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SENATE

{ REPORT
114-324

MEDGAR EVERS HOUSE STUDY ACT

SEPTEMBER 6, 2016.—Ordered to be printed

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

R E P O R T

[To accompany S. 2177]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2177) to authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House, located in Jackson, Mississippi, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 2177 is to authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House, located in Jackson, Mississippi.

BACKGROUND AND NEED

Medgar Evers was a prominent civil rights leader from Decatur, Mississippi, who fought to end the racial injustice he experienced growing up in the South. He was the first field secretary for the National Association for the Advancement of Colored Peoples (NAACP) in the South and helped integrate the University of Mississippi.

The Evers family home located in Jackson, Mississippi, was the site of his assassination in 1963 by Byron De La Beckwith, a member of the White Citizens' Council. The home, now a museum operated by Tougaloo College, contains period furnishings, exhibits, and family photographs.

The legislation would authorize the National Park Service (NPS) to undertake a special resource study to examine the national significance of the home of the late civil rights activist, Medgar Evers;

its suitability and feasibility for potential designation as a unit of the National Park System; and the need for NPS management of the site versus management by other public or private entities. During the study, the NPS will also consult and collaborate with various public and private entities to determine costs and other factors associated with the acquisition, preservation, and maintenance of the site.

LEGISLATIVE HISTORY

Senators Cochran and Wicker introduced S. 2177, on October 8, 2015.

Representative Thompson introduced similar legislation to S. 2177, H.R. 959, on February 12, 2015. The bill was reported favorably by the House Committee on Natural Resources on September 8, 2015 (H. Rept. 114–251), and was passed by voice vote in the House of Representatives on September 16, 2015.

The Subcommittee on National Parks held a hearing on S. 2177 and H.R. 959 on March 17, 2016.

In the 113th Congress, in the House of Representatives, Representative Thompson introduced similar legislation to S. 2177, H.R. 2326, on June 18, 2013.

The Committee on Energy and Natural Resources met in open business session on July 13, 2016, and ordered S. 2177 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on July 13, 2016, by a majority voice vote of a quorum present, recommends that the Senate pass S. 2177.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 contains the short title.

Section 2. Special resource study

Section 2(a) directs the Secretary of the Interior to conduct a special resource study of the home of late civil rights activist Medgar Evers in Jackson, Mississippi.

Subsection (b) requires the Secretary to evaluate the national significance of the study area; determine the suitability and feasibility of designating the site to the National Park System; consider other alternatives; consult with interested Federal, State, or local government entities, or private or nonprofit organizations; determine the effect of designating the site on existing commercial and recreational uses and the impact on State and local governments to manage those activities; identify authorities that will compel or permit the Secretary to influence or participate in local land use decisions or place restrictions on non-Federal land; and identify Federal cost estimates for various site-relation actions.

Subsection (c) requires the study to be conducted in accordance with applicable law.

Subsection (d) directs the Secretary to submit a report that describes the study's findings and conclusions, and any recommendations to the House Committee on Natural Resources and the Sen-

ate Committee on Energy and Natural Resources within three years after funds are made available.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 5, 2016.

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

DEAR MADAM CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2177, the Medgar Evers House Study Act.

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

Sincerely,

MARK P. HADLEY
(For Keith Hall, *Director*).

Enclosure.

S. 2177—Medgar Evers House Study Act

S. 2177 would direct the Secretary of the Interior to study the suitability and feasibility of designating the Medgar Evers House in Jackson, Mississippi, as a unit of the National Park System. Assuming the availability of appropriated funds, CBO estimates that carrying out the proposed study would cost about \$200,000. Enacting H.R. 959 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 2177 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 2177 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

On August 4, 2016, CBO transmitted a cost estimated for H.R. 959, as ordered reported by the Senate Committee on Energy and Natural Resources on July 13, 2016. The two pieces of legislation are similar and CBO's estimates of their budgetary effects are the same.

On July 28, 2015, CBO transmitted a cost estimate for H.R. 959, as ordered reported by the House Committee on Natural Resources on July 9, 2015. The two pieces of legislation are similar and CBO's estimate of their budgetary effects are the same.

The CBO staff contact for this estimate is Jon Sperl. The estimate was approved by Theresa Gullo, Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out

S. 2177. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

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

Little, if any, additional paperwork would result from the enactment of S. 2177, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 2177, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the March 17, 2016, Subcommittee on National Parks hearing on S. 2177 follows:

STATEMENT OF PEGGY O'DELL, DEPUTY DIRECTOR FOR OPERATIONS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the Department of the Interior's testimony regarding S. 2177 and H.R. 959, bills to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Medgar Evers House in Jackson, Mississippi, as a unit of the National Park System, and for other purposes.

The Department supports S. 2177 and H.R. 959 with amendments described later in this testimony. Priority should be given, however, to the 25 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic River System that have not yet been transmitted to Congress.

S. 2177 and H.R. 959 would authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House in Jackson, Mississippi, for potential inclusion in the National Park System. We estimate that this study will cost approximately \$200,000 to \$300,000. Funding for this proposed study would need to be allocated from the set amount of funding that Congress appropriates for all special resource studies.

Medgar Evers was born in 1925 in Decatur, Mississippi. He was drafted into the U.S. Army in 1943, fought in both France and Germany during World War II, and received an honorable discharge in 1946. He met his future wife, Myrlie Beasley, while a student at Alcorn College in Lorman, Mississippi. Eventually, they had three children: Darrell, Reena, and James.

Mr. Evers' first job following graduation was as an insurance salesman in 1952. He gradually became involved

in civil rights causes and action through the Regional Council of Negro Leadership, a society in Mississippi founded in 1951 to promote a program of civil rights, self-help, and business ownership. He later worked on behalf of the NAACP by organizing local affiliates.

In 1954 Medgar Evers applied for admission to the University of Mississippi Law School but was rejected. He filed a discrimination lawsuit against the university with the aid of his attorney, Thurgood Marshall, who later became the first African-American justice on the United States Supreme Court. Even though the lawsuit failed to gain Mr. Evers admittance to the law school, he gained national attention and in the same year became state field secretary for the NAACP. His activities included recruiting new members, organizing voter-registration drives, and leading economic boycotts of companies that practiced discrimination.

Ultimately, these activities attracted the attention of those who opposed racial equality and desegregation, including those willing to resort to violence to maintain the status quo. These opponents of equal rights began to subject Medgar Evers and his family to threats, intimidation, and other forms of violence. His house was firebombed in May 1963 and he was assassinated by a gunshot in the back in his driveway on June 12, 1963. Subsequently, he was buried in Arlington National Cemetery with full military honors.

Mrs. Evers and her children lived in the house for a year following the murder of her husband, but she decided that she could not remain there and moved her family to California. Subsequently, she donated the house to Tougaloo College in Tougaloo, Mississippi. The house had deteriorated over the years so the Mississippi Department of Archives and History and Tougaloo College decided to restore it as a museum commemorating the life and tragic death of one of the icons of the Civil Rights movement in America. Guided tours of the house are available to the public by appointment.

S. 2177 and H.R. 959 include certain requirements for the study which we recommend deleting. Specifically, we urge deleting section 2(b)(5) of both bills, which would require an analysis of the effect of designation as a unit of the National Park System on existing commercial and recreational activities, and on the authority of state and local governments to manage those activities. We also urge deleting section 2(b)(6) of both bills, which would require an identification of any authorities that would compel or permit the Secretary of the Interior to influence or participate in local land use decisions or place restrictions on non-federal lands. H.R. 959, as introduced in the House, did not include these requirements.

The purpose of conducting a special resource study is to determine whether a resource meets the criteria for inclusion in the National Park System and, if it does not, to provide information on alternative means to protect the re-

source. We believe that the special resource study requirements under existing law result in a sufficient amount of information and analysis of the effects of including a resource in the National Park System. These additional requirements could potentially increase the cost of the study and the time required to complete it.

Mr. Chairman, this concludes my statement. I would be pleased to answer questions that you or other members of the subcommittee might have.

CHANGES IN EXISTING LAW

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

