

Calendar No. 50

115TH CONGRESS } 1st Session }	SENATE	{ REPORT 115-36
-----------------------------------	--------	-----------------------

JAMES K. POLK PRESIDENTIAL HOME STUDY ACT

MAY 3, 2017.—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. 99]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 99) to require the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, 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. 99 is to require the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System.

BACKGROUND AND NEED

James K. Polk, the 11th president of the United States, lived in Columbia, Tennessee, from 1819 until 1824. Nominated as the first “dark-horse” presidential candidate, his program of westward expansion helped him win the election. True to his campaign pledge to serve a single term in office, he returned to Tennessee in 1849. President Polk died three months later. During his term of office, he led the nation through the Mexican War, completing the push to the Pacific Ocean.

In 1961, the James K. Polk Home in Columbia, Tennessee, was designated as a National Historic Landmark. In April 2015, the

National Park Service (NPS) completed a reconnaissance survey of the home and determined that the site warrants a special resource study to analyze fully the suitability, feasibility, and need for the NPS to manage the James K. Polk Home. The NPS recommended that Congress consider authorizing a special resource study for the site. The James K. Polk Home is the only surviving residence of President Polk.

S. 99 would authorize a special resource study of James K. Polk Home to evaluate its national significance, the suitability and feasibility for potential designation of the area as a unit of the National Park System, and the need for NPS management of the resource versus management by other public or private entities. The study is informational; Congress would still have to act on separate legislation to create a unit of the National Park System.

LEGISLATIVE HISTORY

S. 99 was introduced by Senator Alexander on January 11, 2017.

In the 114th Congress, similar legislation, S. 1483, was introduced by Senator Alexander on June 2, 2015. The Subcommittee on National Parks held a hearing on the bill on June 10, 2015. The Committee on Energy and Natural Resources met in open business session on July 30, 2015, and ordered S. 1483 favorably reported as amended.

The measure was included in Amendment No. 3234, which the Senate agreed to on April 19, 2016, as an amendment to S. 2012, the Energy Policy Modernization Act of 2016, which the Senate passed, as amended, on April 20, 2016.

In the 115th Congress, a companion measure, H.R. 443, was introduced in the House of Representatives by Representative DesJarlais on January 11, 2017.

The Committee on Energy and Natural Resources met in open business session on March 30, 2017, and ordered S. 99 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on March 30, 2017, by a majority voice vote of a quorum present, recommends that the Senate pass S. 99.

SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title, the “James K. Polk Presidential Home Study Act.”

Section 2 (a) defines key terms.

Section 2(b)(1) and (2) directs the Secretary of the Interior to conduct a special resource study of the James K. Polk Home and adjacent property in Columbia, Tennessee. In conducting the study, the Secretary shall evaluate the national significance of the study area; determine the suitability and feasibility of designating the study area; consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State, or local government entities, or private and nonprofit organizations; consult with interested parties; and identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

Paragraph (3) directs the Secretary to conduct the study in accordance with section 100507 of title 54, United States Code, which sets forth criteria for NPS special resource studies.

Paragraph (4) requires the Secretary to submit a report that describes the findings and conclusions of the study and any recommendations to the House Committee on Natural Resources Committee and the Senate Committee on Energy and Natural Resources within three years after the funds are made available to carry out the study.

COST AND BUDGETARY CONSIDERATIONS

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

S. 99 would direct the Secretary of the Interior to study the suitability and feasibility of designating the home of James K. Polk in Columbia, Tennessee, as a unit of the National Park System. Based on information from the National Park Service, CBO estimates that carrying out the proposed study would cost about \$200,000; such spending would be subject to the availability of appropriated funds.

Enacting S. 99 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 99 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

S. 99 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Jon Sperl. The estimate was approved by H. Samuel Papenfuss, Deputy 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. 99. 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. 99, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 99, 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

Because S. 99 is similar to legislation considered by the Committee in the 114th Congress, the Committee did not request Executive Agency views. The testimony provided by the Department of

the Interior at the hearing before the National Parks Subcommittee on June 10, 2015, follows:

STATEMENT OF VICTOR KNOX, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's testimony regarding S. 1483, a bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes.

The Department supports enactment of this legislation with amendments described later in this testimony. However, we believe that priority should be given to the 33 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 Rivers System that have not yet been transmitted to Congress.

S. 1483 authorizes a special resource study of the James K. Polk home in Columbia, Tennessee. This study would determine whether this site meets the National Park Service's criteria for inclusion in the National Park System of national significance, suitability, and feasibility, and need for National Park Service management. The National Park Service recently conducted a reconnaissance survey that preliminarily evaluated the James K. Polk home and found that, because the site has the potential to meet the National Park Service's criteria for inclusion in the National Park System, further study was warranted.

The study would also consider other alternatives for preservation, protection, and interpretation of the resources by the Federal government, State or local government entities, or private and non-profit entities. Alternatives might include, for example, the designation of the site as an affiliated area of the National Park Service, where the National Park Service would provide technical assistance to the site but not own or manage it. We estimate the cost of the study to range from \$200,000 to \$300,000, based on similar types of studies conducted in recent years.

James Knox Polk was born in Mecklenberg County, North Carolina, on November 2, 1795. In 1806, at the age of eleven, he moved with his family to Tennessee, settling in what is now Maury County. Samuel Polk, his father, purchased three lots in the town of Columbia in 1816 and constructed a two-story brick house (the present Polk Home) on the corner of West Seventh Street and South High Street. Samuel and his wife Jane remained in the house until their deaths in 1827 and 1852, respectively.

James K. Polk lived at the home after graduating from the University of North Carolina at Chapel Hill and for the next few years as he traveled to Nashville to read law with Felix Grundy. While living with his family and pass-

ing the bar in 1820, Polk began a successful law practice in Columbia and campaigned for the state legislature. Though Samuel and Jane Polk's house in Columbia was only a short-term home for James K. Polk, it is the only extant residence associated with the eleventh President, besides the White House, and marks the beginning of his political career. He moved to a new home a few blocks away when he married Sarah Childress of Murfreesboro on January 1, 1824.

The Polk Home in Columbia remained in the family until 1862 and then changed owners several times before it was purchased by the State of Tennessee in 1929. At the same time, a descendant of the Polk family established the James K. Polk Memorial Association of Nashville and the James K. Polk Memorial Auxiliary of Columbia committed to "operate, maintain, preserve, and restore" the Polk Ancestral Home and properties, and also to "perpetuate the memory of the eleventh President of the United States." The Memorial Association opened the home to the public in 1929.

In 1937, the State acquired the adjacent lot to the south and reconstructed the kitchen outbuilding. In 1941, the State bought the next-door Sisters' House; an 1818 residence constructed by James K. Polk's brother-in-law and inhabited by two of his sisters and their families. Additional land was added to the site in 1953 and 1961, expanding the garden. In 1961, the Polk home was designated a National Historic Landmark. In 2009, with private funding, the Memorial Association purchased an 1882 church on the same block and renovated the space into a state-of-the-art exhibit facility. The renovated church, Polk Presidential Hall, has hosted traveling and original exhibits related to the U.S. Presidency and American society and culture during the Polk period. Two privately owned commercial buildings remain on the same block as the Polk Home, between the Polk Presidential Hall and the reconstructed kitchen.

Although the site is owned by the State (with the exception of Polk Presidential Hall), the Memorial Association still administers and operates the James K. Polk Home and Museum while owning and preserving over 1,300 artifacts and original documents directly relating to President Polk. The Memorial Association also offers educational programs on President Polk to regional and national audiences. The Association has an eight-member Board of Directors that employs one full-time professional Executive Director and one full-time Curator of Collections. Two paid docents staff the Sisters' House and provide house tours and educational programs for the 10,000 to 20,000 annual visitors.

S. 1483 includes certain requirements for the study which we recommend deleting. Specifically, we urge deleting section 3(c)(5), 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

activities concerning energy production and transmission infrastructure, and on the authority of state and local governments to manage those activities. We also urge deleting section 3(c)(6), 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.

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 resource. 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 any questions that you or other members of the subcommittee may 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 S. 99, as ordered reported.

