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The Capitol Visitors' Center: An Overview

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Summary

On June 20, 2000, congressional leaders of both parties gathered to participate in a symbolic groundbreaking ceremony for the Capitol Visitors' Center (CVC). Now being constructed under the East Front Plaza, the center has been designed to enhance the security, educational experience, and comfort of those visiting the U.S. Capitol when it is completed in 2005. The decision to build a subterranean facility largely invisible from an exterior perspective was made so the structure would not compete with, or detract from, the appearance and historical architectural integrity of the Capitol. The project's designers sought to integrate the new structure with the landscape of the East Capitol Grounds and ultimately recreate the park-like setting intended by landscape architect Frederick Law Olmsted, Sr. in his historic 1874 design for the site.

The cost of the center, the most extensive addition to the Capitol since the Civil War, and the largest in the structure's 202-year history, is estimated at between \$380 million and \$395 million. Altogether \$357.3 million in appropriated funds are available for project. An additional \$65 million has been raised for construction of the center through private donations and the sale of commemorative coins.

In March 1999, the Architect of the Capitol was authorized \$2.8 million to revalidate a 1995 design study of the project. To simplify the approval process for the design and construction phases, Congress transferred that authority to the Capitol Preservation Commission in September 1999. Three months later, a revised conceptual design for the center was approved by the commission. A design and engineering obligation plan was approved by the House and Senate legislative appropriations subcommittees in November 1999 and January 2000, respectively.

On January 31, 2000, design development work for the center was begun, and in mid-October 2000, the Capitol Preservation Commission approved the final design plan for the center and authorized the Architect of the Capitol to prepare final construction documentation. Since that time, a construction management firm has been hired to supervise the project, an \$8 million dollar contract has been awarded to relocate utility lines, and a \$99,877,000 contract has been awarded for Sequence 1 (foundation/structural work) and a \$144.2 million contract has been awarded for Sequence 2 (the electrical, mechanical, plumbing, and finishing work) of the actual construction of the center.

Also, a firm was retained to oversee the development of the CVC exhibition gallery; a tree maintenance contractor was hired to help assure the protection of trees on the East Capitol grounds; historic preservation workmen have temporarily removed historic Olmsted landscape features from the grounds for their safeguard; and temporary visitor screening facilities and media sites were constructed.

It is anticipated that the construction of the center will be close enough to completion by January 2005 to accommodate the basic activities of the next presidential inauguration. Recently, considerable concern has been expressed over the estimated cost for the center, which continues to increase.

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The Capitol Visitors' Center: An Overview

Introduction

The Capitol Visitors' Center (CVC), now being constructed under the East Front Plaza, is intended to enhance the security, educational experience, and comfort of those visiting the U.S. Capitol when it is completed in 2005. The decision to build a subterranean facility largely invisible from an exterior perspective was made so the structure would not compete with, or detract from, the appearance and historical architectural integrity of the Capitol. The project's designers have sought to integrate the new structure with the landscape of the East Capitol Grounds and ultimately recreate the park-like setting intended by landscape architect Frederick Law Olmsted, Sr. in his historic 1874 design for the site.¹ The cost of the center, the most extensive addition to the Capitol since the Civil War, and the largest in the world-famous structure's 202-year history, is estimated at between \$380 million and \$395 million.

Figure 1. "Birdseye" Rendering of East Front Plaza with Completed Visitors' Center



¹ Jennifer Yachnin, "Sticking to the Plan: CVC Officials Use Original Olmsted Landscaping Blueprint," *Roll Call*, Sept. 9, 2002, pp. B52-B53.

The footprint of the new center will cover approximately five acres (196,000 square feet) and be larger than that of the Capitol (175,000 square feet). The square footage of the three levels of the center (580,000 square feet) will be nearly two-thirds that of the Capitol itself (780,000 square feet).

In July 2002, workers began digging the hole for the center, which, when completed, will be three levels deep and the equivalent of five football fields long. More than 500,000 cubic yards of soil will be removed, enough to fill 50,000 dump trucks, before the project is completed.

Above ground, the existing asphalt parking lot located adjacent to the East Front of the Capitol will be replaced by a plaza of broad lawns, granite paving stones, stone benches, reflecting pools, and tulip poplar trees. When the center is finished, visitors will enter the center through doorways located at the bottom of two gently descending pathways centered on the East facade beneath two large fountains that were part of the original Olmsted design. Visitors will also be able to access the center by a broad stairway or an elevator.

Rationale For The Center

The main structures of the U.S. Capitol were completed by 1863, at a time when the population of the United States was little more than 32 million, and mass popular tourism had yet to emerge. Although the building and its facilities have been constantly updated and modernized since that time, the structure has remained essentially unchanged since the era of the Civil War. Almost unique in its multiple functions as national monument and museum, tourist attraction, and working office building, by the turn of the 21st century, the Capitol welcomed as many as 3.5 million visitors per year, while simultaneously serving a larger Congress and its staff as the seat of the Senate and House of Representatives of the United States. By the late 20th century, visitors from across the nation and around the world waited at the building's entrances in all weathers to be guided through the Capitol's historic chambers. Despite ongoing efforts, contemporary interpretative spaces to enhance the educational value of the visitor's experience were in short supply, and modern rest, comfort, and dining facilities for visitors were extremely limited.

A further factor was an increased concern about security and the safety of the Capitol itself as well as those who work in or visit it. Almost alone among the parliaments of the world, the U.S. Capitol has consistently remained "the people's house," open to all visitors, surrounded and enhanced by grounds designed by Frederick Law Olmsted, Sr., the father of American landscape architecture. As the 20th century drew to a close, concerns about security were dramatized by an increasing incidence of attacks on civilian targets, especially those possessing historic or symbolic value, by terrorist groups and rogue states. All these developments contributed to the eventual decision that the need for a facility for visitors to the U.S. Capitol had passed from desirability to necessity.

The arguments favoring a visitors' center were detailed in the mid-1970s, when the Architect of the Capitol issued *Toward a Master Plan for the United States*

Capitol, which recommended construction of a building to improve security and accommodate the increasing number of visitors to the U.S. Capitol. It was deemed necessary not only to meet the physical needs of visitors to the Capitol, but also to meet the changing nature of visitors' expectations and their desire to witness the Legislative Branch in action.²

The center is intended to provide a secure environment for managing a large number of visitors while protecting the Capitol building, its occupants, and guests. It will also offer visitors new educational opportunities through exhibits, displays of historical documents, and documentary presentations; and more accessible resources and amenities. "The Capitol," Alan Hantman, Architect of the Capitol recently observed, "has continually evolved for more than 200 years to meet the needs of Congress as the nation as grown." The center, Hantman feels, "will meet the needs of the millions of visitors who come to the Capitol each year and have not been properly accommodated in the past."³

At a September 10, 2002, hearing of the Committee on House Administration, Architect Hantman emphasized that the Capitol Visitors' Center (CVC) "will greatly improve the ability of the Capitol Police and the Capitol Guide Service to regulate and respectively manage the large flow of visitors to the Capitol, which will improve both security and safety. Further, the CVC also will facilitate evacuation out of the Capitol Building if necessary."⁴

In addition to serving as the security screening entry for visitors to the Capitol, the center will provide improved accessibility for disabled persons; enhanced fire, safety, and security systems; new facilities for routine deliveries and garbage removal; additional educational experiences for visitors; and improved visitor services. Once inside the center, visitors will be able to view the Capitol through two 40- by 60-foot skylights. The center will house a 600-person cafeteria, a pair of 250-seat theaters where visitors will watch a short orientation film on the Capitol, a 450-seat auditorium, a 17,000 square foot exhibition hall, gift shops, information desks, a first aid center, restrooms, and two constituent meeting rooms where lawmakers can greet large groups. All of these amenities are currently in short supply at a building that hosted three million people in 2000. Nearly one-third of the center will contain congressional briefing and conference rooms. The project also includes modifications within the East Front Extension of the Capitol that will significantly upgrade accessibility and vertical circulation.

Planners in locating the center adjacent to, and connected with, the Capitol also sought to improve the aesthetics as well as the functionality of the Capitol. It has been projected that the center will "accommodate up to 5,000 visitors at any time.

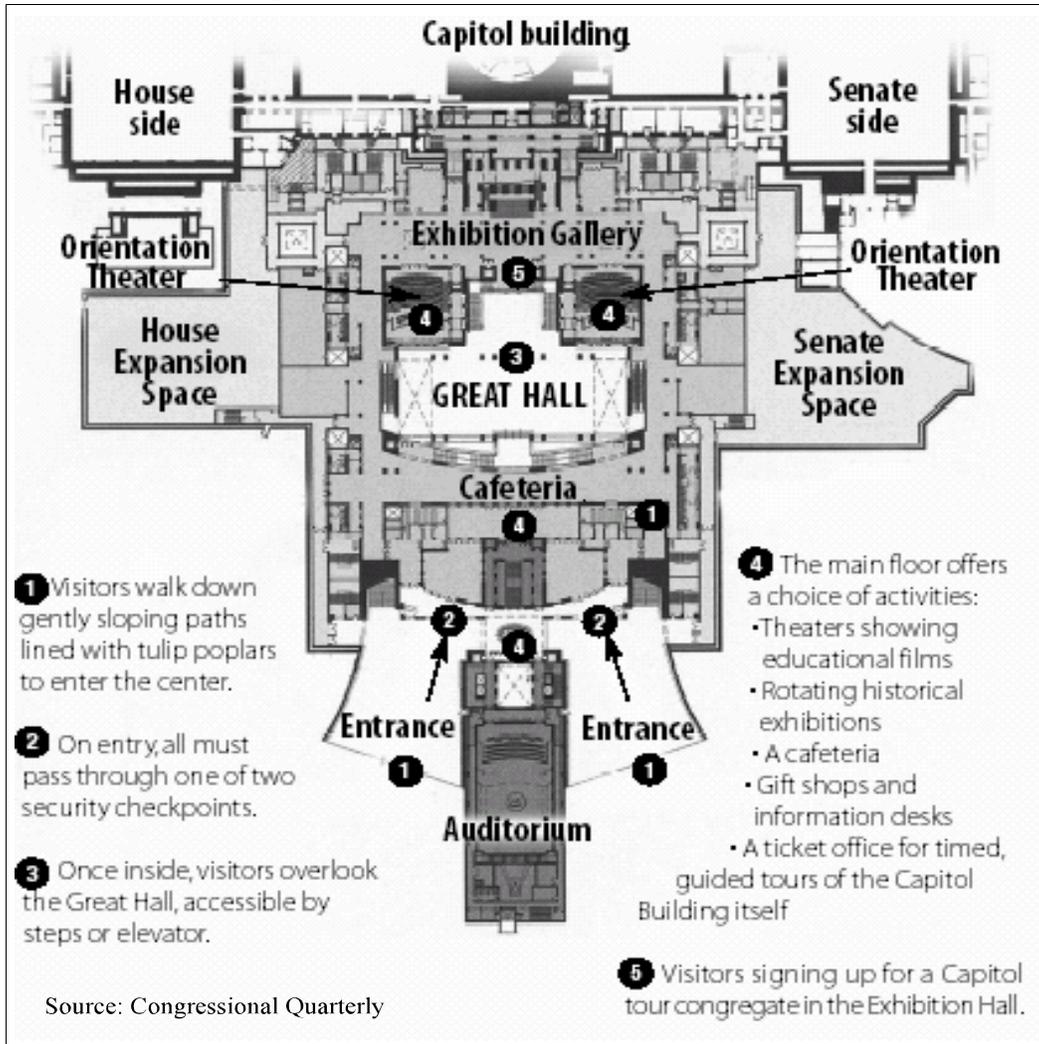
² Architect of the Capitol, Capitol Visitors' Center Project Office, Mar. 2003.

³ Bob Dart, "Security Transforms D.C.: Project Offers Protection With Fine Style," *Atlanta Journal-Constitution*, July 11, 2002, p. 1B.

⁴ Testimony by Alan M. Hantman, Architect of the Capitol, U.S. Congress, Committee on House Administration, *Oversight Hearing on Capitol Security, Emergency Preparedness and Infrastructure Upgrades Since September 11, 2001*, hearing, 107th Cong., 2nd sess., Sept. 10, 2002 (not yet published).

That would allow about 1,500 tourists to pass through the Capitol each hour, along with an additional 700 in House and Senate galleries.⁵

Figure 2. Floor Plan of Visitors' Center



The center is not, however, without its detractors. Opponents have expressed concern over its cost, the destruction or relocation of dozens of trees on the East Front grounds of the Capitol, a design that destroys the visual and spatial relationships of the East Lawn, the disruption caused by such a large project, and the loss of parking spaces at the base of the Capitol.⁶ Also, the “architectural character of the interiors” of the center have been characterized by at least one writer as “bland at best.” The same architectural critic wrote, “You automatically lose a lot when you

⁵ Jennifer Yachnin, “Go West: Tour Operations Get a New Home: Visitors Will Enter Capitol at West Front,” *Roll Call*, May 20, 2002, p. A27.

⁶ Carl Hulse, “Workers Set to Transform East Front of the Capitol,” *New York Times*, May 28, 2002, p. A17; Jennifer Yachnin, “Sticking to the Plan: CVC Officials Use Original Olmsted Landscape Blueprint,” *Roll Call*, Sept. 9, 2002, p. B-52.

go underground — natural light, fresh air and a sense of orientation that impresses all of your senses with the three-dimensional reality of a particular place at a particular time.” Finally, he asserts that no matter how well an underground building is designed, a “certain sense of sameness and unreality pervades.”⁷

Concern About Cost Overruns

On June 18, 2003, Representative Jack Kingston, chairman of the House Appropriations Subcommittee on Legislative indicated that the project is “likely to cost about \$45 million more than originally expected, based in part on an audit about to be released by the General Accounting Office.”⁸

At a July 15, 2003, hearing, it was reported that the General Accounting Office (GAO) estimated that the “base project”⁹ cost of the Visitors’ Center had increased by 16%, from \$303.5 million to \$351.3 million, and additional overruns were likely. The new total was \$47.8 million more than has been appropriated to that point, and \$7 million more than the general contractor, Tishman Construction Corp., estimated in a report on cost overruns in May 2003. “Due to the nature of uncertainties still surrounding the projects estimated cost to complete and the limitation of information available” at the time GAO concluded its study, “there will likely be events occurring that could further materially affect this project’s cost at completion.”¹⁰ Also, an estimated additional \$70 million may be needed to complete the House and Senate expansion space, and an additional \$35 million may be needed for enhanced security. These latter two items could raise the total to \$465 million.”¹¹

⁷ Benjamin Forgey, “Capitol Disorientation Center: Underground Visitors Facility Will Provide Bathrooms and the Blahs,” *Washington Post*, Nov. 25, 2000, p. C1.

⁸ Suzanne Nelson, “CVC May Need \$45M Infusion,” *Roll Call*, June 19, 2003, p. 1.

⁹ “The base project includes a finished visitor shell and core, an extended loading dock service tunnel, exterior finishes, improvements to the East Plaza, construction of the unfinished House and Senate expansion space, exhibits, technical security systems, and connecting tunnel to the Library of Congress.” It “does not include other items funded by other sources, such as finishing the House and Senate expansion space and certain security-related enhancements.” Prepared Statement of David M. Walker, Comptroller General of the United States, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2004*, hearing, part 1, 108th Cong., 1st sess., July 15, 2003 (Washington: U.S. GPO, 2003), pp. 1441, note 1; and U.S. General Accounting Office, *Capitol Visitor Center: Current Status of Schedule and Estimated Cost*, GAO-03-1014T (Washington: July 15, 2003), p. 2, note 1.

¹⁰ Testimony of David M. Walker, *Legislative Branch Appropriations for 2004*, hearing, pp. 1437, 1441-1442; and *Capitol Visitor Center: Current Status of Schedule and Estimated Cost*, pp. 2-3.

¹¹ Testimony of David M. Walker, *Legislative Branch Appropriations for 2004*, hearing, p. 1448. In June 2003, incorrect reports stated that GAO estimated “it would cost at least \$421.3 million” to finish the center. See “Visitor Center’s Cost Estimate Up 13 Percent, May Go Higher,” *CQ Today*, June 25, 2003, p. 18; Suzanne Nelson, “House Faces ‘Disconnect’ Over CVC Funding,” *Roll Call*, June 26, 2003, pp. 1, 30.

During hearings, and markup of the FY2004 legislative branch appropriations bill on June 24, 2003, concern was expressed by several members of the House Appropriations Committee about the rising construction costs and management of the project. Similar concerns were expressed in the committee's July 1 report on the bill. The committee was particularly "troubled by the lack of timely communication, receipt of conflicting information, and inadequate and inaccurate reporting on the project and [it's] financial status." As a consequence, the committee had "serious reservations about providing additional funding under the control of the Architect [of the Capitol] given the track record of the Architect's organization and inability to manage." To address these issues, the committee told the Architect that he "personally, must take immediate action to remedy this situation," and ensure the completion of the center "without delay and in a fiscally responsible manner."¹²

Some members of the House Appropriations Subcommittee on Legislative anticipated that the Senate would include additional funding for the center in its legislative branch bill, and at that point the issue might well be revisited. House supporters attribute the center's rising costs "to unforeseen circumstances — including tasks added to the original mandate — and typical difficulties in estimating the final costs of major projects."¹³

As predicted, the Senate on July 11, 2003, approved legislation appropriating an additional \$47.8 million for the Capitol Visitors' Center project. The Senate language stipulated that the Architect of the Capitol "could not obligate any of the funds," however, without an obligation plan approved by the House and Senate Appropriations Committees.¹⁴

At the House Legislative Subcommittee hearing on July 15, 2003, Comptroller General of the United States, David M. Walker, in prepared testimony, addressed four areas of concern regarding the center's construction that the General Accounting Office had been asked to monitor. These include "(1) management of the project, (2) the estimated cost for the project, (3) the status of the project's schedule, and (4) actions that Congress and the AOC [Architect of the Capitol] should consider taking to address funding gaps and other current project issues and risks."¹⁵

¹² U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations Bill, 2004*, report to accompany H.R. 2657, 108th Cong., 1st sess., H. Rept. 108-186 (Washington: GPO, 2003), p. 15. See also Jonathan Allen and Gayle S. Putrich, "Architect, Capitol Police Get Thumbs Down on Requests for Big Spending Hikes," *CQ Today*, June 20, 2003, p. 6.

¹³ Jonathan Allen and Gayle S. Putrich, "Architect, Capitol Police Get Thumbs Down on Requests for Big Spending Hikes," *CQ Today*, June 20, 2003, p. 6.

¹⁴ "Legislative Branch Appropriations, Fiscal Year 2004 (Capitol Visitor Center)," remarks in the Senate, *Congressional Record*, daily edition, vol. 149, July 11, 2003, pp. S9272, S9275.

¹⁵ Testimony of David M. Walker, *Legislative Branch Appropriations for 2004*, hearing, pp. 1440-1446; and *Capitol Visitor Center: Current Status of Schedule and Estimated Cost*, pp. 1-7. Earlier, on June 20, 2003, Walker sent a seven page letter to Congress summarizing the GAO analysis. See Christopher Lee, "Visitor Center Over Budget, Running Late; Costs Up (continued...)"

Although the Architect of the Capitol had taken several “positive steps” to ensure effective management of the project, Walker emphasized, a number of other actions were still needed to further strengthen the project’s management including “developing risk mitigation strategies and improving tracking and reporting.” He continued by explaining that the “risks and uncertainties “ associated with the project “could potentially raise the estimated cost at completion of the base project to between \$380 million and \$395 million.” While “these potential additional costs of between \$30 million and \$45 million do not need to be added to the base project budget at this time ... a number of actions need to be taken to mitigate known risks,” and “there is a continual need for the AOC to align customer expectations with the project’s scope, quality, and cost considerations.”¹⁶

Also, Walker stressed the need for the Architect to develop a “fully integrated schedule” for all of the center’s “projects, activities, and long-lead-time procurements,” and “develop a plan to mitigate risk factors.” In addition, he encouraged the Architect and Congress to “expeditiously address the current funding gap” between the amount provided for the project and the updated estimates, “consider how best to address potential costs associated with the risks and uncertainties,” “determine whether to establish and fund a reserve account for any additional” costs “that cannot be priced or estimated at the current time,” “implement controls for approving changes,” work toward achieving a “single and standardized budget and reporting format,” and “expeditiously develop a comprehensive, integrated master project schedule.”¹⁷

Architect of the Capitol Alan M. Hantman, who also testified at the House hearing on the Capitol Visitors’ Center, stated that unforeseen site conditions have had a significant impact on the cost of the project. “These costs, when combined with the higher award amount for the Sequence 2 contract, prompted the AOC to request a review of the overall cost-to-complete.” Also, Hantman said, “it is already evident that the expected cost of a number of line items in the [project cost] estimate, such as utility relocation, tree preservation, temporary visitor screening facilities, and historic preservation, will be exceeded.” These issues, he explained, in April 2003 prompted a “full and independent review of the cost-to-complete all the remaining work related” to the center, and in mid-May the independent cost-to-complete report was turned over to GAO. GAO presented its findings to the Capitol Preservation Commission on June 9, 2003.¹⁸

Despite the challenges enumerated earlier and “pending the appropriation of the additional funds identified in the cost-to-complete funding request,” the Architect

¹⁵ (...continued)

16 Percent and Delay Is Months, GAO Report Says,” *Washington Post*, July 9, 2003, p. A25.

¹⁶ *Capitol Visitor Center: Current Status of Schedule and Estimated Cost*, pp. 2-4.

¹⁷ *Capitol Visitor Center: Current Status of Schedule and Estimated Cost*, pp. 5-7.

¹⁸ Testimony by Alan M. Hantman, Architect of the Capitol, Testimony of David M. Walker, Comptroller General of the United States, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2004*, hearing, part 1, 108th Cong., 1st sess., July 15, 2003 (Washington: GPO, 2003), p. 1470.

felt, the project team was “on schedule to meet project completion milestones.” Also, Hantman emphasized that Capitol Visitors’ Center “communications initiatives, most specifically, efforts to keep Members and Staff informed about the project, have increased in response to the tremendous demand for CVC information.”¹⁹

While FY2004 legislative branch appropriations bill conferees ultimately recommended nearly \$49 million in additional funding for the center, they included several mechanisms designed to facilitate monitoring the project’s expenditures. These included (1) directing GAO “to perform quarterly performance reviews of the project so that the Congress is kept abreast of important issues such as cost and scheduling;” (2) limiting to \$10 million the total of federal funds that can be obligated or expended for the tunnel connecting the center with the Library of Congress; (3) prohibiting the Architect of the Capitol from obligating funds for the tunnel until an obligation plan has been approved by the chairs and ranking members of the House and Senate Committees on Appropriations; and (4) urging those responsible for exhibits in the center to consult with the Library of Congress “to ensure that the exhibit presents history of the Congress as well as the role of the Congress in the preservation of the cultural and artistic heritage of the American people.”²⁰

Planning for the Center

Planning for the Capitol Visitors’ Center began in 1991, when the Architect of the Capitol received funds from the House and Senate Appropriations Committees to develop a design concept, which was subsequently approved by the Appropriations Committees and the Senate Committee on Rules and Administration. In 1993, the United States Capitol Preservation Commission allocated \$2.5 million to translate the concept into a formal design, which was prepared by RTKL Associates Inc. In November 1995, the Architect published a report reflecting RTKL’s work.²¹

The Architect’s 1995 report emphasized that the center had three main purposes: (1) enhance the visitor experience by providing a structure, located under the east front plaza of the Capitol, which would afford improved visitor orientation, other related programs, and support services; (2) strengthen Capitol security while ensuring the preservation of an atmosphere of public access; and (3) integrate the

¹⁹ Ibid., pp. 171-1472.

²⁰ U.S. Congress, Conference Committees, 2004, *Making Appropriations for the Legislative Branch for the Fiscal Year Ending September 30, 2004, and for Other Purposes*, conference report to accompany H.R. 2657, 108th Cong., 1st sess., H. Rept. 108-279 (Washington: GPO, 2003), pp. 48-49.

²¹ U.S. Architect of the Capitol, *United States Capitol Visitor Center: Final Design Report*, Nov. 10, 1995, p. 5.

design concepts of the center with aesthetically and functionally appropriate improvements to the East Front Plaza.²²

“The overall intent” of the visitors’ center, the Architect explained in the 1995, “is to create a ‘visitor-friendly’ environment by providing educational opportunities with a wide range of choices, together with amenities such as adequate rest rooms, eating facilities, telephones, and ample weather — protected queuing space, now regarded as expectations of an increasingly well-traveled and sophisticated public.”²³ Also included in the plan were full accommodation for persons with physical or sensory impairments.²⁴

One important element of the plan was that it relocated security screening for visitors to a “point far removed from the Capitol.” There is a recognized concern, the Architect emphasized, “to enhance facilities for dealing with the security needs of the Capitol, which are now addressed in a way that detracts from the dignity of the Capitol and cannot provide the optimum treatment of security needs.”²⁵

Cost of the Project

The original project budget of \$265 million for the Capitol Visitors’s Center, Architect of the Capitol Alan Hantman told a March 2003 House hearing, was established in 1999. “At that time,” Hantman said, “the budget provided for the core CVC facilities, including the Great Hall, orientation theaters, exhibition gallery, cafeteria, gift shops, mechanical rooms, unfinished shell space for the future needs of the House and Senate, and the truck service tunnel.” Following the terrorist attacks of September 11, “new security requirements, pedestrian tunnels, et cetera, prompted the appropriation of \$38.5 million in additional funds,” which were made available by the President through the FY2002 Terrorism Emergency Supplement Act (P.L. 107-38). An addition \$70 million was provided in the FY2002 Legislative Branch Appropriation Act (P.L. 107-68), for the “design and buildout for the House and Senate shell space.” These additions, Hantman explained, had resulted in the budget for the project being increased to \$373.5 million.²⁶

Altogether \$357.3 million in appropriated funds are available for the center’s construction. This includes \$100 million in the FY1999 Omnibus Appropriations Act (P.L. 105-277), \$138.5 million provided by the President from the FY2001 Terrorism Emergency Supplemental Act (P.L. 107-38), \$70 million in the FY2002

²² Ibid., p. 1.

²³ Ibid., p. 9. For discussion of public facilities included in the plan, see *ibid.*, pp. 1, 5, 9-10, 15-17, 23, 25.

²⁴ Ibid., pp. 27, 29.

²⁵ Ibid., p.6.

²⁶ Testimony by Alan M. Hantman, Architect of the Capitol, U.S. Congress, Senate Committee on Rules and Administration, *Oversight of the Operations of the Secretary of the Senate, and Architect of the Capitol*, hearing, 108th Cong., 1st sess., Mar. 19, 2003 (not yet published).

Legislative Branch Appropriations Act (P.L. 107-68), and \$48.839 million in the FY2004 Legislative Branch Appropriations Act (P.L. 108-83). By law, the Architect of the Capitol is required to prepare an obligation plan, which must be approved by the chairmen and ranking minority members of the House and Senate Committees on Appropriations before he can obligate any appropriated funds.²⁷

Also, Congress in 1999 approved two separate pieces of legislation aimed at raising private sector funds for the construction of the Capitol Visitors' Center. As a consequence of these two acts and planned contributions of the Capitol Preservation Commission, a total \$65 million in private funds is available for the project.

First, Congress authorized a public commemorative coin issue in observance of the 200th anniversary of the first meeting of Congress in the U.S. Capitol in the District of Columbia. The coins were issued in gold, platinum, and silver, and proceeds from the sale of the coins, less expenses, were deposited with the U.S. Capitol Preservation Commission for the specific purpose of construction, maintenance, and preservation of the Capitol Visitors' Center.²⁸ A total of \$3,527,542 was raised from the sale of the 200th anniversary commemorative coins.²⁹

Second, conferees included language in the conference report on the Omnibus Consolidated and Emergency Supplemental Appropriations Act for FY1999 (P.L. 105-277) stipulating that appropriated funds for the Capitol Visitors' Center had to "be supplemented by private funds."³⁰ Early in 2000, the Capitol Preservation Commission responded to this requirement by directing the Clerk of the House and the Secretary of the Senate to develop jointly a fund-raising plan for the center. That February, the commission approved the plan for "accepting the unsolicited offer and agreement of the Pew Charitable Trusts to establish a nonprofit 501(c)(3) foundation to solicit and receive private funds for the sole purpose of donating such funds for the visitor center project."³¹

²⁷ P.L. 107-68; 115 Stat. 588.

²⁸ The United States Capitol Visitor Center Commemorative Coin Act authorized three coins: a five dollar gold coin (to be sold for \$35), a silver dollar (to be sold for \$10), and a clad half dollar (made of a composite material, to be sold for \$3). P.L. 106-126; 113 Stat. 1644-1647.

²⁹ Stacy Andersen, spokesperson for the Congressional Liaison Office, U.S. Mint, Mar. 6, 2003.

³⁰ U.S. Congress, Conference Committees, 1999, *Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999*, conference report to accompany H.R. 4328, 105th Cong., 2nd sess., H. Rept. 105-825 (Washington: GPO, 1998), p. 590.

³¹ The foundation was "an independent, nongovernment entity, and a written agreement establishe[d] a clear working relationship between the 501(c)(3) entity and the Commission." Fund raising was done in accordance with commission-approved guidelines. The commission "retain[ed] control over the planning, design, engineering, and construction." Testimony of Secretary of the Senate Gary Sisco, U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch* (continued...)

Early in 2002, the Fund for the Capitol Visitors' Center announced that it had reached its \$39 million fund-raising goal, and all of the money would be turned over to the Capitol Preservation Commission.³² The remaining private sector funds available for construction of the center had been contributed to the commission at an earlier date.³³ In January 2002, the Capitol Preservation Commission was authorized by law to transfer funds from its Capitol Preservation Fund to the Architect of the Capitol for use in the planning, engineering, design, or construction of the Capitol Visitors' Center.³⁴ In late March 2003, it was announced that the Architect of the Capitol had hired Tishman Construction Corporation, a financial consulting firm, to evaluate the Capitol Visitors' Center costs.³⁵

Tishman submitted their cost analysis in mid-May 2003. Subsequently, in June 2003, the General Accounting Office reviewed the Tishman methodology, assumptions, and support for analysis ... including contingencies, scope items not included in the estimates, and "risks and uncertainties." GAO also "conducted a supplemental analysis to identify potential future costs due to additional risks and uncertainties not included" in the Tishman estimate. While GAO "found that Tishman's analysis was generally reasonable given the scope and assumptions provided by the Architect of the Capitol," it "identified cost adjustments to Tishman's analysis of the base project, totaling \$7 million," that need to be added.

³¹ (...continued)

Appropriations for Fiscal Year 2001, hearings, 106th Cong., 2nd sess., Mar. 21, 2000 (Washington: GPO, 2001), pp. 264-265; Lauren W. Whittington, "Visitor Center Fund Begins Final Push," *Roll Call*, Aug. 9, 2001, pp. 1, 17.

³² Lauren W. Whittington, "Visitor Center Fund to Close Its Doors," *Roll Call*, vol. 48, Feb. 14, 2002, p. 3; and Christine Cube, "Capitol Visitor Center Fund Reaches \$39M Goal," *Washington Business Journal*, Feb. 22, 2002, p. 9.

³³ In June 2001, Clerk of the House, Jeff Trandahl told a Senate hearing that approximately \$30 million in Capitol Preservation Commission funds were also available for construction of the center. Testimony of Jeff Trandahl, U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2002*, hearings, 107th Cong., 1st sess., June 27, 2001 (Washington: GPO, 2001), p. 263.

³⁴ P.L. 107-117, Title IX, Chap. 9, Sec. 913; 115 Stat. 2324. The Capitol Preservation Fund was established in 1988 within the U.S. Treasury to finance the improvement, preservation, and acquisition activities of the Capitol Preservation Commission. P.L. 100-696, Title VIII; 102 Stat. 4608-4609; 40 U.S.C. 188a(a). The Capitol Preservation Fund "consists of assets derived from deposits of charitable contributions, surcharge proceeds from the Secretary of the Treasury arising from the sale of commemorative coins, and interest earned on the invested portions of the Capitol Preservation Fund." U.S. General Accounting Office, *Financial Audit: Capitol Preservation Fund's Fiscal Years 2001 and 2000 Financial Statements*, GAO-020587, May 2002, p. 11.

³⁵ Sarita Chourey, "Consultants to Evaluate CVC's Escalating Costs," *The Hill*, Mar. 26, 2003, p. 6; Sarita Chourey, "War Supplement has No Money for CVC Overruns," *The Hill*, Apr. 9, 2003, p. 14; and Susan Ferrechio and Allison Stevens, "Architect of the Capitol Hires Consultant to Review Cost Estimates for Visitor Center," *CQ Today*, May 9, 2003, p. 12.

These adjustment, GAO reported, increased Tishman's estimated cost of completion for the basic project from \$344.3 million to \$351.3 million.³⁶

Also, GAO stated that “[d]ue to the nature of uncertainties still surrounding the project’s estimated cost to complete and the limitations of information available,” there would “likely be events occurring in the future that could further materially affect the project’s cost at completion.” These “additional risks and uncertainties,” GAO determined, “could potentially raise the estimated cost at completion of the base project to between \$380 million and \$395 million.” While “these potential additional costs of between \$30 million to \$45 million do not [now] need to be added to the base project budget,” GAO cautioned that “a number of actions need[ed] to be taken to mitigate known risks,” and “there is a continual need of the AOC to align customer expectations with the project’s scope, quality, and cost considerations.”³⁷

On July 15, 2003, David M. Walker, Comptroller General of the United States, and Alan M. Hantman, Architect of the Capitol, both told the House Subcommittee on Legislative that as much as an additional \$100 million may be needed to complete the House and Senate expansion space in the center and for enhanced security.³⁸

Ultimately, conferees agreed to a \$48.839 million additional appropriation for the Capitol Visitors’ Center, funded under the Architect of the Capitol account. The appropriation is similar to the amount considered necessary to complete construction of the center, based upon a GAO review and “assessment of a cost-to-complete estimate prepared by a third party with expertise in construction cost analysis.”³⁹

On September 30, 2003, President Bush signed into law the FY2004 legislative branch appropriations bill, which contained \$48.839 million in additional funding for the Capitol Visitors’ Center. Of this amount, \$1.039 million is marked for operational costs, and \$48.550 million is no-year money.⁴⁰ The new appropriation “is based on the General Account Office’s review of the project and its assessment

³⁶ Testimony of David M. Walker, *Legislative Branch Appropriations for 2004*, hearings, p. 1441; and *Capitol Visitor Center: Current Status of Schedule and Estimated Cost*, p. 2.

³⁷ Testimony of David M. Walker, *Legislative Branch Appropriations for 2004*, hearings, pp. 1441-1442; and *Capitol Visitor Center: Current Status of Schedule and Estimated Cost*, pp. 2-3.

³⁸ Testimony of David M. Walker, Comptroller General of the United States, and Alan M. Hantman, Architect of the Capitol, *Legislative Branch Appropriations for 2004*, hearings, pp. 1448, 1450-1452.

³⁹ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2004*, report to accompany S. 1383, 108th Cong., 1st sess., S. Rept. 108-88 (Washington: GPO, 2003), p. 35. The actual appropriation for FY2004 is \$36.839 million, since conferees authorized \$12.0 million to be transferred to the center’s appropriation from previously appropriated funds made available for Capitol Police buildings and grounds which is also funded under the Architect of the Capitol account. P.L. 108-83; 117 Stat. 1026.

⁴⁰ P.L. 108-83; 117 Stat. 1026; and U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2004*, report to accompany S. 1383, 108th Cong., 1st sess., S. Rept. 108-88 (Washington: GPO, 2003), p. 35.

of a cost-to-complete estimate prepared by a third party with expertise in construction cost analysis.”⁴¹

Impetus for Final Approval

For more than three decades, Congress has discussed construction of a center, separate from the Capitol building, to welcome and screen the millions of visitors each year that visit what Capitol architect Benjamin Henry Latrobe called “the Hall of the People.” Not until after a gunman with a history of mental illness killed two U.S. Capitol Police officers stationed near a public entrance to the Capitol in July 1998, however, did the idea gain momentum. That “crime convinced lawmakers that they needed better control of access, and provided justification for the spending that some legislators had worried would be considered extravagant. Within months \$100 million was appropriated for the center.”⁴²

The September 11, 2001 terrorist attacks at the Pentagon and in New York, and the subsequent discovery of anthrax in congressional office buildings highlighted concerns regarding the potential vulnerabilities of the Capitol and the need for improved security on Capitol Hill. These developments influenced congressional discussions concerning the necessity of spending money on the center, and the final funds needed for its construction were made available. As *Washington Post* architectural critic Benjamin Forgey observed, “The Capitol undeniably is a magnet for terrorists and deranged individuals. Prudence dictates that the building be made as secure as possible, while remaining open and accessible to the public.” “It is clear that the Capitol Visitor Center as designed,” Forgey explained, “will improve both convenience and security.”⁴³ Work is now being completed on ringing the Capitol grounds with metal bollards to enhance control of pedestrian and vehicle access.

Pre-Construction Phase

Tree Preservation

A major concern of the pre-construction phase was the potential for damage to plantings on the East Front grounds of the Capitol. Many of the trees were part of Frederick Law Olmsted, Sr.’s 1874 plan, while others were memorial or commemorative plantings.

⁴¹ U.S. Congress, Conference Committees, 2004, *Making Appropriations for the Legislative Branch for the Fiscal Year Ending September 30, 2004, and for Other Purposes*, conference report to accompany H.R. 2657, 108th Cong., 1st sess., H. Rept. 108-279 (Washington: GPO, 2003), p. 49.

⁴² Carl Hulse, “Workers Set to Transform East Front of the Capitol,” *New York Times*, May 28, 2002, p. A17.

⁴³ Benjamin Forgey, “Capitol Disorientation Center: Underground Visitors Facility Will Provide Bathrooms and the Blahs,” *Washington Post*, Nov. 25, 2000, p. C1.

In October 2001, several months before the actual excavation for the footprint of the center began, the Davey Tree Expert Company, a tree maintenance contractor, was hired to ensure that the more 300 trees on the East Capitol grounds were protected, pruned, mulched, and monitored during the construction. Also, a subcontractor, Houston-based National Shade L.P., specialists in large tree transplanting, was engaged to assist in that phase of the work.⁴⁴ Early in 2002, a canopy misting sprinkling system was installed on each tree to protect foliage from excessive dust.⁴⁵

Several months prior to the awarding of the tree preservation contract, considerable concern was expressed in the media regarding the preservation of the memorial trees located on the East Front, which had been sponsored by Members of Congress to commemorate and honor former First Lady Patricia Nixon, Dr. Martin Luther King, Jr., former Members of Congress, including two Speakers of the House, organizations, eminent individuals, and even states.⁴⁶

Although a number of the East Front's 346 trees have been temporarily removed while the center is under construction, "only 14 of the 85 special memorial trees have been affected by the project." Six memorial trees were removed and replaced, and eight were moved elsewhere on the Capitol grounds." To assure that these memorial trees will be replaced,

Arborists have obtained cuttings from all 14 trees in order to replant those that are lost in other locations on the Capitol grounds. If these efforts fail, the usual procedure to replace a memorial tree that dies a natural death will be followed—an excellent, robust specimen, usually of the same species, will become the replacement memorial tree. In regard to non-memorial trees, most of those affected are tulip poplars along East Capitol Street, and many of these are near the end of their natural lifespan. These trees will be replaced with 15-to-20-foot tulip poplars in a manner that restores the original intention of landscape architect Frederick Law Olmsted, Sr. Overall, there will be more trees replaced on the Capitol Grounds than are lost during construction.⁴⁷

By the time the Capitol Visitors' Center is completed, it is estimated that nearly \$2 million will have been spent "on trees — moving them, felling them and planting

⁴⁴ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2003*, hearings, 107th Cong., 2nd sess., Apr. 25, 2002 (Washington: GPO, 2002), p. 381; Karen Hosler, "'Seedling' of Md. Liberty Tree Moved," *Baltimore Sun*, Dec. 18, 2001, p. 3A; Carl Hulse, "Workers Set to Transform East Front of the Capitol," *New York Times*, May 28, 2002, p. A17; Sylvia Moreno, "12-Ton Liberty Tree on the Move at the Capitol," *Washington Post*, Dec. 16, 2001, p. C9.

⁴⁵ Sarita Chourey, "Arborists Prepare Trees for the Summer Heat," *The Hill*, May 1, 2002, p. 12.

⁴⁶ For a complete list of memorial trees see U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2002*, hearings, 107th Cong., 1st sess., June 27, 2001 (Washington: GPO, 2001), pp. 370-371.

⁴⁷ "Capitol Visitor Center Tree Preservation Activities Begin," Architect of the Capitol Web site, Dec. 2001, [http://www.aoc.gov/cvc/cvc_updates_0112_1.htm]. See also Sarita Chourey, "Arborists Prepare Trees for the Summer Heat," *The Hill*, May 1, 2002, p. 12.

85 new ones on the East Front.” Tree-care contractors will remain on the site until construction is completed.⁴⁸

Construction of the Center

On June 20, 2000, members of the United States Capitol Preservation Commission,⁴⁹ the 18-member bipartisan, bicameral, board of congressional leaders responsible for the design and construction of the center, gathered on the East Front Plaza of the Capitol for a symbolic groundbreaking ceremony for the center. In November 1999, prior to the groundbreaking, the commission approved a revised conceptional design for the center, and a design and engineering obligation plan was approved by the House and Senate legislative appropriations subcommittees in November 1999 and January 2000, respectively.

On January 31, 2000, design development work for the center was begun, and in mid-October 2000, the Capitol Preservation Commission approved the final design plan for the center and authorized the Architect of the Capitol to prepare final construction documentation. Also, the General Accounting Office was assigned to be a permanent consultant for the project, and a “team of GAO officials has periodically briefed the staff of the [Capitol] Preservation Commission on the construction schedule and cost of the project since 1999.”⁵⁰

Construction Management Firm Selected

“For two centuries, Congress has handled its own construction tasks mostly internally, with limited assistance only when absolutely needed from private sector firms.”⁵¹ The Architect of the Capitol and his staff of 2,000, however, have never undertaken anything involving the size and complexity of the center, or a project that needs to be constructed so quickly. “To their credit, congressional facility managers recognized this, and sought out advice from federal construction peers and experts in the private sector.”⁵² They turned to the U.S. General Services Administration (GSA), Army Corps of Engineers, and the Construction Management Association of America for advice. Ultimately, the decision was made to have an outside construction management firm supervise a Capitol construction project for the first time. At the request of the Architect’s office, GSA developed the documentation

⁴⁸ Sarah Bouchard, “Taking Root,” *The Hill*, Oct. 2, 2003, p. 4.

⁴⁹ The United States Capitol Preservation Commission was established under Title VIII of P.L. 100-696 (102 Stat. 4608-4609; 40 U.S.C. 188a(a)) in Nov. 1988 for the purpose of providing for the improvements in, preservation of, and acquisitions (including works of fine art and other property display) for the United States Capitol. It is comprised of 18 Members representing both houses of Congress.

⁵⁰ Peter Brand and Sarita Chourey, “Two Firms Squaring Off in Bid for Contract to Build Final Phase of Capitol Visitor Center,” *The Hill*, Feb. 5, 2003, p. 3.

⁵¹ Editorial, “‘People’s House’ Deserves Outside Industry Expertise,” *Engineering News-Record*, June 17, 2002, vol. 248, p.84.

⁵² *Ibid.*

needed for the “qualifications-based selection” process, “which eventually drew the interest of 22 firms.”⁵³

The “best value, source selection process” used to select the construction management firm “evaluates proposals with predefined criteria, which mandates more than consideration of price alone, and is used by GSA, Department of Defense (DoD) and others.” The source selection “process provides a standard to differentiate and rank competitors by analyzing past performance and technical management abilities to solve the specific CVC [Capitol Visitors’ Center] needs, thus allowing selection of a contractor who will give the AOC [Architect of the Capitol] the best value to construct the CVC.”⁵⁴

In January 2001, Gilbane Building Company, a Providence, Rhode Island construction management firm, was selected to monitor and inspect the general construction process of the center. “Increased site support services, including a temporary visitors’ screening facility and the cataloguing, dismantling and restoring of historic features, pushed Gilbane’s initial \$7 million contract to \$16 million.” Gilbane “also performed a security analysis.” “To better control schedules and costs, Gilbane broke work into three separate packages — utility relocation, foundation, and general conditions, including mechanical, electrical and plumbing.”⁵⁵ Also, Gilbane is “responsible for historic preservation measures, including repairs and alterations to the existing Capitol and modifications that help facilitate the operation and meet revised codes.”⁵⁶

Utility Work Contract

In November 2001, the William V. Walsh Construction Company of Rockville, Maryland was awarded an \$8 million contract to relocate the utility lines, which had been installed at various times during the last 100 years, prior to beginning construction of the center. Due to the fact that many of the utility lines were poorly or inaccurately documented on available drawings, relocating them proved to be a delicate and, by far, the most difficult pre-construction task. As it became increasingly apparent that existing drawings were potentially unreliable, much of the utility work was shifted to nights or on weekends, and to extent possible, work was

⁵³ Debra K. Rubin and William J. Angelo, “Historic Expansion of U.S. Capitol Showcases Its Historic Use of CM,” *Engineering News-Record*, vol. 248, June 17, 2002, p. 31.

⁵⁴ Testimony by Alan M. Hantman, Architect of the Capitol, U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2003*, hearings, 107th Cong., 2nd sess., Apr. 25, 2002 (Washington: GPO, 2002), p. 381; and Testimony by Alan M. Hantman, Architect of the Capitol, U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch Appropriations, *Legislative Branch Appropriations for Fiscal Year 2003*, hearings, 107th Cong., 2nd sess., Apr. 17, 2002 (Washington: GPO, 2002), pp. 172-173.

⁵⁵ Rubin and Angelo, “Historic Expansion of U.S. Capitol Showcases Its Historic Use of CM,” pp. 31-32. See also Y. Melanie Nayer, “Building on a Reputation: Gilbane Co. Tackles the Massive Project of Making the Capitol More User-Friendly,” *Providence [Rhode Island] Journal*, June 1, 2002, p. B1.

⁵⁶ “Enhancing the Capitol,” *Gilbane: News Magazine*, vol. 21, fall 2001, p. 11.

executed around the legislative calendar in an effort to minimize disruption to the Capitol and its occupants. During the fall of 2002, the relocation of utilities was completed and the project's footprint was ready for excavation.⁵⁷

Sequence 1: Foundation/Structural Work

On June 12, 2002, the Architect of the Capitol awarded a \$99,877,000 contract for Sequence 1 of the center to Centex Construction Company, Inc., whose Mid-Atlantic Division is headquartered in Fairfax, Virginia. Centrex was selected by the competitive source selection process. Centrex was one of four bidders to pursue the job. Sequence 1 covers site demolition, excavation of soil, construction of the foundation and walls, installation of load-bearing elements, and portions of site utility work, and completion of the roof plate for the center.⁵⁸ It is anticipated that Sequence 1 will be completed by August 2004.

Sequence 2: Electrical, Mechanical, Plumbing and Finishing Work

On April 21, 2003, the Architect of the Capitol awarded a \$144.2 million contract for Sequence 2 of the center to the Manhattan Construction Company, based in Tulsa, Oklahoma.⁵⁹ Sequence 2 will include the installation of electrical, mechanical, and plumbing systems of the interior and exterior — which will overlap the first sequence; interior construction of exhibits, visitor comfort, food service, two orientation theaters, an auditorium, gift shops, security, connections to existing buildings, hardscaping and landscaping at the plaza level. Work on the final phase of the center is expected to begin at the end of 2003.⁶⁰

CVC spokesman Tom Fontana indicated in late February 2003 that the actual completion date, however, would ultimately depend on what the contractor felt was realistic. A series of amendments were added to the final phase of the project that had “loosened some of the timing requirements, which could mean a new schedule would need to be presented to the House and Senate leadership for approval when the contractor is selected.” According to Fontana, “the oral presentations that were made by the contractors” caused construction authorities to conclude that the contractor finally selected would need “a little more flexibility and a little more room to be

⁵⁷ Architect of the Capitol, Capitol Visitors' Center Project Office, Mar. 2003; Rubin and Angelo, “Historic Expansion of U.S. Capitol Showcases Its Historic Use of CM,” p. 32.

⁵⁸ “Architect of the Capitol Awards Major Construction Contract for U.S. Capitol Visitor Center,” Architect of the Capitol Web site, June 2002, [http://www.aoc.gov/cvc/sequence_1_contract.htm]. See also Suzanne Nelson, “Centex's \$100 M Bid Wins CVC Contract,” *Roll Call*, June 17, 2002, p. 3.

⁵⁹ “Architect of the Capitol Awards Sequence 2 Construction Contract for U.S. Capitol Visitor Center,” Architect of the Capitol Web site, Apr. 2003, [http://www.aoc.gov/cvc/sequence_2_contract.htm]. See also “Capitol Visitor Center Contract Awarded,” *Washington Post*, Apr. 22, 2003, p. B3.

⁶⁰ Brand and Chourey, “Two Firms Squaring Off in Bid for Contract to Build Final Phase of Capitol Visitor Center,” p. 3.

creative in how they can meet our requirements.” Fontana did, however, emphasize that the East Front Plaza would be “substantially complete” for the basic activities of the 2005 presidential inauguration such as motorcades and staging areas for the media, and would be able to “accommodate pedestrian and vehicular traffic.”⁶¹

In March 2003, congressional appropriators learned that the bids for Sequence 2 were significantly higher than the \$120 million Architect Hantman initially estimated the phase would cost. Also, a Source Selection Evaluation Board, headed by the GSA was asked to evaluate the bid proposals for Sequence 2. Architect of the Capitol Alan Hantman told the Senate Committee on Rules and Administration that the bids for Sequence 2 came “in approximately 10 to 15 percent above the government estimate, a range that is considered acceptable and reasonable per GSA and Department of Defense governmental standards.”⁶²

As a consequence of the increased cost of Sequence 2, House Appropriations Committee Chairman C.W. Bill Young and Ranking Minority Committee Member David R. Obey sent a letter to Architect Hantman on April 14, 2003, stating that they believed he had ignored the prerogatives of the committee and exceeded budget guidelines for the center. “We now find ourselves,” they continued, “in a situation that if we do not allow the contract for Sequence 2 to be executed by April 21, 2003, it would have significant monetary and scheduling implications.” The funds for Sequence 2, they continued were being obligated by the committee “with serious reservations.”⁶³

The appropriators also required the Architect to fulfill the following four conditions in exchange for the funds: (1) provide the committee a monthly financial report that shows he has not varied from the obligation plan he submitted to the committee on April 4, 2003; (2) assure that individual line items in the report follow the format and obligation plans submitted to the committee and that contingencies be managed within the appropriate account; (3) include in the report an assessment of the current status of the project and notify the committee “of any issues that cause the project to exceed it’s budget, schedule, or diminish quality as specified”; and (4) submit to the committee a “reprogramming request” for “any deviation from the existing obligating plan that exceeds either \$500,000 or 10% of a particular program

⁶¹ Suzanne Nelson, “Contractors Get Say in CVC Timing,” *Roll Call*, Feb. 24, 2003, p. 3. See also Editorial, “Uh-oh,” *Roll Call*, Feb. 26, 2003, p. 4.

⁶² Testimony by Alan M. Hantman, Architect of the Capitol, U.S. Congress, Senate Committee on Rules and Administration, *Oversight of the Operations of the Secretary of the Senate, Architect of the Capitol*, hearing, 108th Cong., 1st sess., Mar. 19, 2003 (not yet published). See also Suzanne Nelson, “CVC Bids High,” *Roll Call*, Mar. 10, 2003, p. 18. and Susan Ferrechio, “Bids for the Next Stage of Visitor Center Coming in 10-15 Percent Higher Than Expected,” *CQ Today*, Mar. 20, 2003, p. 15.

⁶³ Rep. C.W. Bill Young, Chairman and Rep. David R. Obey, Ranking Minority Member, House Committee on Appropriations to Alan M. Hantman, Architect of the Capitol, April 14, 2003. See also Susan Ferrechio, “Appropriators Set Conditions for Capitol Visitor Center Funds,” *CQ Weekly*, Apr. 26, 2003, pp. 1002-1003; Carl Hulse, “At the Capitol, A Big Dig’s Cost Draws Criticism,” *New York Times*, Apr. 14, 2003, p. A20; and Susan Nelson, “CVC Contract Sparks Criticism,” *Roll Call*, Apr. 28, 2003, pp. 1, 18.

or activity. Finally, the appropriators “directed that the GAO [General Accounting Office] continue to review these monthly reports and bring to the attention of the Committee any comments and concerns that may impact on the cost, timeliness or quality of the project.”⁶⁴

Other Activities

On Site Security. Security at the construction site is extensive. An eight-foot fence has been built around the construction site, and all construction personnel have undergone background security checks and are screened daily as they enter the site. Also, each dump truck is examined as it passes through the gates. The U.S. “Capitol Police, including canine units, patrol the site. Photographs and site plans must be cleared through the police, who suppress photos or descriptions considered too revealing, such as those disclosing the location of security trailers, new utility lines or evacuation tunnels.”⁶⁵

Historic Preservation. In March 2002, workmen began removing the historic Frederick Law Olmsted, Sr. landscape features, including the fountains, lampposts and retaining walls on the East Front Plaza, and the Trolley Stop canopy structure, to clear the area for excavation of the visitors’ center site. All historic materials that are removed will be catalogued, stored, and replaced in their original locations once the new plaza has been completed.⁶⁶

Noise Reduction. During the Summer of 2002, soundproof windows were installed on the east side of the Capitol, to keep the disruptions to Congress at a minimum, and augering drills are being used instead of pile drivers to reduce the noise generated by the project.⁶⁷ The 154 custom windows that were installed on the East Front weigh 600 pounds each and are half an inch thick. Because the original windows could not be removed, the new ones were placed over the existing windows. The acoustic windows, which cost \$350,000, will be removed once construction is finished.⁶⁸

Temporary Visitor Screening Facilities. In May 2002, Capitol tour operations were shifted from the East Front Visitor Screening Facility, which was closed and dismantled, to new Temporary Visitor Screening Facilities on the north

⁶⁴ Young and Obey to Hantman, Apr. 14, 2003.

⁶⁵ Steven Partick, “A New Capitol Visitor Center is Beginning to Take Shape on the East Lawn,” *CQ Today*, Jan. 27, 2003, p. 9. See also Lauren W. Whittington, “Visitor Center Crews to Get Background Checks,” *Roll Call*, Mar. 4, 2002, p. 8.

⁶⁶ “Historic Preservation,” *United States Capitol Visitor Center Weekly Construction Summary*, May 27, 2002, Architect of the Capitol Web site, [<http://www.aoc.gov/cvc/weekly/2002/05-27-02.htm>]; Architect of the Capitol, Capitol Visitors’ Center Project Office, Mar. 2003.

⁶⁷ “East Front Plaza Work,” *United States Capitol Visitor Center Weekly Construction Summary*, Architect of the Capitol Web site, July 8, 2002, Aug. 2002, [<http://www.aoc.gov/cvc/weekly/2002/07-08-02.htm>].

⁶⁸ Sarah Bouchard, “Soundproof,” *The Hill*, Oct. 15, 2003, p. 10.

and south sides of the Capitol. Visitors will pass through these temporary installations prior to entering the Capitol at the West Front. These temporary facilities will remain in use until the Capitol Visitors' Center is completed.⁶⁹

Alternative Media Sites. In July 2002, construction of the center also required the temporary closure of both the House and Senate media sites on the East Front plaza. Temporary alternate sites were established for the Senate in Upper Senate Park opposite the Russell Senate Office Building, and for the House media on the northwest terrace of the Cannon House Office Building.⁷⁰

Development of Exhibition Gallery and Museum Exhibits. Ralph Applebaum & Associates (RAA), which has been hired to oversee the development of the CVC exhibition gallery, is refining the gallery design based on ongoing communication and input from the Capitol Preservation Commission. The content specifications for gallery exhibits are being refined by the Exhibit Content Working Group (consisting of the House and Senate historians, Library of Congress officials, and the curator and historian for the U.S. Capitol), based on discussions with the commission.

RAA has developed a mission statement, educational goals, and overarching concepts for the gallery, and has completed revisions to the floor plan. Once these details are approved by the commission, the design of the exhibition, and plans for a new film touching on important people and events in the history of Congress and the nation, will be prepared for final review prior to solicitation of bids.⁷¹

It is anticipated that RAA will present a final design to the commission in December 2003. According to Marty Sewell, exhibition project director, "The basic theme is to talk about representative democracy to give that feeling of belonging and involvement." The exhibition gallery is being designed "to give the public a real idea of how Congress works," and to show how it is different from the executive branch.⁷²

⁶⁹ Jennifer Yachnin, "Go West: Tour Operations Get a New Home: Visitors Will Enter Capitol at West Front," *Roll Call*, May 20, 2002, p. A-27.

⁷⁰ "Alternate Media Sites," *United States Capitol Visitor Center Weekly Construction Summary*, July 8, 2002, [<http://www.aoc.gov/cvc/weekly/2002/07-08-02.htm>].

⁷¹ Architect of the Capitol, Capitol Visitor Center Project Office, Mar. 2003; and Testimony by Jeri Thompson, Secretary of the Senate, U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch Appropriations for Fiscal Year 2003*, hearings, 107th Cong., 2nd sess., Apr. 17, 2002 (Washington: GPO, 2002), p. 139.

⁷² Susanne Nelson, "Exhibition Space to Enliven CVC," *Roll Call*, Nov. 4, 2003, pp. 1, 14.

Appendix A

Action in the 104th Congress

During the 104th Congress, bills were introduced in the House (H.R. 1230) and Senate (S. 954) authorizing the Architect of the Capitol, under the direction of the U.S. Capitol Preservation Commission, to “plan, construct, equip, administer, and maintain” the proposed visitors’ center, and “reconstruct the environs of the East Plaza to enhance its attractiveness, safety, and security.” The House Subcommittee on Public Buildings and Economic Development held a hearing on H.R. 1230 in June 1995.⁷³ No further action was taken on the bill in the 104th Congress. Hearings were not held on S. 954, which had been referred to the Senate Committee on Environment and Public Works.

Action in the 105th Congress

In the 105th Congress bills, were once again introduced in both the House (H.R. 20, H.R. 4347) and Senate (S. 1508) authorizing the Architect to plan, construct, and equip a Capitol visitors’ center under the East Front Plaza of the Capitol, and to reconstruct the plaza. H.R. 20 and S. 1508 authorized the Architect of the Capitol, under the direction of the United States Capitol Preservation Commission, to plan, construct, equip, and maintain a Capitol visitors’ center, and to reconstruct the East Plaza of the Capitol to enhance its attractiveness, safety, and security. Both H.R. 20 and S. 1508 contained amendments to the 1988 act establishing the United States Capitol Preservation Commission. H.R. 20 amended the 1988 act to establish a three-member special committee to provide the Architect of the Capitol with all necessary oversight and direction in carrying out the provisions of the “Capitol Visitor Center Authorization Act of 1997.” S. 1508 amended the 1988 act to broaden its order to carry out the functions assigned by the “Capitol Visitor Center Authorization Act of 1997.” H.R. 4347 authorized the Architect to carry out the project, but omitted any reference to the commission. None of the three proposals ever received a floor vote.

Purpose of Proposals

The stated purposes of the three bills were similar in some respects, but differed in others. The bills called for a center that would

- ! provide reception and information facilities, educational materials and exhibits, and a gift shop for Capitol visitors (H.R. 20, S.1508);
- ! ensure the health and comfort of visitors to the Capitol (H.R. 4347);
- ! enhance security of the Capitol (S. 1508); and
- ! enhance security at the perimeter of the Capitol grounds (H.R. 4347).

⁷³ U.S. Congress, House Committee on Transportation and Infrastructure, Subcommittee on Public Buildings and Economic Development, *H.R. 1230, Capitol Visitor Center*, hearing, 104th Cong., 1st sess., June 22, 1995 (Washington: GPO, 1995).

Design and Construction Requirements

All three bills required that the center's design be substantially in accord with the Architect's final design report of November 10, 1995. In addition, H.R. 4347 required the Architect to submit a report to the House Committee on Transportation and Infrastructure and the Senate Committee on Rules and Administration containing the plans and designs for carrying out the project. Both H.R. 20 and S. 1508 required that the project meet design standards applicable under nationally recognized building codes. The project was not to be subject to federal or state law relating to taxes, building codes, permits, or inspections. H.R. 20 and S. 1508 also authorized the Architect of the Capitol to (1) establish competitive procedures for the construction work needed to complete the project by use of prequalification standards; and (2) award contracts on the basis of contractor qualification as well as price. H.R. 4347 contained no such provisions.

Financing the Project

The three bills each offered a different approach to financing the project. H.R. 20 directed the Architect to develop and submit, subject to the approval of the United States Capitol Preservation Commission, a financing plan "that will enable construction of the project to be completed without appropriation of funds." S.1508 directed the commission to develop a "detailed plan for financing the project at the lowest net cost to the Government." H.R. 4347 authorized the appropriation of "such sums as may be necessary" to complete the project, but required the Architect of the Capitol to "identify alternatives" for reducing construction costs.

Security

Two of the three bills (H.R. 4347, S. 1508) identified enhanced Capitol security as a principal purpose of the visitors' center. The third (H.R. 20) did not. S. 1508 also made the Capitol Police Board responsible for the design, installation, and maintenance of security systems in the center, and mandated that the U.S. Capitol Police conduct a study to assess the security cost savings and other benefits resulting from the construction and operation of the center.

1997 Visitors' Center Hearings

On May 22, 1997, the House Subcommittee on Public Buildings and Economic Development held a hearing on H.R. 20.⁷⁴ Hearings were not held on S. 1508, which

⁷⁴ Rep. John L. Mica, sponsor of H.R. 20, emphasized that construction of the proposed visitors' center, "is an important part of opening up government and the Capitol so that all may enjoy its many contributions." U.S. Congress, House Committee on Transportation and Infrastructure, Subcommittee on Public Buildings and Economic Development, *H.R. 20, The Capitol Visitor Center*, hearing, 105th Cong., 1st sess., May 22, 1997 (Washington: U.S. GPO, 1997), pp. 6-7,14-15, 44.

was referred to the Senate Rules and Administration Committee,⁷⁵ or H.R. 4347, jointly referred to the House Committee and Transportation and Infrastructure and House Committee on Ways and Means.⁷⁶

FY1999 Omnibus Appropriations Act

Following the tragic violence at the Capitol on July 24, 1998, that left two U.S. Capitol Police officers mortally wounded, the question of Capitol security was thrust to the forefront of public consciousness. During the third week of October 1998, a conference agreement was reached on H.R. 4328, the Omnibus Consolidated and Emergency Supplemental Appropriations Act for FY1999. Included in the act was a \$100 million appropriation to be used by the Architect “for the planning, engineering, design, and construction” of a Capitol visitors’ center. The visitors’ center, conferees reasoned, “would provide greater security for all persons working in or visiting the United States Capitol” and “enhance the educational experience of those who have come to learn about the Capitol building and Congress.” President William J. Clinton signed H.R. 4328 into P.L. 105-277 on October 21, 1998. The Act stipulated that funds for the project had to be supplemented by private funds and each milestone in the project must be approved by the appropriate authorizing and appropriations committees.⁷⁷

Action in the 106th Congress

During FY2000 House legislative branch funding hearings on February 3, 1999, concern was raised about the Architect of the Capitol’s projected schedule for construction of the visitors’ center. Representative John L. Mica urged that the process not be further delayed and Subcommittee Chairman Charles Taylor and Ranking Minority Member Ed Pastor indicated they would work to accelerate the

⁷⁵ In his statement introducing the bill, committee chairman John Warner stated that the visitors’ center would “have a tremendous, positive impact on the informational and educational experience afforded visitors to the Capitol.” The “most compelling need” for the visitors’ center, he maintained, was the requirement for “enhanced security for the entire Capitol building and environs.” Sen. John Warner, “Legislation Authorizing the Construction of a Capitol Visitors Center,” remarks in the Senate, *Congressional Record*, daily edition, vol. 143, Nov. 9, 1997, p. S12309.

⁷⁶ “Our foremost obligation,” Delegate Eleanor Holmes Norton told House colleagues in introducing H.R. 4347, “is to protect all who visit or work here and to spare no legitimate consideration in protecting the United States Capitol.” Del. Eleanor Holmes Norton, “Introduction of the Jacob Joseph Chestnut — John Michael Gibson Capitol Visitor Center Act of 1988,” *Congressional Record*, daily edition, vol. 144, July 30, 1998, p. E1475. The Act memorialized Jacob Joseph Chestnut and John Michael Gibson of the U.S. Capitol Police for their selfless acts of heroism on July 24, 1998, when they were killed in the line of duty while confronting an armed gunman who had entered the Capitol.

⁷⁷ U.S. Congress, Conference Committee, *Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal 1999*, conference report to accompany H.R. 4328, 105th Cong., 2nd sess., H.Rept. 105-825 (Washington: GPO, 1998), p. 590; P.L. 105-277; 112 Stat. 2681-569-2681-570.

schedule laid out by the Architect.⁷⁸ A similar view was expressed during subsequent Senate legislative branch appropriation hearings.⁷⁹

H.R. 962

On March 3, 1999, Delegate Eleanor Holmes Norton introduced H.R. 962, a bill similar to her 105th Congress proposal, which contained guidelines for administering the project, including requirements that the Architect identify construction alternatives to achieve cost savings.⁸⁰

Role of Capitol Preservation Commission Defined

Subsequently, a Senate proposal to transfer approval authority for the center to the 18-member, bipartisan, bicameral United States Capitol Preservation Commission was agreed to in the FY2000 legislative branch appropriations bill (H.R. 1905), which was signed into law on September 29, 1999.⁸¹

1999 Revalidation Study

Earlier, during the spring of 1999, congressional leaders “asked the Architect of the Capitol to review the initial site selection and design of the U.S. Capitol Visitor Center.” In March 1999, the Architect received approval to use \$2.8 million in funds appropriated for the project to re-validate the 1995 design study. On October 15, 1999, the Architect briefed the Capitol Preservation Commission, which had recently been given primary oversight of the project, “on the results of his review of the 1995 design study and sought the Commission’s approval to proceed to the detailed pre-construction design and engineering phase of the project.”⁸² The team that conducted the *1999 Revalidation Study* were guided by four fundamental goals for the Capitol Visitors’ Center:

Security. The Visitor Center must provide a secure public environment to welcome and manage a large number of visitors and to protect the Capitol Building, its occupants, and guests in an atmosphere of free and open access.

Visitor Education. The Visitor Center must establish and present a body of information and accessible resources on the workings and history of the

⁷⁸ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2000*, hearings, part 2, 106th Cong., 1st sess., Feb. 3, 1999, p. 409;

⁷⁹ U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch Appropriations for Fiscal Year 2000*, hearing, 106th Cong., 1st sess., Mar. 3, 1999, pp. 227-228.

⁸⁰ Del. Eleanor Holmes Norton, “Introduction of the Jacob Joseph Chestnut-John Michael Gibson Capitol Visitor Center Act of 1999,” extension of remarks in the House, *Congressional Record*, daily edition, vol. 145, Mar. 3, 1999, p. E323.

⁸¹ P.L. 106-57; 113 Stat. 427.

⁸² Press release of the Capitol Preservation Commission, Oct. 15, 1999, p. 1.

Congress, the legislative process, and the mechanics of our representative democracy.

Visitor Comfort. The Visitor Center must provide the amenities, comfort, and convenience for visitors appropriate to the world's most recognizable symbol of representative democracy and one of the nation's most visited tourist attractions.

Functional Improvements. The Visitor Center must respond to the physical limitations of the Capitol by providing modern, efficient facilities for such functions as truck loading and deliveries, constituent assembly rooms, and improved connection to the Senate and House office buildings.⁸³

On November 3, 1999, the Capitol Preservation Commission approved the revised conceptual design for the center. A design and engineering obligation plan was approved by the House and Senate legislative appropriations subcommittees in November 1999 and January 2000, respectively. On January 31, 2000, design development work for the center was begun,⁸⁴ and in mid-October 2000, the commission approved the final design plan and authorized the Architect to prepare final construction documentation.⁸⁵ The ceremonial ground breaking for the center took place on June 20, 2000.⁸⁶

Action in the 107th Congress

Preparation for Soliciting Bids

In 2001, construction documents for the center were finalized and competitive bids were solicited for the first phase of the project,⁸⁷ and in 2002 the contract for Sequence 1 was awarded.⁸⁸

⁸³ U.S. Architect of the Capitol, *The Capitol Visitor Center. 1999 Revalidation Study. Executive Summary*, Oct. 1, 1999, p. 7.

⁸⁴ Testimony of the Architect of the Capitol, Alan Hantman, U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2001*, hearings, part 2, 106th Cong., 2nd sess., Feb. 1, 2000, p. 358.

⁸⁵ Lauren W. Whittington, "Design Plan Gets Unanimous Nod," *Roll Call*, Oct. 19, 2000, pp. 1, 28; and "Commission OKs Final Design for Capitol Visitor Center," *National Journal's CongressDaily AM*, Oct. 19, 2000, p. 3.

⁸⁶ Ben Pershing, "Leaders Break New Ground: Actual Visitors Center Construction to Start in 2001," *Roll Call*, June 22, 2000, pp. 1, 33.

⁸⁷ Testimony of the Architect of the Capitol, Alan Hantman, U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch Appropriations for Fiscal Year 2002*, hearings, 107th Cong., 1st sess., June 26, 2001 (Washington: GPO, 2001), pp. 238-239, 246.

⁸⁸ "Architect of the Capitol Awards Major Construction Contract for U.S. Capitol Visitor Center," Architect of the Capitol Web site, June 2002, [http://www.aoc.gov/cvc/sequence_1_contract.htm]. See also Suzanne Nelson, "Centex's

(continued...)

Construction Details and Other Considerations

Also in 2001, work was begun or finalized on three other important construction details: (1) the Architect of the Capitol and the Sergeant at Arms of the House met to begin security planning for the center;⁸⁹ (2) the Clerk of the House told the House Subcommittee on Legislative (Appropriations) that penalty clauses would be built into the center's construction contracts for failure to meet specified completion dates;⁹⁰ and (3) the Architect completed a study on the effects of construction on trees on the east front lawn of the Capitol. Much of the Architect's report focused on how the construction would affect the memorial trees located on the east front which have been sponsored by Members of Congress.⁹¹

Construction of the Capitol Visitors' Center, the Architect explained at a June 2001 House hearing, would also substantially improve the East Front Plaza of the Capitol. "The asphalt parking lot will be replaced by a gracious granite plaza offering places to sit and reflecting pools; more trees will be planted than removed as part of the project; pedestrians will no longer be forced to compete with cars and trucks to enter the Capitol;" and many of the views of the Capitol will be restored to the 1874 vision of Frederick Law Olmsted.⁹²

Early preparation work for the center started on December 3, 2001, when workers began removing the first of the memorial trees that will have to be relocated before the center can be built.⁹³

Appropriations for the Center

FY2002 Legislative Branch Appropriations. In the aftermath of the first-ever evacuation of the Capitol and surrounding office buildings following the

⁸⁸ (...continued)

\$100 M Bid Wins CVC Contract," *Roll Call*, June 17, 2002, p. 3.

⁸⁹ Testimony of the Sergeant at Arms of the House, Wilson Livingood, U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2002*, hearings, part 2, 107th Cong., 1st sess., June 27, 2001 (Washington: GPO, 2001), p. 231.

⁹⁰ Testimony of the Clerk of the House, Jeff Trandahl, U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations for 2002*, hearings, part 2, 107th Cong., 1st sess., June 27, 2001 (Washington: GPO, 2001), p. 263.

⁹¹ Testimony of the Architect of the Capitol, Alan Hantman, U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative, *Legislative Branch Appropriations Act for 2002*, hearings, part 2, 107th Cong., 1st sess., June 27, 2001 (Washington: GPO, 2001), pp. 367-371. For current information on the memorial trees see pages 4-5 of this report.

⁹² Hantman, *Legislative Branch Appropriations Act for 2002*, House hearings, p. 369.

⁹³ Michael S. Gerber, "Tours of Capitol Set to Resume," *The Hill*, vol. 8, Dec. 5, 2001, p. 3. See also Sylvia Moreno, "12-Ton Liberty Tree on the Move at Capitol," *Washington Post*, Dec. 16, 2001, C1, C9; and Steven Patrick, "Capitol Visitor Center Trimming Trees, Not Costs," *CQ Daily Monitor*, Dec. 13, 2001, p. 13.

September 11, 2001 terrorist attacks, Congress appropriated an additional \$70 million for construction of the Capitol Visitors' Center. The funds are contained in the FY2002 Legislative Branch Appropriations Act, signed into law by the President on November 12, 2001 (P.L. 107-68).⁹⁴

FY2001 Terrorism Emergency Supplemental. Also, on December 3, 2001, President Bush, under authority granted him in the FY2001 Emergency Supplement Act (P.L. 107-38), authorized the transfer of \$290.4 million to the legislative branch for "increased security measures, including constructing the Capitol Visitors Center." Of this amount, \$100 million was for the completion of the center, and \$38.5 million was for security enhancements and included funds for a new tunnel to the Library of Congress, vertical circulation improvements within the East Front Extension, and new connections to the center from the House and Senate.⁹⁵ These funds were drawn from the \$20 billion made available to the President following the terrorist attacks for "disaster assistance, for anti-terrorism initiatives, and for the assistance in the recovery from the tragedy."

⁹⁴ P.L. 107-68, 15 Stat. 588.

⁹⁵ Office of Management and Budget, *President Bush Announces \$699 Million in Emergency Funds Assistance for Defense, Northern Virginia, Secret Service and Congress*, news release, Dec. 3, 2001; Architect of the Capitol, Capitol Visitors' Center Project Office, Mar. 2003.