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**THE CONSTITUTIONAL WALKING TOUR OF PHILADELPHIA APPLAUDS
PRESIDENT-ELECT BARACK OBAMA'S NOMINATION OF
SENATOR KEN SALAZAR AS SECRETARY OF THE INTERIOR**
***Effecting Change at Independence National Historical Park, a Unit of the National
Park Service, U.S. Department of the Interior,
Will Be Beneficial to the American People***

Philadelphia, Pennsylvania – January 7, 2009 – In response to President-Elect Barack Obama's nomination of Senator Ken Salazar as Secretary of the United States Department of the Interior, Jonathan Bari, President of The Constitutional Walking Tour of Philadelphia, published a commentary advocating change with the National Park Service in Philadelphia. For the complete commentary, see www.IndependencePark.blogspot.com.

On December 17, 2008, President-Elect Obama said the Interior Department has been "deeply troubled" under the Bush administration. "I also want an Interior Department that, very frankly, cleans up its act," Obama said. "There have been too many problems and too much emphasis on big-time lobbyists in Washington and not enough emphasis on what's good for the American people, and that's going to change under Ken Salazar."

"The change we need with the National Park Service ("NPS") in Philadelphia is long overdue, and we are hopeful that the new leadership will drive that change," stated Bari. For example, in an April 3, 2008 editorial entitled "Mall Madness," the *Philadelphia Daily News* stated that, "So the squabbles and apparent unholy alliances involving the National Park Service, Independence Visitor Center and tour operators recently highlighted... would make the founders shudder. For nine years, the [Independence] visitor center and [National] Park Service have failed to come up with an agreement to run the center that might make the rules governing tour companies more consistent and less arbitrary... This is a shameful state of affairs."¹

"As a small business, The Constitutional Walking Tour faces enough challenges in this unprecedented economic environment, but the National Park Service has unfairly regulated our business over the last

¹ "Mall Madness," Editorial, *Philadelphia Daily News*, April 3, 2008.

several years, and has been enabled to do that for several reasons including that NPS has not been in compliance with a 1999 law which requires that it sign a detailed Operating Agreement with the Independence Visitor Center Corporation,” stated Bari. “In the absence of an Operating Agreement, both the National Park Service and Independence Visitor Center Corporation have been allowed wide discretionary authority without any checks and balances that enable them to operate as personal fiefdoms in treating third party vendors randomly and arbitrarily. That is why we hope that the Obama Administration along with Congressional oversight will now require the National Park Service and Independence Visitor Center Corporation to execute a detailed, publicly available Operating Agreement as statutorily-mandated in the Gateway [Independence] Visitor Center Authorization Act (Public Law 106-131).”

Currently there is \$6 million in Federal appropriations that Congress has yet to approve for the renovation of Franklin Court, one of Independence Park’s sites in Philadelphia, which would be developed and administered by the Independence Visitor Center Corporation. While the renovation of the site commemorating Ben Franklin’s home and life may be meritorious, no Federal funds should be approved until the detailed Operating Agreement is executed, as per Public Law 106-131. This would be a horrible state of affairs to allow the National Park Service and the Independence Visitor Center Corporation to continue to receive Federal dollars and greater operational power, given their willful non-compliance with the law over the past nine years.

To read The Constitutional Walking Tour’s commentary on the change America needs with the National Park Service at Independence National Historical Park, see:

www.IndependencePark.blogspot.com

Copies of the documents referenced in the Commentary are available at:

www.TheConstitutional.com/nps