

To the office of U.S. Representative Wesley Bell

Re: HR 5254 (119th Congress), Gateway Partnership Act • Latest action (2026-09-17): Placed on Senate Legislative Calendar under General Orders. Calendar No. 662.

VFA SI Solution #419 • published 2026-10-15 • <https://www.valuesforamerica.com/solutions/419>

Office of record (Congress.gov): 1429 Longworth House Office Building, Washington, DC • (202) 225-2406

Limited Park Partnership With Full Cost Recovery and Public Access Protection

The measure, as described from the official record: Support upkeep and public programs at Gateway Arch National Park in St. Louis by allowing limited private events with a nonprofit partner while keeping the park open and protected for the public.

THE PROPOSAL

Congress has direct power over federal park land. Article IV, Section 3, Clause 2 gives Congress power to make all needful rules respecting property belonging to the United States. That provision governs here because Gateway Arch National Park is federal property. The VFA proposal would use that power only for a limited, public-first partnership.

The VFA proposal would allow the National Park Service to sign one limited agreement with the Gateway Arch Park Foundation for private events at Gateway Arch National Park and its buildings, for up to five years. The official summary states the bill covers sites such as the Arch Visitor Center and the Old Courthouse. The official summary states the bill ends agreement authority seven years after enactment, and the VFA proposal would keep that end date.

The strongest objection is that private events could create exclusive private use of public land. The answer is firm legal limits. Each event would need to fit the park mission and remain compatible with public programs. No event would harm park resources, change the appearance or purpose of the park, or block public use or access. The Park Service would retain full power to move, limit, or cancel events for safety, repairs, or public need.

Private users would pay the full cost of their events. Fees would cover maintenance, utilities, security, staff time, administration, and wear tied to each event. No taxpayer funds would support private events. What VFA would add beyond the official summary is advance public event standards and yearly public totals for events, costs recovered, and wear fees, so the public can see that the park is made whole.

This plan would protect public ownership while testing a careful partnership. Congress would review the yearly reports before the power ends. Renewal would require a new law based on proven results for park care, public access, and full cost recovery.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Effective Date Upon enactment, with agreement authority ending seven years after enactment

Enforcement Mechanism	The Park Service must deny, move, limit, or end any private event that harms park resources or blocks public access, and must collect fees for costs and wear; annual public reports allow Congress to review compliance
Funding Amount	No new appropriation; private users pay all event costs plus wear fees, capped at actual documented cost plus reasonable wear, with yearly public accounting
Funding Source	Fees paid by the Gateway Arch Park Foundation and private event users for maintenance, utilities, security, personnel, and administrative costs
Oversight Body	National Park Service with annual public reporting and review by Congress
Sunset Years	7 years

CONSTITUTIONAL BASIS

- Article IV, Section 3, Clause 2

Concerns with the measure as written:

- No major enumerated-powers defect appears on the official summary, because Congress may regulate federal park property, but the agreement needs clear limits on duration, fees, and public access to avoid implied exclusive private use.

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

VFA assesses this draft honors Republican priorities for fiscal restraint and no taxpayer subsidy, because private users must pay full documented costs plus wear and the authority ends on a fixed date. VFA assesses it honors Democratic priorities for preservation of public lands and open public access, because events must fit the park mission, cannot harm resources or block public use, and yearly public totals allow open review.

Strongest objection, and the answer: The strongest objection is that private events could create exclusive private use of public land. The answer is firm legal limits.

CHECK BEFORE RELYING ON THIS

Basis: The Congress.gov official summary of H.R. 5254, the Gateway Partnership Act, which states the bill allows one agreement with the Gateway Arch Park Foundation for private events up to five years at Gateway Arch National Park and its buildings, requires consistency with park purposes and public access, requires fees for wear and allows recovery of event costs, and ends agreement authority seven years after enactment. The official summary states the latest action as Placed on Senate Legislative Calendar under General Orders, Calendar No. 662.

The full bill text and current park law are not covered in the official summary. Readers should verify exact definitions, fee rules, appeal rights, labor terms, and any cost or revenue effects at the Congress.gov bill page before acting. Proposed safeguards described as VFA additions, such as advance standards, yearly totals, and deny or cancel power, are new and not stated in the official summary.

Values for America is a nonpartisan, constitution-first SI think tank. This brief is informational. It is a policy proposal, not law, and it does not support or oppose any candidate or party. Full analysis and sources: <https://www.valuesforamerica.com/solutions/419> · Methodology: <https://www.valuesforamerica.com/methodology>