOARD OF TRUSTEES, KENMORE ASSOCIATION, INC.

Mr. Chairman thank you for the opportunity to appear before this Committee today and testify on behalf of H.R. 3981. I am pleased to be here representing the Board of Trustees of the Kenmore Association.

Kenmore, located in historic Fredericksburg, Virginia, is the home of George Washington's only sister, Betty. It is one of the nation's oldest house museums—built in 1775. The preservation of the Kenmore house was among the first national preservation efforts, second only to the effort to save Mount Vernon. In 1922, local Fredericksburg citizens joined in raising funds to purchase the historic house and grounds as a "sacred trust," thereby saving the house from destruction.

The Kenmore Association, Inc. was incorporated in May 1922 and was charged with the perpetual stewardship, maintenance and management of the Kenmore house. In 1926, the Kenmore Board of Regents was created to ensure the preservation of the property. Today, with over one hundred women representing all fifty states, Great Britain and France, they continue to guide the Kenmore Association's activities, educational programs, and fund-raising efforts. Kenmore is governed by a sixteen-member Board of Trustees comprised of businessmen and women from throughout the United States. Kenmore is open year round as a house museum and has over twenty-five thousand visitors annually.

In addition to the colonial artifacts found on the grounds and the unparalleled craftsmanship in the house itself, the Kenmore property is of considerable historical significance. George Washington's sister, Betty, lived at Kenmore with her husband Colonel Fielding Lewis. During the American Revolution, Colonel Lewis was one of the chief financial backers of General Washington's army.

Only a few generations later, Kenmore experienced the ravages of the Civil War. It served as a hospital for the Union Army.

The Kenmore house is an important part of our American heritage because of its association with our nation's Founding Fathers, its importance as a splendid example of colonial art and craftsmanship, and its witness to American life for more than two hundred twenty years.

In 1996, the Kenmore Association led one of the most important preservation battles of recent years—the fight to save George Washington's Ferry Farm from commercial development.

Ferry Farm, located just across the Rappahannock River from Fredericksburg, is where George Washington spent his formative years—roughly ages six to twenty. In 1996 a commercial retail entity attempted to purchase and develop a large portion of Ferry Farm. The Kenmore Association stepped in and purchased the entire Ferry Farm property in order to save the historical farm from commercial development.

George Washington's Ferry Farm is a unique site. Ferry Farm is the last place associated with George Washington that has not been protected for the American people. The preservation of George Washington's Ferry Farm is a compelling preservation undertaking.

Every American knows the fabled stories associated with this historic place. For instance, Ferry Farm is where the legendary story of the cherry tree took place. The young Washington's words—"I cannot tell a lie"—are fixed in our national memory. Ferry Farm is more than the setting for fables. It was the place that prepared Washington to overcome the challenges of his life—experiences that shaped the character that made him the most revered of our Founding Fathers. At Ferry Farm the character was formed that helped shape our nation.

We need the National Park Service to help us protect Ferry Farm for future generations by acquiring an easement—ensuring that George Washington's Ferry Farm will be protected forever.

Working in conjunction with the Park Service, in a unique public/private stewardship, the Kenmore Association with over seventy years of preservation experience can protect and manage this land of extraordinary importance to our nation's heritage. The passage of this proposed legislation will ensure Ferry Farm's safe keeping.

Mr. Chairman, thank you for your time and attention. This concludes my prepared remarks. I would be pleased to answer any questions you may have.

Margaret Debardeleben Tutwiler

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PROFESSIONAL BACKGROUND

May 1997 - Present	Senior Vice President for Public Affairs and Communications, Cellular Telecommunications Industry Association Washington, D.C.
April 1995 - May 1997	President, Direct Impact Communications, Public Relations/Strategic Communications, Alexandria, VA
October 1994 - March 1995	Owner, Tutwiler & Associates, Public Relations/Strategic Communications, Washington, D.C.
May 1993 - September 1994	Owner/Partner, Fitzwater & Tutwiler, Inc., Public Relations/Strategic Communications, Washington, D.C.
August 1992 - January 1993	Assist. to the President for Communications, The White House, Washington, D.C.
March 1989 - August 1992	Assistant Secretary of State for Public Affairs and Department of State Spokesman, U.S. Department of State, Washington, D.C.
January 1989 - March 1989	Consultant, U.S. Department of State, Washington, D.C.
November 1988 - January 1989	Senior Advisor, Transition Team, U.S. Department of State, Washington, D.C.
August 1988 - November 1988	Deputy to Chairman, Bush-Quayle '88, Washington, D.C.
February 1985 - August 1988	Assistant Secretary for Public Affairs and Public Liaison, U.S. Department of the Treasury,

	Washington, D.C.
July 1984 - February 1985	Deputy Assistant to the President for Political Affairs, The White House, Washington, D.C.
November 1984 - January 1985	On behalf of the White House, served as Director of Public Liaison for the 50th American Presidential Inaugural Committee
January 1981 - July 1984	Special Assistant to the President and Executive Assistant to the Chief of Staff, The White House, Washington, D.C.
August 1980 - November 1980	Director of Scheduling for Vice Presidential Candidate George Bush, Reagan-Bush General Election Campaign, Washington, D.C.
August 1978 - May 1980	Director of Scheduling, Ambassador GeorgeBush, Presidential Campaign (Primary Campaign), Houston, Texas/Alexandria, Virginia
January 1977 - February 1978	Public Affairs Representative, for Alabama and Mississippi, National Association of Manufacturers, Washington, D.C.
July 1976 - November 1976	Executive Director, President Ford Committee for Alabama, Birmingham, Alabama.
July 1975 - July 1976	Scheduler, Surrogates for President Ford Committee (National Campaign), Washington, D.C.
January 1975 - July 1975	Assistant and Office Manager, Fund for Government Investors, Washington, D.C.
July 1974 - December 1974	Office Manager and Executive Secretary to the Chairman, Alabama Republican Party, Birmingham, Alabama

Margaret DeB. Tutwiler

AWARDS AND RECOGNITIONS

- Delegate, **The American Council of Young Political Leaders** mission to China (1982).
- Member, **U.S. Delegation to World Conference to Review and Appraise the Achievements of the UN Decade for Women,** Nairobi, Kenya (1985).
- Member, **U.S. Delegation, American Center for International Leadership**, Soviet Union (1986).
- **Woman of the Year Award**, Wake Forest University (1986).
- **Alexander Hamilton Award,** highest award given by the U.S. Department of the Treasury (1988).
- Inducted into the **Alabama Hall of Honor** (1990).
- **Distinguished Service Award,** highest award given by the U.S. Department of State (1992).
- **Medal of Service Award**, Birmingham Southern University (third recipient) (1993)
- **XXXI Award for Outstanding Women**, University of Alabama (1993).
- **Selection Committee, Coca-Cola Scholars Foundation, Inc.** (1993, 1994, 1995 - Chairman).
- Member, **Regional Selection Panel, Harry S.Truman Scholarship Foundation** (1993, 1994, 1995).
- **Mildred Bell Johnson Award,** The Cahaba Girl Scout Council, Birmingham, Alabama (third recipient) (1994).

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STATEMENT OF JAMES PICKMAN, PRESIDENT, THE GATEWAY VISITOR CENTER CORPORATION

Good morning, Mr. Chairman and members of the Subcommittee. I thank you for the opportunity to testify on behalf of H.R. 4109, a bill to authorize the Gateway Visitor Center at Independence National Historical Park (INHP) in Philadelphia. I am the president of the Gateway Visitor Center Corporation, a nonprofit, Section 501(c)(3) tax-exempt organization dedicated to working in partnership with the National Park Service to develop and operate the proposed center. The Gateway Visitor Center, or GVC, is intended to serve as the primary visitor orientation facility for the national park, the surrounding historic district, the City of Philadelphia, and the greater metropolitan region. It will be located within INHP boundaries on Independence Mall, just north of Independence Hall and the Liberty Bell. H.R. 4109—enacted on a timely basis—is essential to the realization of this regional gateway mission.

In my statement this morning, I would like to describe briefly how the GVC was conceived by the National Park Service and other stakeholders, the partnership that will be responsible for the center's development and operation, the partnership's vision for the GVC, how the facility will be funded, and the critical need for H.R. 4109.

Background

The concept of a regional visitor center on Independence Mall emerged from the convergence of two parallel explorations—one conducted by the National Park Service and the other by The Pew Charitable Trusts.

Through its general management plan process begun in 1993 and completed in April 1997, the National Park Service (NPS) undertook a comprehensive review of the future management and use of INHP, with a focus on Independence Mall. This three block, 15-acre mall was created in the 1950's and 1960's through the demolition of over 140 buildings in order to provide an appropriate setting for Independence Hall and create a vibrant, public urban space. Unfortunately, these objectives have not been realized. The Park Service review and resulting plan, which received loud and clear public support, calls for a complete redoing of Independence Mall with the development of a new regional visitor orientation facility as a central element. Today's testimony by Destry Jarvis of the NPS provides greater detail on the Park Service's general management plan process and content.

At the same time as the Park Service was conducting its review, the Philadelphia-based Pew Charitable Trusts, one of the nation's largest philanthropies, concluded from a study it commissioned that greater Philadelphia has been missing an opportunity for significant economic development by failing to cultivate its potential in the tourism industry. To address this need, the Trusts pursued two related objectives. The first—increasing the marketing of the region's existing attractions—resulted in the establishment of the Greater Philadelphia Tourism Marketing Corporation, a $12 million partnership among the Trusts, the City of Philadelphia and the Commonwealth of Pennsylvania. The second objective was to create a magnificent regional orientation facility on Independence Mall. The Trusts concluded that although INHP contains the most enduring of historical treasures, its existing visitor center is poorly located and is inadequate for accommodating and orienting significant numbers of people to the park and other city and regional attractions. And there was clear consensus among all interested parties that a new visitor center needed to be constructed right on the mall—a location more accessible to the Liberty Bell and Independence Hall (the leading attractions in the Philadelphia region), as well as to major travel arteries.

As a result of their similar conclusions, in the summer of 1995, the Trusts and NPS joined forces to explore together the feasibility of a new visitor orientation facility on Independence Mall. After a rigorous due diligence analysis that affirmed the center's feasibility, the Pew Trusts, with NPS support, proceeded to seek funding for a new Gateway Visitor Center—a facility that would be owned by NPS and serve as the visitor center for INHP and for the city and surrounding region as well.

The Partnership

Consistent with its genesis, the development and operation of the GVC will reflect the partnership between the National Park Service and other city and regional stakeholders, the latter represented by the recently established Gateway Visitor Center Corporation (GVCC). As noted above, GVCC is a nonprofit, Section 501(c)(3) tax-exempt corporation created solely for the purposes of working with the National Park Service to develop and operate the GVC. Its board of directors consists of the following members:

Edward G. Rendell, mayor of Philadelphia
Maria Keating Titelman, deputy chief of staff to Governor Ridge
Thomas Donovan (chair), retired vice chair of Mellon Bank and chair of the Greater Philadelphia Tourism Marketing Corporation (GPTMC)
Donald Kimelman, director of the Venture Fund, The Pew Charitable Trusts
Meryl Levitz, president of GPTMC.

Three additional board members will be elected shortly, representing a national perspective, such as a renowned historian specializing in 18th century America. NPS works closely with the GVCC board. Representatives of the Park Service attend each meeting as nonvoting participants, and they will continue to do so in the future.

The design, construction, and operation of the center will be governed by partnership agreements between NPS and GVCC. In essence, NPS will have the right to approve of all aspects of the facility's design and to assure that the construction conforms to the approved design. Once completed, the GVC will be donated to NPS. The facility will be operated and managed jointly on a long-term basis by the GVCC and NPS. An operating partnership agreement will define the relationship between NPS and GVCC on a number of items of particular concern to both parties, such as ongoing liaison between the GVCC and the park, content of GVC exhibits, ticketing for Independence Hall, the presence and role of park staff in the GVC, and the management and oversight of first amendment activities in or near the GVC. In addition, the agreement will set forth policies for addressing such matters as the sale of merchandise, the rental of GVC space, the display and content of written materials, and the maintenance of the facility.

Gateway Visitor Center

In furtherance of the joint vision of NPS and GVCC, the Gateway Visitor Center is intended as the region's primary point of visitor orientation by providing a range of quality services and programs. Without overshadowing INHP's remarkable buildings as well as other nearby treasures, the center would be an attraction in its own right. It would offer visitors an exciting, informative experience before they set off to encounter the park, the city and the region. A theme of heritage would help integrate the services and programs of the center and its surroundings. There would also be an emphasis on the virtues of modern Philadelphia, including the world-class museums, theaters and other cultural and leisure-time amenities.

Through personal services, exhibits and displays, visitors will gain a contextual understanding of the park and its surroundings, and will be motivated to develop personal itineraries that take advantage of a variety of resources available throughout the city and region. Visitors will also be able to gain information and tickets to tours, attractions and events in the area; make reservations for accommodations, restaurants and transportation; purchase items at a book and gift store; see informative and exciting films about the creation of our nation and about the attractions of Philadelphia and the surrounding region; and have a light meal. The GVC will also be the distribution site for free tickets for admission to Independence Hall during peak periods.

As currently envisioned, the GVC will consist of about 50,000 square feet and be located on the center block of Independence Mall. As noted above, the NPS general management plan calls for a comprehensive effort to revitalize the mall, with the GVC serving as a catalytic and key component. The first phase of this revitalization initiative consists of a new and improved pavilion for the Liberty Bell; a renovated and enhanced underground parking garage; the GVC; and rejuvenation of the mall itself with a lovely outdoor cafe, kiosks, formal and informal seating areas and gathering spaces, and a park setting for viewing Independence Hall or simply playing and relaxing. Subsequent phases include a new facility focused on the Constitution and an institute to provide a structured educational experience primarily for school children.

Funding

Development. The projected cost of the GVC is $30 million, consisting of $24 million for development of the building and interior exhibits and furnishings, and $6 million for an endowment to help support operations. This funding has been fully committed from non Federal sources as follows:

The Pew Charitable Trusts——$10.0 million
The Commonwealth of Pennsylvania——$10.0 million
The City of Philadelphia——5.0 million
The Annenberg Foundation——2.7 million
The Connelly Foundation——2.0 million
The John S. and James L. Knight Foundation——.3 million

Operations. Once completed the GVC's annual operations will be supported through revenue generating activities, endowment income, and various stakeholder contributions. As described in the NPS testimony earlier this morning, an appropriate, fair share contribution from NPS will be required to help cover the GVC's maintenance and operating costs.

The Need for H.R. 4109

The timely enactment of H.R. 4109 is essential to the realization of the regional gateway mission of the center. In essence, the bill under consideration this morning will:

- Allow the GVC to provide information and orientation services that extend beyond the bounds of INHP. For example, under H.R. 4109, the GVC will be able to distribute information and tickets about attractions throughout the city and the surrounding region. And in the proposed store, it would be permitted to sell high quality educational merchandise relating to the greater Philadelphia region.
- Allow the GVC to engage in various revenue-generating activities—consistent with its regional mission and subject to the approval of the NPS—in order to help support center operations. For example, H.R. 4109 will permit the GVC to operate a cafe, rent the center for conferences and receptions, and charge fees for making hotel reservations and securing tickets for attractions outside of the park boundaries.
- Finally and related to the preceding item, H.R. 4109, will allow the revenues generated by the GVC's facilities and services to be used to help pay for the costs of operating the center.

Time is also of the essence, and enactment this year of H.R. 4109 is critical. The Pew Charitable Trusts and other private philanthropies, the City of Philadelphia, and the Commonwealth of Pennsylvania committed their funds towards the development of a *regional* gateway center, a facility that would provide orientation and information about INHP *and* the city and region. The inability to achieve this vision—through the failure to enact H.R. 4109 this year—would, at a minimum, most likely result in serious delays, jeopardizing the project and the substantial achievement of the Park Service's plans for Independence Mall.

Mr. Chairman and members of the Subcommittee, I cannot impress upon you enough the importance of H.R. 4109 to fulfillment of the vision.

Thank you.

SUPPLEMENTAL SHEET

James Pickman (president of Gateway Visitor Center Corporation) 3464 Macomb Street, N.W. Washington, D.C. 20016 Telephone: (202) 686-1160 Fax: (202) 966-3260

Outline of Testimony: Support of H.R. 4109, a bill to authorize the Gateway Visitor Center at Independence National Historical Park in Philadelphia

I. **Background:** The concept of a regional visitor center, or Gateway Visitor Center, on Independence Mall at Independence National Historical Park emerged from the convergence of two parallel explorations—one conducted by the National Park Service through its general management plan process and the other by The Pew Charitable Trusts.

II. **The Partnership:** The design, construction, and operation of the Gateway Visitor Center (GVC) will be carried out by a partnership between the National Park Service and the Gateway Visitor Center Corporation, a nonprofit, 501(c)(3) tax-exempt organization representing a broad range of stakeholders.

III. **The Gateway Visitor Center:** The GVC is intended to serve as the primary visitor orientation facility for the national park, the surrounding historic district, the City of Philadelphia, and the greater metropolitan region. The center is a catalyst and key component of the Park Service's plans to revitalize Independence Mall—in furtherance of its recently completed general management plan.

IV. **Funding for the GVC:** This $30 million facility has been fully funded by private sector and non-Federal public sector sources, led by The Pew Charitable Trusts.

V. **Critical Need for H.R. 4109:** Timely enactment of H.R. 4109 is essential to realizing the regional mission of the center. Failure to enact the bill this year will, at a minimum, most likely result in serious delays, jeopardizing the project and the substantial achievement of the Park Service's plans for Independence Mall.

JAMES PICKMAN

For the past 19 years, James Pickman has been assisting national and local philanthropies, other nonprofit entities, and government agencies to design and manage programs, conduct strategic reviews, and structure and implement projects intended primarily to revitalize depressed urban areas, build stronger communities, provide affordable housing, meet facilities needs of nonprofit organizations, or spur economic development and jobs. One of his current assignments entails managing the development of the Gateway Visitor Center on Independence Mall in Philadelphia as part of a larger collaborative effort to revitalize the entire mall. The center would provide orientation to Independence National Historical Park, the surrounding historic district, and myriad other attractions in the city and region. Another current assignment is managing the National Community Development Initiative, a consortium of nine foundations, six corporations and the United States Department of Housing and Urban Development, which provides substantial funding to assist community development corporations across the country achieve a higher level of scale and impact in revitalizing their neighborhoods.

Previously, Mr. Pickman held senior positions in the United States Department of Health, Education, and Welfare, the Bedford-Stuyvesant Restoration Corporation, and a New York City real estate company. He also practiced law for a Wall Street firm. Mr. Pickman holds a Bachelor of Arts degree from Princeton University and an LL.B. from Harvard Law School.

STATEMENT OF ALAN S. FRONT, SENIOR VICE PRESIDENT, THE TRUST FOR PUBLIC LAND

Mr. Chairman, my name is Alan Front, and I am Senior Vice President of The Trust for Public Land (TPL), a national non-profit land conservation organization that works with public agencies, landowners and communities to conserve natural, recreational and cultural resource lands for public use and enjoyment. I am pleased to appear before you today to discuss the remarkable cooperative efforts now underway to protect key lands in the corridor of Georgia's Chattahoochee River—efforts that would be significantly forwarded by, and in many cases require, the realignment of Park Service boundaries as proposed in H.R. 4141.

The scope and breadth of these multi-party efforts are reflective of the many faces of the Chattahoochee itself. The river and its corridor lands are a vital source of water for the City of Atlanta, and more broadly for all of north Georgia and for a substantial swath of the southeastern United States. They host diverse wildlife, significant natural communities, and irreplaceable historic resources in the midst of one of America's most vibrant urban areas. And they afford a recreational haven for the millions of visitors each year to the dozen or so non-contiguous parkland areas that together comprise the Chattahoochee National Recreation Area.

Over the past decade my organization has been gratified to work in partnership with willing-seller landowners, the National Park Service, and a diverse and ever-growing community of public officials, organizations, and individuals to secure properties of public significance within the current authorized boundaries of the Chattahoochee River NRA. Specifically, TPL has assisted during this period in NPS acquisition, through purchase and exchange of eight high-priority ownerships along the river, including critical habitat, recreation, and watershed protection lands. We have been consistently and profoundly grateful for Speaker Gingrich's energetic leadership, and for the efforts of other members of the Georgia delegation and of Congress at large, in support of this important program.

As much as the investment of energy and funding has done to address protection needs with the Park Service's existing boundaries along the river, we also have witnessed the practical limits the Service now faces at the Chattahoochee. A number of areas originally included in the NRA boundaries have been developed and are no longer appropriate candidates for public management and use. Conversely, many properties that would logically augment current NPS holdings—park quality lands that would link existing "islands" of Federal ownership, allow synergistic improvement of the existing trial system, and provide both watershed protection and much-needed recreation opportunities—lie outside the boundaries, interspersed between NPS-managed lands in the designated "area of national interest" from Lake Lanier to the Atlanta city limits.

H.R. 4141 would address this schism by adopting an achievable greenway approach for the Chattahoochee NRA. Developed neighborhoods would be excluded from the Park Service boundary, while other key resource and connector lands would be added to it. That this strategy will promote a manageable NRA that optimally serves public needs is clear. Just as clearly, this approach will have a power-

ful leveraging effort, teaming Federal efforts with an astounding array of non-Federal energies and investment.

The Chattahoochee greenway concept has been embraced by corporate leaders, community and conservation groups, the philanthropic community, and a panoply of state and local government agencies and officials. This partnership has committed itself to protecting not only the designated area of national interest, but an even longer stretch of the Chattahoochee from the upper reaches of the river's headwaters to urban Atlanta and beyond. Georgia governor Zell Miller had dedicated $15 million, fully three-fourths of the state's Rivercare 2000 budget, to this effort in the coming year. Considerable charitable monies also are being committed, some of which will be applied to Park Service acquisitions, stretching Federal dollars. These non-Federal commitments presume, and in some cases are predicated upon, a concurrent Federal commitment to the greenway.

Such a commitment will need to come quickly to realize this vision and to take advantage of these complementary investments. The metropolitan Atlanta real estate market is strong; even though they might prefer to participate in this public spirited program many willing-seller landowners will not wait until next year if public purchase cannot proceed soon. For many properties along the river, this is a time of great promise, and great peril.

Consequently, The Trust for Public Land and our many colleagues in the Chattahoochee River Protection effort deeply appreciate the timely introduction of this important legislation and its expeditious consideration by the Committee.

STATEMENT OF D. BLAINE WEAVER, WASHINGTON COUNTY, MARYLAND

Thank you for allowing me to make a presentation today, July 16, 1998. My name is D. Blaine Weaver and I reside in Washington County, Maryland, in the 6th Congressional District represented by Congressman Roscoe G. Bartlett. Today, I am here advocating support for H.R. 4158. Why am I doing this, because I have five grandchildren, ages six to ten years old, who just completed a week of fishing and water skiing at our summer home in Washington County, Maryland along the C&O Canal National Historical Park (Park). Since they enjoy these activities very much, their question to me and mine to you is **"WHY WON'T WE BE ABLE TO USE THIS PROPERTY AFTER THE YEAR 2000?"**

Our property Track No. 38-109 is located along the Potomac River, above Dam #4 where there is no canal and all the properties in this area are high (60-75 feet) above the river, out of sight from the Tow Path. These properties have never been used by the public nor the National Park Service (NPS) because the Tow Path is immediately adjacent to the river and 75 feet below the properties which are located on the rock cliff.

Many of the adjacent lessees (right of use) and I feel that the Department of the Interior's employees in the early to mid 1970's used heavy duress tactics, always with the threat of condemnation by the Federal Government, to obtain these properties. Our only option was to sell the property to the government and retain the use or have the property condemned. In our case we were not really paid the fair market price for the property and the 25 year lease fees were deducted along with the salvage fee at the time of the sale leaving the net proceeds to us. Anyone knowing future value of money knows the Federal Government received a real bargain.

Also, 23 years ago, in this same time period, I was misled by statements issued by the Park Service Acquisition Officer, that they would procure all adjoining property along the entire 184 mile length of the canal and it would become the C&O Canal Historical National Park. This did not occur. I can cite many instances where properties were not procured or very favorable conditions were granted. This occurred all along the canal from Georgetown to Cumberland, Maryland.

I'll cite a few of these instances:

1. Starting in Georgetown, there is Water Street between the restored C&O Canal and the Potomac River with many restored offices, condos, restaurants and businesses.
2. In our immediate area, above Dam #4, Jack Berkson deeded 17 feet along the Potomac River (actual Tow Path) of his 90 acres to the government. He reserved the right to cross the Tow Path and place docks for 300 feet along the river during the summer months for a period of 99 years. Mr. Berkson is currently developing the 90 acres in lot sites for residential housing.
3. Also, above Dam #4, Mr. Perini did not give up any of his land and now has a very beautiful residence immediately above the river and Tow Path. In addition the property was subdivided into residential lots.

4. Also, above Dam #4, The Potomac Fish and Game Club with 550 members has numerous cabins and trailers situated between the C&O Canal and the Potomac River.

The NPS has changed the original boundaries of the C&O Canal by acquiring our properties, which were not part of the original C&O Canal.

The NPS declared that they were going to turn the properties back to nature, as the leases (right to use) expired. However, in our immediate area the foundations and various types of junk remain on these properties. Also, when the COO Canal was in operation, the property owners along the river interacted with the canal workers. We have kept this tradition alive for people using the Tow Path by providing assistance, directions and emergency help when needed. Just last week, a hiker from the Netherlands lost his back pack with his credit cards and money and he asked to use the cell phone to call his bank in the Netherlands. I referred him to a regular phone approximately a mile away.

For many years, I have provided river activities for civic clubs. The local Boys and Girls Club, Inc. have used our steps down to the river to rock rappel off the high rock cliffs along the Tow Path. The local Kiwanis Club has sponsored the Girls, Inc. club for a day at the river, including swimming, water skiing and lunch.

Apparently, the NPS will issue blinders to all the bicyclists and hikers, so that they do not see all of the non nature properties still along the C&O Canal and Tow Path. Lo and behold, if they look across the Potomac River to the West Virginia landscape, they will see all kinds of non nature property and activity which includes new private boat ramps, boat docks, all types of housing from mobile homes to high priced residential homes. I wonder if NPS is planning to also turn the West Virginia side of the Potomac River back to nature?

After stating for years that the NPS did not have the authority to extend leases or issue new ones, they are currently offering leases for up to 99 years under the Historic Leasing Program concerning historic properties within the park. Some of the properties in our area are being advertised for commercial purposes such as, bed and breakfasts and restaurants. Who determines that the property is historic? Is the NPS currently in the business of leasing?

This property has been in our family 41 years, (Track No. 38-109), I request your assistance in obtaining a 99-year lease extension rights of use and occupancy or the opportunity to purchase back the land from the government.

All the other lessees that I have spoken to want the same opportunity to extend their lease rights of use and occupancy for 99 years or to purchase back the land from the government.

Thank you very much for this opportunity to testify at this hearing and we sincerely seek your assistance and support of H.R. 4158.

C & O Canal @
Georgetown
Water Street

Flour Mill
(offices)
Peppermill
(residences)
(Photo 1)

River Club
(Photo 2)

Hibiscus
Restaurant
(Photo 3)

All of these appear to me as not in keeping with "preserving the atmosphere of past times"

The Herald-Mail
Sunday, January 4, 1998 E6

C&O gets two lease proposals

SHARPSBURG (AP) — The National Park Service has received two lease proposals for a building in the C&O Canal National Historical Park that is among more than a dozen the agency plans to rent out, a park official said.

Both proposals received by Dec. 4 deadline were for the Little house near Hancock, park superintendent Douglas Faris said. The two-story brick structure on 2½ acres of land was built in the mid-1700s.

One proposal, from Darren Jessop of Williamsport, is to turn the property into a low-cost hostel for people hiking or biking the 184.5-mile canal towpath.

The other, from Rustic Retreats of Washington, envisions renting the property out for country getaways, Faris said.

The Little house was among four properties offered in the first round of a leasing program the park service announced in October.

Faris said the agency would consider both proposals and possibly select one by mid-January.

RECREATION AND TOURISM

Construction of the $1.7 million Washington County Rural Heritage Museum and office complex is scheduled to start in March at the Washington County Agricultural Education Center, said Lori Taylor, center coordinator.

A new picnic pavilion is also scheduled to open in the spring.

Other county park projects for 1998 include:

- An improved veterans memorial at the Martin L. "Marty" Snook Regional Park in Halfway.
- A picnic pavilion and restrooms at the Washington County Regional Park near Black Rock Golf Course.
- A bike path and playground equipment for Snook Park.
- A tennis court and playground equipment for Camp Harding.
- A basketball court and playground equipment for Doub's Woods Park.
- Playground equipment for Pen Mar Park and Chestnut Grove Park.

On the C&O Canal, flood repairs and improvements will be made near Harpers Ferry, W.Va., Williamsport, at Dam No. 5 and in Hancock, said Doug Faris, park superintendent. Faris said the Conococheague Aqueduct at Williamsport will be stabilized, and lock 44 in Williamsport will be restored to an operational condition.

Also, the National Park Service is looking to lease about 20 historic buildings along the canal in Washington County to private interests. The buildings, many of which are vacant and in various stages of repair, could be turned into bed and breakfasts.

ROADS

A number of state and county road projects will be under way in 1998, according to County Engineer Terry McGee and the Maryland Department of Transportation,:

- Construction of the $13 million Downsville Pike interchange will begin in spring of 1998 and open in the fall of 1999. The project will include a widening of Downsville Pike in the vicinity of the interchange.
- The $3 million reconstruction of the Halfway Boulevard/Hopewell Road intersection, including traffic

C2 The Herald-Mail
Sunday, September 28, 1997

Public can lease historic properties in C&O Canal park

By STEVEN T. DENNIS
Staff Writer

For the right price, you could live in the Little House on the C&O Canal in Hancock. Or perhaps you'd rather have a 150-year-old brick fixer-upper used as a hospital after the Battle of Antietam?

Now's your chance.

The National Park Service plans to lease 17 historic properties in the C&O Canal National Historical Park, most of them in Washington County, for use as bed and breakfasts, homes or other purposes.

Park Superintendent Douglas Faris said most of the properties aren't being used and said the park service doesn't have the funds to keep them in good repair.

"They are rotting," said Gordon Gay, the park's chief of interpretation and visitor services.

People who lease the properties would be required to fix them up and maintain them according to federal historical standards, Gay said. Amounts spent to restore the property would be deducted from the rent. Leases could run for as long as 99 years.

The first properties to be offered for rent under the program are on the National Historic Register. They include:

■ The Little House near Hancock. Built in 1791, the house had been inhabited until recently and is in good condition, officials said. The land on which the house was built — known as "Sarah's Fancy" — was granted by Lord Baltimore to the Yates family around 1775. Yates sold the property to the Bowles family in 1875.

Please turn to CANAL, A6

Canal

Continued from A1

The Bowles family sold the property to the Little family in 1905. The National Park Service purchased the estate in 1976.

■ A house once used as a Civil War hospital. Once known as the Myers property, the two-story brick house sits near Pleasantville on a hill opposite Harpers Ferry, W.Va., on up to 14 acres of pasture with a wood frame barn and a brick stable. The house, about 150 years old, was used as a Union encampment.

■ A stucco-covered wood-frame home about 12 miles southwest of Hancock in Pearre, near the Woodmont Rod and Gun Club. Thomas Donegan built the 2 1/2-story home between 1866 and 1874.

The Donegan House is near the end of a planned bike trail running to Hancock along an abandoned rail line.

"We don't know how successful we are going to be," Faris said. He said the homes, if leased, would probably not be accessible to the public.

"If we don't find some creative ways to preserve them, we risk further deterioration of these structures and losing them," Faris said.

The Piper House, a bed-and-breakfast on Antietam National Battlefield, is leased from the government in a similar fashion, Gay said.

The National Park Service also is considering leasing some of the 27 lock houses it owns along the canal, including several in Washington County. The lock houses, although in the flood plain, could be ideal for use by a historical society or private nonprofit group, Faris said.

Jack Wetzel, a critic of the deal allowing the state-owned Woodmont Rod and Gun Club to be leased to the Izaak Walton League of America, said he'd rather the properties along the canal would be leased than for them to remain empty. But Wetzel said the other properties in the park currently maintained by private citizens also should be allowed to stand.

In the 1970s, the park service purchased about 200 private properties and allowed the owners to continue using them for 25 years or more, Faris said. As the rights to use the property run out, the park service demolishes the structures, mostly cabins and fishing camps, in order to return the park to a more pristine state.

Wetzel sold his three-room cabin to the park service and has about two years left before he no longer will be allowed to use the cabin.

Faris said those properties are not historic.

The deadline for submitting proposals to the park service on the first three properties is Dec. 4 at 4 p.m.

■ PROPERTY RIGHTS

Private Residents in National Parks Fighting to Stave Off Eviction

BY DAVID DISHNEAU
Associated Press

When the National Park Service came for George Stumbaugh's land in Williamsport, he invited the agent to sit on his cottage deck and watch the sun set over the broad Potomac River and West Virginia hills.

"I said, 'You don't have enough money to pay me for that view,'" Stumbaugh recalled.

But the agent persisted until, under threat of condemnation, Stumbaugh agreed to sell his one-third acre of cliff-top property for $20,000, minus $6,000 for a 25-year lease.

The lease expires in three years but Stumbaugh, 64, and his neighbors in the C&O Canal National Historical Park aren't leaving without a fight.

They want to buy or lease back the land they sold to the park service — and they could if their congressman, U.S. Rep. Roscoe Bartlett, has his way.

Bartlett, R-Western Maryland, has sponsored a bill that would authorize sales or leases of national park land to private individuals, not only along Maryland's historic Chesapeake & Ohio Canal but across the country.

Each park would keep the money for maintenance and improvements.

"I would like to see them return as many properties as is feasible to former owners," Bartlett said. "What I want the park service to do is in the best interest of everybody."

But isn't everybody's best interest [illegible] by public ownership of our national parks? Supposedly, but there are more than 1,400 Americans with private cabins, homes, cottages and trailers on public park land from Cape Cod National Seashore to Yosemite National Park.

The disposition of those properties is a subject of increasingly heated debate as a significant number of leases are due to expire within the next four years.

"It's a confusing issue and it's an emotional issue and that's what we have to be aware of," said Dennis Burnett, a National Park Service spokesman in Washington.

If the private homes and cabins are turned over to the government, the government has to figure out what to do with them.

The park service contends they should be torn down, but it doesn't have the money to keep up with demolition as leases expire.

So, since 1988, it has allowed individual park superintendents to issue permits for continued private use of structures that would otherwise attract vandals or which have significant historical value. Exceptions are also granted when moving would present a hardship for occupants.

> "I would like to see them return as many properties as is feasible to former owners."
>
> U.S. Rep. Roscoe Bartlett

Bartlett's bill goes further by authorizing the return of public land to private owners. It goes beyond last year's failed attempts by other congressional representatives to extend occupancy rights in the Sleeping Bear Dunes National Lakeshore in northern Michigan and the Mineral King Addition to California's Sequoia National Park.

"The Bartlett bill particularly is a dangerous precedent," said Kevin Collins of the National Parks and Conservation Association, a Washington-based advocacy group. "It's an unusual leap of logic to say we ought to sell off pieces of the system so we can pay for other parts of the system."

Glen Besa, the Sierra Club's Appalachian regional representative, called Bartlett "a radical, right-wing congressman" looking to "sell off parts of our American heritage."

But another citizens group, the American Land Rights Association, views the National Park Service as the aggressor.

"A lot of these people being kicked out now are people who sold under duress — brutal, heavy-handed, threatening kind of stuff," said Chuck Cushman, the organization's executive director in Battle Ground, Wash.

"This would be a great way for the park service to fix up the parks at no cost," he said.

STATEMENT OF PETER KIRBY, SOUTHEAST REGIONAL DIRECTOR, THE WILDERNESS SOCIETY

Dear Chairman Hansen:

On behalf of its over 200,000 members nationwide and over 4,000 in Georgia, The Wilderness Society supports the worthwhile goal of this legislation to establish a continuous greenway along a forty-eight mile stretch of the Chattahoochee River in metropolitan Atlanta. As noted in the bill's findings, the population in the area around the river is growing rapidly, with major development of open space and adverse effects on the river from construction, pollution and siltation. Unless action is taken soon to preserve remaining natural, scenic and historic resources along the river, our opportunities to protect the nationally significant values within the river corridor will be lost forever.

H.R. 4141 increases the authorized acreage of the park to 10,000 acres. It allows for the expansion of the boundaries up to 2,000 acres on each bank of the river, as set out in a map to be submitted by the National Park Service, with the intent of connecting the existing separate, individual units of the NRA. H.R. 4141 also authorizes $25 million for the Federal land acquisition. This will be augmented with extensive matching funds provided from the state of Georgia, local governments, private foundations, corporations and other sources.

An expansion of the park will yield multiple benefits for the ecology and the population of the area and the region. The Chattahoochee River provides the drinking water for the Atlanta metropolitan area and almost half the people of the state; the greenway will help maintain water quality as a buffer from development near the river. There is also a great need for additional recreation opportunities in the area to keep pace with the explosive growth in population within recent years. As noted in the statement of the National Park Service, linear corridors linking the existing units would afford valuable opportunities for walking, jogging, hiking and nature study on both sides "of one of the Nation's great urban rivers."

As urged in the statement of the National Park Service, we request the Committee to make some vitally-needed improvements in the legislation that will help make it possible to establish this linear park. Of great concern is the "opt out" provision of Section 2. The great danger is that landowners may quickly elect to "opt out" of the park within the very short time line called for in the Act without there ever being the opportunity for the National Park Service to even negotiate. This could be particularly damaging here where the chance to join units is limited in areas that have been heavily developed. Also of concern in Section 2 is the bill's prohibition on land acquisition without the consent of the landowner. The National Park Service notes that it doubts condemnation will be used for this project but also states it may be a necessary last resort to clear title or prevent irreparable damage to key values. We recommend that these two provisions be taken out.

This goal of a Chattahoochee River greenway has the backing of a wide and influential range of leaders and groups in the region who are committed to ensuring it becomes a reality. We commend Representative Gingrich for his leadership with the introduction of the bill, the Trust for Public Land and our other conservation allies for the development of the proposal, Governor Zen Miller and others for their committments to future funding and to others in the Congressional delegation for their close attention to this initiative. We hope the Committee will move the bill along, with changes as noted, so that it can be enacted this year.

Please include this letter in the printed record for the Comittee's hearing on July 16, 1998.

I

105TH CONGRESS
2D SESSION

H. R. 3981

To modify the boundaries of the George Washington Birthplace National Monument, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1998

Mr. BATEMAN (for himself and Mr. BLUNT) introduced the following bill; which was referred to the Committee on Resources

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A BILL

To modify the boundaries of the George Washington Birthplace National Monument, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITION TO NATIONAL MONUMENT.

(a) ADDITION.—The boundaries of the George Washington Birthplace National Monument are modified to include the area generally known as George Washington's Boyhood Home, Ferry Farm, located in Stafford County, Virginia, across the Rappahannock River from Fredericksburg, Virginia, comprising approximately 85 acres. The boundary modification is generally depicted on the map

1 entitled "George Washington Birthplace National Monu-
2 ment Boundary Map", numbered 322/80020 and dated
3 May 1998. The map shall be on file and available for pub-
4 lic inspection in the appropriate offices of the National
5 Park Service.

6 (b) ADMINISTRATION.—The Secretary of the Interior
7 may enter into a cooperative agreement for management
8 of the area added to the George Washington Birthplace
9 National Monument under subsection (a). The area shall
10 be managed consistent with the provisions of law generally
11 applicable to units of the National Park System, including
12 the Act of August 25, 1916 (39 Stat. 565; 16
13 U.S.C. 1, 2–4), and the Act of August 21, 1935 (49 Stat.
14 666; 16 U.S.C 461–467). The area shall also be managed
15 to preserve its cultural and natural resources associated
16 with the boyhood home of George Washington and to in-
17 terpret those resources to enhance public understanding.

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105TH CONGRESS
2D SESSION

H. R. 4109

To authorize the Gateway Visitor Center at Independence National Historical Park, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 1998

Mr. FOX of Pennsylvania (for himself and Mr. BORSKI) introduced the following bill; which was referred to the Committee on Resources

---

A BILL

To authorize the Gateway Visitor Center at Independence National Historical Park, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gateway Visitor Center Authorization Act of 1998".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The National Park Service completed and approved in 1997 a general management plan for

1 Independence National Historical Park that estab-
2 lishes goals and priorities for the park's future.
3 (2) The general management plan for Inde-
4 pendence National Historical Park calls for the revi-
5 talization of Independence Mall and recommends as
6 a critical component of the Independence Mall's revi-
7 talization the development of a new "Gateway Visi-
8 tor Center".
9 (3) Such a visitor center would replace the ex-
10 isting park visitor center and would serve as an ori-
11 entation center for visitors to the park and to city
12 and regional attractions.
13 (4) Subsequent to the completion of the general
14 management plan, the National Park Service under-
15 took and completed a design project and master plan
16 for Independence Mall which includes the Gateway
17 Visitor Center.
18 (5) Plans for the Gateway Visitor Center call
19 for it to be developed and managed, in cooperation
20 with the Secretary of the Interior, by a nonprofit or-
21 ganization which represents the various public and
22 civic interests of the greater Philadelphia metropoli-
23 tan area.
24 (6) The Gateway Visitor Center Corporation, a
25 nonprofit organization, has been established to raise

1 funds for and cooperate in a program to design, de-
2 velop, construct, and operate the proposed Gateway
3 Visitor Center.

4 (b) PURPOSE.—The purpose of this Act is to author-
5 ize the Secretary of the Interior to enter into a cooperative
6 agreement with the Gateway Visitor Center Corporation
7 to construct and operate a regional visitor center on Inde-
8 pendence Mall.

9 **SEC. 3. GATEWAY VISITOR CENTER AUTHORIZATION.**

10 (a) AGREEMENT.—The Secretary of the Interior, in
11 administering the Independence National Historical Park,
12 may enter into an agreement under appropriate terms and
13 conditions with the Gateway Visitor Center Corporation
14 (a nonprofit corporation established under the laws of the
15 State of Pennsylvania) to facilitate the construction and
16 operation of a regional Gateway Visitor Center on Inde-
17 pendence Mall.

18 (b) OPERATIONS OF CENTER.—The Agreement shall
19 authorize the Corporation to operate the Center in co-
20 operation with the Secretary and to provide at the Center
21 information, interpretation, facilities, and services to visi-
22 tors to Independence National Historical Park, its sur-
23 rounding historic sites, the city of Philadelphia, and the
24 region, in order to assist in their enjoyment of the historic,

1 cultural, educational, and recreational resources of the
2 greater Philadelphia area.

3 (c) MANAGEMENT-RELATED ACTIVITIES.—The
4 Agreement shall authorize the Secretary to undertake at
5 the Center activities related to the management of Inde-
6 pendence National Historical Park, including, but not lim-
7 ited to, provision of appropriate visitor information and
8 interpretive facilities and programs related to Independ-
9 ence National Historical Park.

10 (d) ACTIVITIES OF CORPORATION.—The Agreement
11 shall authorize the Corporation, acting as a private non-
12 profit organization, to engage in activities appropriate for
13 operation of a regional visitor center that may include, but
14 are not limited to, charging fees, conducting events, and
15 selling merchandise, tickets, and food to visitors to the
16 Center.

17 (e) USE OF REVENUES.—Revenues from activities
18 engaged in by the Corporation shall be used for the oper-
19 ation and administration of the Center.

20 (f) PROTECTION OF PARK.—Nothing in this section
21 authorizes the Secretary or the Corporation to take any
22 actions in derogation of the preservation and protection
23 of the values and resources of Independence National His-
24 torical Park.

25 (g) DEFINITIONS.—In this section:

1 (1) AGREEMENT.—The term "Agreement"
2 means an agreement under this section between the
3 Secretary and the Corporation.
4 (2) CENTER.—The term "Center" means a
5 Gateway Visitor Center constructed and operated in
6 accordance with the Agreement.
7 (3) CORPORATION.—The term "Corporation"
8 means the Gateway Visitor Center Corporation (a
9 nonprofit corporation established under the laws of
10 the State of Pennsylvania).
11 (4) SECRETARY.—The term "Secretary" means
12 the Secretary of the Interior.

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105TH CONGRESS
2D SESSION

H. R. 4141

To amend the Act authorizing the establishment of the Chattahoochee River National Recreation Area to modify the boundaries of the Area, and to provide for the protection of lands, waters, and natural, cultural, and scenic resources within the national recreation area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 1998

Mr. GINGRICH (for himself, Mr. COLLINS, and Mr. DEAL of Georgia) introduced the following bill; which was referred to the Committee on Resources

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A BILL

To amend the Act authorizing the establishment of the Chattahoochee River National Recreation Area to modify the boundaries of the Area, and to provide for the protection of lands, waters, and natural, cultural, and scenic resources within the national recreation area, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that:

1 (1) The Chattahoochee River National Recre-
2 ation Area is a nationally significant resource and
3 the national recreation area has been adversely af-
4 fected by land use changes occurring within and out-
5 side its boundaries.
6 (2) The population of the metropolitan Atlanta
7 area continues to expand northward, leaving dwin-
8 dling opportunities to protect the scenic, recreation,
9 natural, and historic values of the 2,000-foot wide
10 corridor adjacent to each bank of the Chattahoochee
11 River and its impoundments in the 48-mile segment
12 known as the area of national concern.
13 (3) The State of Georgia has enacted the Met-
14 ropolitan River Protection Act in order to ensure the
15 protection of the corridor located within 2,000 feet
16 of each bank of the Chattahoochee River, or the
17 100-year flood plain, whichever is greater, and such
18 corridor includes the area of national concern.
19 (4) Visitor use of the Chattahoochee River Na-
20 tional Recreation Area has shifted dramatically since
21 the establishment of the national recreation area
22 from waterborne to water-related and land-based ac-
23 tivities.
24 (5) The State of Georgia and its political sub-
25 divisions along the Chattahoochee River have indi-

1 cated their willingness to join in cooperative efforts
2 with the United States of America to link existing
3 units of the national recreation area with a series of
4 linear corridors to be established within the area of
5 national concern and elsewhere on the river and pro-
6 vided Congress appropriates certain funds in support
7 of such effort, funding from the State, its political
8 subdivisions, private foundations, corporate entities,
9 private individuals, and other sources will be avail-
10 able to fund more than half of the estimated cost of
11 such cooperative effort.
12 (b) PURPOSES.—The purposes of this Act are to—
13 (1) increase the level of protection of the re-
14 maining open spaces within the area of national con-
15 cern along the Chattahoochee River and to enhance
16 visitor enjoyment of such areas by adding land-based
17 links between existing units of the national recre-
18 ation area;
19 (2) assure that the national recreation area is
20 managed to standardize acquisition, planning, de-
21 sign, construction, and operation of the linear cor-
22 ridors; and
23 (3) authorize the appropriation of Federal
24 funds to cover a portion of the costs of the Federal,
25 State, local, and private cooperative effort to add ad-

1 ditional areas to the Chattahoochee River National
2 Recreation Area in order to establish a series of lin-
3 ear corridors linking existing units of the national
4 recreation area and to protect other undeveloped
5 portions of the Chattahoochee River corridor.

6 **SEC. 2. AMENDMENTS OF CHATTAHOOCHEE NRA ACT.**

7 The Act of August 15, 1978, entitled "An Act to au-
8 thorize the establishment of the Chattahoochee River Na-
9 tional Recreation Area in the State of Georgia, and for
10 other purposes" (Public Law 95–344; 16 U.S.C. 460ii–
11 2(b)) is amended as follows:

12 (1) Section 101 is amended as follows:

13 (A) By inserting after "map entitled
14 'Boundary Map, Chattahoochee River National
15 Recreation Area', numbered Chat–20,003 and
16 dated September 1984" the following: "and on
17 the map entitled 'Boundary Map, Chattahoo-
18 chee River National Recreation Area Addition',
19 numbered _____ and dated _____, both of
20 which".

21 (B) By amending the fourth sentence to
22 read as follows: "After July 1, 1999, the Sec-
23 retary of the Interior (in this Act referred to as
24 the "Secretary") may modify the boundaries of
25 the recreation area to include other lands within

1 2,000 feet of each bank of the Chattahoochee
2 River by submitting a revised map or other
3 boundary description to the Congress. Such re-
4 vised boundaries shall take effect on the date
5 6 months after the date of such submission un-
6 less, within such 6-month period, the Congress
7 adopts a Joint Resolution disapproving such re-
8 vised boundaries. Such revised map or other
9 boundary description shall be prepared by the
10 Secretary after consultation with affected land-
11 owners and with the State of Georgia and af-
12 fected political subdivisions. Before July 1,
13 1999, the owner of any parcel of land, all or
14 any portion of which is within 2,000 feet of
15 each bank of the Chattahoochee River, may no-
16 tify the Secretary that such parcel is not to be
17 included within the revised boundaries of the
18 area. Upon receipt of a legal description of such
19 parcel, the Secretary shall modify the bound-
20 aries to exclude such parcel.".
21 (C) By striking out "may not exceed ap-
22 proximately 6,800 acres." and inserting "may
23 not exceed 10,000 acres.".
24 (2) Section 102(f) is repealed.

1 (3) Section 103(b) is amended to read as fol-
2 lows:
3 "(b) COOPERATIVE AGREEMENTS.—The Secretary is
4 authorized to enter into cooperative agreements with the
5 State, its political subdivisions, and other entities to as-
6 sure standardized acquisition, planning, design, construc-
7 tion, and operation of the national recreation area.".
8 (4) Section 105(a) is amended to read as fol-
9 lows:
10 "(a) AUTHORIZATION OF APPROPRIATIONS; ACCEPT-
11 ANCE OF DONATIONS.—In addition to funding and the do-
12 nation of lands and interests in lands provided by the
13 State of Georgia, local government authorities, private
14 foundations, corporate entities, and individuals, and fund-
15 ing that may be available pursuant to the settlement of
16 litigation, there is hereby authorized to be appropriated
17 to carry out this Act not more than $25,000,000 for fiscal
18 years after fiscal year 1998. The Secretary is authorized
19 to accept the donation of funds and lands or interests in
20 lands to carry out this Act.".
21 (5) Section 105(c) (16 U.S.C. 460ii–4(c)) is
22 amended by adding the following at the end thereof:
23 "The Secretary shall submit a revision of such plan
24 within 3 years after the enactment of this sentence
25 to provide for the protection, enhancement, enjoy-

1 ment, development, and use of areas added to the
2 national recreation area. During the preparation of
3 the revised plan the Secretary shall seek and encour-
4 age the participation of the State of Georgia and its
5 affected political subdivisions, private landowners,
6 interested citizens, public officials, groups, agencies,
7 educational institutions, and others.".

8 (6) Section 102(a) (16 U.S.C. 460ii–1(a)) is
9 amended by inserting the following before the period
10 at the end of the first sentence: ", except that lands
11 and interests in lands within the Addition Area de-
12 picted on the map referred to in section 101 may
13 not be acquired without the consent of the owner
14 thereof".

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105TH CONGRESS
2D SESSION

H. R. 4158

To authorize the private ownership and use of certain secondary structures and surplus lands administered as part of any national historical park that are not consistent with the purposes for which the park was established, if adequate protection of natural, aesthetic, recreational, cultural, and historical values is assured by appropriate terms, covenants, conditions, or reservations.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 1998

Mr. BARTLETT of Maryland introduced the following bill; which was referred to the Committee on Resources

---

A BILL

To authorize the private ownership and use of certain secondary structures and surplus lands administered as part of any national historical park that are not consistent with the purposes for which the park was established, if adequate protection of natural, aesthetic, recreational, cultural, and historical values is assured by appropriate terms, covenants, conditions, or reservations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "National Park En-
3 hancement and Protection Act".

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) The National Park Service has insufficient
7 funds for the operation, maintenance, and rehabilita-
8 tion of certain units of the National Park System.

9 (2) Federal full fee ownership of structures and
10 lands that are not consistent with the purposes for
11 which a national historical park was established and
12 that are essential only to the protection of such a
13 park is not always required to preserve the aesthetic,
14 natural, cultural, and historical values of national
15 historical parks.

16 (3) The sale or lease, or any extension of a sale
17 or lease, of secondary structures and surplus lands
18 of national historical parks that are not consistent
19 with the purposes for which the parks were estab-
20 lished and that are essential only to the protection
21 of such parks, could generate needed funds while
22 preserving the values for which the parks were es-
23 tablished, if adequate protection of natural, aes-
24 thetic, recreational, cultural, and historical values is
25 assured by appropriate terms, covenants, conditions,
26 or reservations.

1 (4) There are some secondary structures and
2 surplus lands of national historical parks that need
3 not be owned by the Federal Government in fee sim-
4 ple to achieve the benefits for which the parks were
5 established.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) SURPLUS LAND.—The term "surplus land"
9 means land owned by the United States that is—

10 (A) controlled by the Secretary and admin-
11 istered as part of a national historical park;

12 (B) not consistent with the purposes for
13 which the park was established; and

14 (C) determined by the Secretary to be sur-
15 plus to the purposes of national historical
16 parks.

17 (2) SECONDARY STRUCTURES.—The term "sec-
18 ondary structure"—

19 (A) means a structure (including associ-
20 ated land) controlled by the Secretary and ad-
21 ministered as part of a national historical park,
22 that—

23 (i) is not historic under National Reg-
24 ister on Historic Places criteria; and

1 (ii) is determined by the Secretary to
2 be surplus to the purposes of national his-
3 torical parks; and
4 (B) does not include any structure or land
5 that is determined by the Secretary to be part
6 of the essence of a national historical park.
7 (3) SECRETARY.—The term "Secretary" means
8 the Secretary of the Interior.

9 **SEC. 4. ALLOWING PRIVATE ACQUISITION OR USE OF NA-**
10 **TIONAL HISTORICAL PARK SECONDARY**
11 **STRUCTURES AND SURPLUS LAND.**

12 (a) DETERMINATION OF SECONDARY STRUCTURES
13 AND SURPLUS LAND.—The Secretary shall review the
14 lands and structures that are controlled by the Secretary
15 and administered as part of a national historical park and
16 determine whether any of those lands or structures are
17 secondary structures or surplus lands, respectively.
18 (b) ALLOWING PRIVATE ACQUISITION OR USE.—The
19 Secretary, after determining it to be in the public interest
20 and after publication of notice in the Federal Register and
21 30 days for public comment, may in accordance with this
22 Act sell, lease, permit the use of, or extend a lease or use
23 permit for, any land and stucture determined by the Sec-
24 retary to be a secondary structure or surplus land, respec-
25 tively.

1 **SEC. 5. REQUIREMENTS.**

2 (a) COMPETITION.—Except as provided in subsection
3 (c), any sale or lease of property under this Act shall be
4 made under full and open competition.

5 (b) COSTS.—The Secretary shall ensure that the
6 terms of any sale, lease, or use permit under this Act are
7 sufficient to recover the costs to the United States of
8 awarding and administering the sale, lease, or permit. The
9 Secretary shall require that a person acquiring, leasing,
10 or using property under this Act shall bear all reasonable
11 costs of appraisal incidental to such conveyance, lease, or
12 use, as determined by the Secretary.

13 (c) REACQUISITION BY ORIGINAL OWNER.—Before
14 disposing of any secondary structure or surplus land under
15 this Act, the Secretary shall, to the extent possible, pro-
16 vide the person or persons from whom the structure or
17 land was acquired by the United States, or their heirs,
18 as determined from the deed and land records for the
19 property, an opportunity to reacquire the structure or land
20 by negotiated sale, lease, or use permit. The Secretary
21 shall publish a notice in an appropriate regional or local
22 newspaper in an attempt to locate such persons.

23 (d) NOTICE TO CONGRESS.—The Secretary shall re-
24 port to the Committee on Resources of the House of Rep-
25 resentatives and the Committee on Energy and Natural
26 Resources of the Senate each conveyance, lease, or

1 issuance of a use permit for property under this Act hav-
2 ing a total value greater than $150,000, at least 30 days
3 prior to consummation of the transaction.

4 **SEC. 6. PROTECTION OF HISTORICAL INTEGRITY OF PARK.**

5 In order to protect the natural, aesthetic, rec-
6 reational, cultural, or historic values of any national his-
7 torical park, the Secretary shall include in any sale, lease,
8 or use permit under this Act any terms, covenants, condi-
9 tions, or reservations necessary to ensure preservation of
10 the public interest and uses consistent with the purposes
11 for which the park was established.

12 **SEC. 7. USE OF REVENUES.**

13 Amounts received by the United States as proceeds
14 from any sale, lease, or use of a secondary structure or
15 surplus land under this Act in excess of the administrative
16 cost of the sale, lease, or use—

17 (1) shall be deposited in a special fund in the
18 Treasury; and

19 (2) shall be available to the Secretary, without
20 further appropriation, for operation, maintenance, or
21 improvement of, or for the acquisition of land or in-
22 terests therein for, the national park system unit
23 which generated the proceeds.

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STATEMENT OF DESTRY JARVIS, ASSISTANT DIRECTOR, EXTERNAL AFFAIRS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND PUBLIC LANDS OF THE COMMITTEE ON RESOURCES, CONCERNING H.R. 4141, A BILL TO AMEND THE ACT AUTHORIZING THE ESTABLISHMENT OF THE CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA TO MODIFY THE BOUNDARIES OF THE AREA, AND TO PROVIDE FOR THE PROTECTION OF LANDS, WATERS, AND NATURAL, CULTURAL, AND SCENIC RESOURCES WITHIN THE NATIONAL RECREATION AREA, AND FOR OTHER PURPOSES.

JULY 16, 1998

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on H.R. 4141, a bill to amend the act authorizing the establishment of the Chattahoochee River National Recreation Area, to modify the boundaries of the area, and to provide for the protection of lands, waters, and natural, cultural, and scenic resources within the national recreation area, and for other purposes.

Mr. Chairman, we cannot support this bill in its present form for reasons explained in detail later in my testimony.

H.R. 4141 acknowledges the tremendous growth of the Atlanta Metropolitan Area, in particular, the northern counties of Cobb, Forsyth, Fulton and Gwinnett. These four counties have been among the fastest growing in the country over the past ten years. The portions of these counties considered part of the Chattahoochee Corridor are particularly attractive for residential and commercial development. Congress recognized the importance of the Chattahoochee Corridor in 1978 by authorizing the establishment of the national recreation area; in 1984 Congress amended the boundaries of the park in response

to rapidly occurring changes. Fourteen years have passed since the last congressional action and the dynamics of the Chattahoochee Corridor have accelerated.

H.R. 4141 acknowledges an awareness on the part of local and State governments and the private sector to cooperate with the National Park Service to increase the level of protection of the remaining opening spaces in and to enhance visitor enjoyment of the national recreation area by adding linear corridors to link the units of the park. The bill assures that the national recreation area would be managed to standardize acquisition, planning, design, construction, and operation of the linear corridors. The bill also authorizes the use of up to $25,000,000 of Federal funds to carry out the purposes of this Act for fiscal years after fiscal year 1998. Funding and the donation of lands and interests in lands provided by the State of Georgia, local government authorities, private foundations, corporate entities, and individuals would supplement Federal funds.

The bill amends Section 101 of the authorizing legislation to modify the boundaries to include other lands within 2,000 feet of each bank of the river. It also provides that an owner of any parcel of land, within the 2,000-foot corridor, after notifying the Secretary of the Interior by July 1, 1999, may opt out of the proposed revised boundaries. The Act further limits the Secretary's land acquisition authority to willing sellers.

Lastly, the bill directs the Secretary of the Interior to prepare a revised general management plan for the national recreation area.

Mr. Chairman, several years ago the National Park Service realized that its efforts to protect the resources and provide for visitor use of the national recreation area could not keep pace with the growth of the adjoining counties. We joined with several conservation organizations to map out a strategy to address these challenges. One of the needs identified was a boundary study to evaluate what lands could still be protected and to develop strategies for their protection. The Trust for Public Land undertook this study for the National Park Service. During the study and afterward it became apparent to the counties and municipalities within the Chattahoochee Corridor that establishing links between the units of the national recreation area could meet their goals to provide recreational opportunities for their residents while protecting the limited undeveloped areas along the 48-mile segment of the corridor. Concurrently, the National Park Service noticed a dramatic shift in visitor use from water-based and water-related to land-based within the context of a riverine environment.

When the national recreation area was first created, visitors flocked to its units primarily to raft, float, canoe, and kayak down the river. These are still popular activities, however, while these types of uses have remained constant, and in some instances, declined, the use of park lands for hiking, biking, walking, picnicking, and other land-based activities has increased dramatically in proportion to the steady increase in population. The park's general management plan recognized that the *string-of-pearls* concept of the national recreation area would link river access points for canoeing, floating, and fishing. Use, however, over the last ten years has generally moved toward land-based activities; the Cochran Shoals unit hosts more than two million visitors annually. A series of linear

corridors linking the units of the national recreation would provide opportunities for walking, jogging, picnicking, and relaxation for 48 miles on both sides of one of this Nation's great urban rivers. Where private development has been established, these links would curve away from the river, but in many cases sufficient open space exists to follow the river's banks.

This effort could not go forward without the commitment and cooperation of private citizens, a number of organizations, local municipalities, and the State of Georgia. In fact, interest in the national recreation area is part of a larger concern for the entire length of the Chattahoochee River.

Mr. Chairman, H.R. 4141 gives the National Park Service the authority to provide recreational opportunities for millions of Americans and to protect the remaining open space along the 48-mile segment of the Chattahoochee River known as the national recreation area. Just as important, H.R. 4141 states that the Federal Government, alone, will not be responsible for this effort, but must be joined by committed private interests and public entities.

However, Mr. Chairman, this legislation imposes several restrictions that severely limit the ability of the Secretary, and, we think, limit landowner options within the new boundaries. We believe that the *opt-out* provision of Section 2 sets a dangerous precedent for the land acquisition process of our National Parks. A major purpose of this Act is to establish a series of linear corridors to link the various units of the national recreation area. In some

locations sufficient open land is available to accomplish this mission. In other locations, some areas have been heavily developed and the chance to join units is limited. Nevertheless, we should support local, State, and private efforts to work with all landowners to establish these links. We fear that some landowners may reactively jump at the opportunity to be excluded without giving the project sufficient time to mature. What would happen if an owner decides to be excluded then reconsiders at a later date? This Act does not provide the private landowner with the opportunity to reenter the boundary. The Act would force landowners to make a long-term decision about their property and livelihood within a very short time span.

The Act further places the National Park Service in a cumbersome position regarding its ability to compete with private land developers. Given the restrictions in this Act a private land developer could first negotiate whether or not a property would be included within the boundary and then address fair market value. Because of the influence of private, competitive developers this awkward negotiation process may well result in the National Park Service never having had the opportunity to negotiate. The National Park Service cannot go forward in this project alone. We are counting on a partnership effort to accomplish the task. We ask the committee to delete that portion of the Act allowing landowners to exclude themselves from the boundary of the park.

Further, Mr. Chairman, we believe that mandating the willing seller concept unfairly ties the hands of the Secretary. At the Chattahoochee River National Recreation Area the National Park Service has been reluctant to employ the power of eminent domain, and we

doubt whether condemnation will be used in the future. However, in the case of a potential severe and irreparable damage to the resource or to clear title, condemnation may be a viable or the only option. We recommend, therefore, that H.R. 4141 be amended by deleting lines 8 through 14 on page 7.

Although we acknowledge the recommendation to authorize $25,000,000 for the purposes of the Act, we believe that these funds should be directed toward the acquisition of land. Normally, the Land and Water Conservation Fund is not used to support the preparation of a general management plan. We do expect, however, to seek our partners' financial contribution to develop the plan.

Lastly, Mr. Chairman, Section 2 amends Section 105(c) of the park's enabling legislation to limit a revised general management plan to the areas added to the national recreation area and to require submittal of the plan within three years after the enactment of the Act. Because the addition areas would be inexorably tied to the current Federal areas, the National Park Service, in alliance with its partners, would need to take a fresh look at the management of the entire national recreation area. The current general management plan places emphasis on water and water-related activities. Revising this plan within the context of the new boundaries would provide management guidance to address the challenges of the first quarter of the 21st Century.

Section 2 also amends Section 105(c) of the park's enabling legislation to direct the submittal of the plan to Congress within three years following enactment of the sentence.

Because of the uncertainty of funding for the plan, we believe that the three-year time frame be tied to the date funds are made available.

This concludes my statement. Mr. Chairman, I will be happy to respond to questions from you or other committee members.

STATEMENT OF DESTRY JARVIS, ASSISTANT DIRECTOR FOR EXTERNAL AFFAIRS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND PUBLIC LANDS, HOUSE COMMITTEE ON RESOURCES CONCERNING H.R. 3981, A BILL TO MODIFY THE BOUNDARIES OF GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT, AND FOR OTHER PURPOSES.

JULY 16, 1998

Mr. Chairman, thank you for the opportunity to present the views of the National Park Service on H.R. 3981, a bill to modify the boundaries of George Washington Birthplace National Monument. H.R. 3981 would modify the boundaries of the George Washington National Monument to include Ferry Farm and would authorize the Secretary of the Interior to enter into a cooperative agreement for the management of Ferry Farm, insuring the preservation of its cultural and natural resources as well as their interpretation. The Department supports the bill if amended as proposed in this testimony.

The bill is intended to protect the site of George Washington's boyhood home, known as Ferry Farm, located on the Rappahannock River across from Fredericksburg, Virginia. It is one of only three domestic properties associated with Washington. Washington lived here from the age of 6 until he was 19, when he moved to Mount Vernon.

Mr. Chairman, the Congress and the nation are concerned about the potential loss of the resources of Ferry Farm. Attempts to protect and preserve Ferry Farm date back to the 1920's. In the past, the National Park Service objected to assuming management of Ferry Farm due to the lack of standing structures at the site. Recently new information has become known

indicating the significance of Ferry Farm's archaeological resources. The National Park Service, however, has not had the opportunity or the resources to conduct a special resources study of the site, our official evaluation necessary to recommend a site for inclusion as a unit of the National Park System. The National Park Service has also objected to assuming the burden of additional operational costs at this site, and cannot say, without further study, whether a park operation at the site is feasible. Therefore, we recommend first that the National Park Service be authorized and funded to conduct a special resource study of Ferry Farm. Second we recommend that the National Park Service be authorized to acquire a conservation easement on the Ferry Farm property. Until completion of the study, the acquisition of a conservation easement by the National Park Service would provide sufficient protection from the current threats to the property: road widening and development. Acquisition of a conservation easement would also assist the owners of Ferry Farm, Kenmore Association, Inc., in completing its purchase of Ferry Farm, thus insuring its long-term protection.

Ferry Farm is an archeological site. In accordance with a survey, actually conducted by George Washington himself, the tract is the 85-acre historic core of mostly undeveloped land of what was once a 600-acre farm. The northern end of the tract contains the site of the Washington home and outbuildings. Immediately north of the home site is an 18th Century road cut that leads down to and includes one of the historic ferry crossings into Fredericksburg. Valuable flood plains and upland fields are remaining elements of this rural-agricultural site.

In 1991 a panel of leading archaeologists was organized to select and guide archaeological

investigation of the property. Investigations were conducted at the site believed to be the location of the Washington house. The remains of a house destroyed by fire were located. Below the destruction level it was largely intact and dated no later than 1770 and no earlier than 1730. Washington family correspondence seems to offer proof that the fire actually occurred on Christmas Eve of 1740. The Washington family was in residence at the time. Highly significant material dating to the Washington occupancy was revealed, including the cellar and its contents, which the National Park Service archaeologist who served on the panel considered "of National Historic Landmark"-- or nationally significant -- quality.

Although the history related to George Washington is the primary significance of the site, it has significance to the Civil War as well. Last year further study at the site raised exciting hopes for additional archaeological finds when it was learned that in 1871 the Corps of Engineers deposited fill along Ferry Farm's riverfront. Archaeologist Gary Norman working at the site reported "the implications are astounding...it is possible we can find the preserved remains of the Ferry Landing and that everything thrown into the river at Ferry Farm prior to 1871 might still be buried in the meadow. (There is) even the remote possibility of finding remains of one of the ships wrecked by the Confederates in the river" during the Civil War.

During the Civil War pontoon bridges were twice constructed across the Rappahannock at the site's old ferry crossing during the two battles of Fredericksburg. Letters from soldiers crossing here indicate their awareness of Ferry Farm's association with the founder of the Nation and the myths of the boy who "could not tell a lie" and the young man who could throw a coin across the

river. National Park Service researchers involved at the site were impressed by the powerful interpretive setting created by the combination of these two sets of material resources. National Park Service Archaeologist Dr. David G. Orr noted that "the fact that Washington's boyhood home witnessed the fraternal strife and horrific acts of civil violence less than a century after the creation of the Republic" testifies eloquently to the struggles necessary to form and protect our Nation.

The National Park Service also recognizes the upcoming bicentennial of George Washington's death in 1999, as an important historical event for our nation. The ensuing celebration of his life and its essential importance to the creation of this nation mirrors the 1932 bicentennial of his birth which resulted in the creation of George Washington Birthplace National Monument, the first historical park in the eastern United States associated with the National Park System. In recognition of the 1999 celebration of George Washington's life we feel it is appropriate to support and assist the preservation of the Ferry Farm.

Mr. Chairman, Ferry Farm has been a frequent target for development. Although the site was purchased by a foundation seeking to protect Ferry Farm, all the funds necessary to secure protection of the site have not been obtained. There is an additional threat of a taking in the near future for the purposes of widening the roads bordering the site. We understand that the protection of Ferry Farm is being brought before the Congress now in an effort to secure the funds needed for protection while preventing a potential taking for road construction.

The NPS has previously objected to assuming operational costs at this site, and the largest remaining gap in our information is that we have no basis for determining if a park operation here is feasible. The acquisition of an easement only would protect the resources from development, avoid National Park Service management and operations, and provide the opportunity to provide sufficient funding to complete the purchase by the foundation. Upon completion of the special resources study we would be in a better position to comment on the feasibility of more extensive National Park Service management responsibilities.

Thank you for the opportunity to share our considerations of this important matter with you.

STATEMENT OF DESTRY JARVIS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS AND PUBLIC LANDS, COMMITTEE ON RESOURCES, CONCERNING H.R. 4109, TO AUTHORIZE THE GATEWAY VISITOR CENTER AT INDEPENDENCE NATIONAL HISTORICAL PARK.

JULY 16, 1998

Mr. Chairman, thank you for the opportunity to appear before this subcommittee to present the views of the Department of the Interior on H.R. 4109, 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 park land. 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 H.R.4109. 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, and 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 will also be able to: gain information and tickets to area tours, attractions and events; 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 by 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 charge 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 GVC C 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 and building.

If authorization is enacted in this Congress the projected completion date for the Gateway Visitor Center is November, 2000. 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.