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SENATE

{ REPORT
115-46

MEDGAR EVERS HOUSE STUDY ACT

MAY 9, 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. 644]

[Including Cost Estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 644) 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 with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Medgar Evers House Study Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) STUDY AREA.—The term “study area” means the home of the late civil rights activist Medgar Evers, located at 2332 Margaret Walker Alexander Drive in Jackson, Mississippi.

SEC. 3. SPECIAL RESOURCE STUDY.

(a) STUDY.—The Secretary shall conduct a special resource study of the study area.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the study area;

(2) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(3) 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;

- (4) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and
- (5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.
- (c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 100507 of title 54, United States Code.
- (d) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—
 - (1) the results of the study; and
 - (2) any conclusions and recommendations of the Secretary.

PURPOSE

The purpose of S. 644 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. 644 on March 15, 2017.

On March 23, 2017, a related bill, H.R. 1715, was introduced in the House of Representatives by Representative Thompson.

In the 114th Congress, Senators Cochran and Wicker introduced similar legislation, S. 2177, on October 8, 2015. The Subcommittee on National Parks held a hearing on S. 2177 and its companion measure, H.R. 959, on March 17, 2016. The Committee on Energy and Natural Resources met in open business session on July 13, 2016, and ordered S. 2177 favorably reported (S. Rept. 114–324).

Representative Thompson introduced 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.

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

The Committee on Energy and Natural Resources met in open business session on March 30, 2017, and ordered S. 644 favorably reported as amended.

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. 644, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 644, the Committee adopted an amendment in the nature of a substitute to conform the language to the version reported by the Committee during the 114th Congress. The amendment is further described in the section-by-section analysis.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 contains the short title.

Section 2. Definitions

Section 2 provides definitions.

Section 3. Special resource study

Section 3(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 Senate Committee on Energy and Natural Resources within three years after funds are made available.

COST AND BUDGETARY CONSIDERATIONS

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

S. 644 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 S. 644 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 644 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

S. 644 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. 644. 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. 644, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 644, 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. 644 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 National Park Service at the hearing before the Subcommittee on National Parks on March 17, 2016, 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 Ar-

chives 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 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 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.

