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SENATE

{ REPORT
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MEDGAR AND MYRLIE EVERS HOME NATIONAL MONUMENT ACT

NOVEMBER 15, 2018.—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 H.R. 4895]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (H.R. 4895) to establish the Medgar Evers Home National Monument in the State of Mississippi, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and an amendment to the title and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Medgar and Myrlie Evers Home National Monument Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) COLLEGE.—The term “College” means Tougaloo College, a private educational institution located in Tougaloo, Mississippi.

(2) HISTORIC DISTRICT.—The term “Historic District” means the Medgar Evers Historic District, as included on the National Register of Historic Places, and as generally depicted on the Map.

(3) MAP.—The term “Map” means the map entitled “Medgar and Myrlie Evers Home National Monument”, numbered 515/142561, and dated September 2018.

(4) MONUMENT.—The term “Monument” means the Medgar and Myrlie Evers Home National Monument established by section 3.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. ESTABLISHMENT OF MEDGAR AND MYRLIE EVERS HOME NATIONAL MONUMENT.

(a) ESTABLISHMENT.—

- (1) **IN GENERAL.**—Subject to paragraph (2), there is established the Medgar and Myrlie Evers Home National Monument in the State of Mississippi as a unit of the National Park System to preserve, protect, and interpret for the benefit of present and future generations resources associated with the pivotal roles of Medgar and Myrlie Evers in the American Civil Rights Movement.
- (2) **DETERMINATION BY THE SECRETARY.**—The Monument shall not be established until the date on which the Secretary determines that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit.
- (b) **BOUNDARIES.**—The boundaries of the Monument shall be the boundaries generally depicted on the Map.
- (c) **AVAILABILITY OF MAP.**—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.
- (d) **ACQUISITION AUTHORITY.**—The Secretary may only acquire any land or interest in land located within the boundary of the Monument by—
- (1) donation;
 - (2) purchase from a willing seller with donated or appropriated funds; or
 - (3) exchange.
- (e) **ADMINISTRATION.**—
- (1) **IN GENERAL.**—The Secretary shall administer the Monument in accordance with—
 - (A) this Act; and
 - (B) the laws generally applicable to units of the National Park System, including—
 - (i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and
 - (ii) chapter 3201 of title 54, United States Code.
 - (2) **MANAGEMENT PLAN.**—
 - (A) **IN GENERAL.**—Not later than 3 years after the date on which funds are first made available to the Secretary for this purpose, the Secretary shall prepare a general management plan for the Monument in accordance with section 100502 of title 54, United States Code.
 - (B) **SUBMISSION.**—On completion of the general management plan under subparagraph (A), the Secretary shall submit it to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.
- (f) **AGREEMENTS.**—
- (1) **MONUMENT.**—The Secretary—
 - (A) shall seek to enter into an agreement with the College to provide interpretive and educational services relating to the Monument; and
 - (B) may enter into agreements with the College and other entities for the purposes of carrying out this Act.
 - (2) **HISTORIC DISTRICT.**—The Secretary may enter into agreements with the owner of a nationally significant property within the Historic District, to identify, mark, interpret, and provide technical assistance with respect to the preservation and interpretation of the property.
- (g) **NO BUFFER ZONES.**—
- (1) **IN GENERAL.**—Nothing in this Act, the establishment of the Monument, or the management of the Monument creates a buffer zone outside of the Monument.
 - (2) **ACTIVITY OR USE OUTSIDE MONUMENT.**—The fact that an activity or use can be seen, heard, or detected from within the Monument shall not preclude the conduct of the activity or use outside of the Monument.
2. Amend the title so as to read: “An Act to establish the Medgar and Myrlie Evers Home National Monument in the State of Mississippi, and for other purposes.”.

PURPOSE

The purpose of H.R. 4895, as ordered reported, is to establish the Medgar and Myrlie Evers Home National Monument (Monument) in the State of Mississippi.

BACKGROUND AND NEED

Born July 2, 1925, in Decatur, Mississippi, Medgar Evers was an impassioned activist, orator, and visionary of the Civil Rights

Movement. Growing up in the Jim Crow South during the Great Depression, Evers attended a segregated school until he was a sophomore, at which point he enlisted in the United States Army during World War II and served in Normandy. Segregation in the military during his tour of duty cemented Evers' conviction to fight for change. He returned to school upon completion of his service, finished his high school degree, and then earned a college degree in business administration at Alcorn A&M College in Mississippi.

Following graduation, Evers joined and became increasingly involved in the National Association for the Advancement of Colored People (NAACP). In 1954, he became the first African American to seek admission to the University of Mississippi School of Law, and, represented by Thurgood Marshall, sued the law school for denying him admission because of his race. Although his lawsuit was unsuccessful, NAACP officials were impressed by Evers' leadership potential, and he was officially appointed as Mississippi's first NAACP state field secretary in December 1954, a time of widespread racial violence against African Americans.

As field secretary, Evers organized sit-ins for equal access to public accommodations and mounted major voter registration campaigns. His efforts to garner equal rights for African Americans in Mississippi incurred the wrath of white supremacists, and Evers was murdered on June 12, 1963, as he walked from his car to his house that evening. It took 31 years for Evers' killer to be brought to justice. In the years that followed, Mississippi changed a great deal. Evers' murder helped galvanize the nation to push for equality and justice, as evidenced by the thousands who marched in the streets during his funeral procession shouting: "After Medgar, No More Fear."

Following his death, Mr. Evers' wife, Myrlie, continued his fight for racial equality and justice. Myrlie Evers was one of the first African-American women to run for Congress, and was the Director for Community Affairs at the Atlantic Richfield Company during the 1970s. Like her late husband, she worked tirelessly on behalf of the NAACP, eventually being elected to the position of chairperson in 1995.

H.R. 4895 recognizes the Evers' contributions and sacrifices to racial equality and justice by establishing the Monument in Mississippi to preserve, protect, and interpret the Evers' pivotal role in the American Civil Rights Movement for present and future generations.

LEGISLATIVE HISTORY

Representative Bennie Thompson introduced H.R. 4895 in the House of Representatives on January 29, 2018. The Committee on Natural Resources reported H.R. 4895 on April 11, 2018 (H. Rept. 115-632), and the measure passed the House of Representatives by voice vote on May 15, 2018.

Senators Wicker, Hyde-Smith, and Jones introduced companion legislation, S. 2889, on May 21, 2018.

The Subcommittee on National Parks held a hearing on H.R. 4895 and S. 2889 on August 15, 2018.

The Committee on Energy and Natural Resources met in open business session on October 2, 2018, and ordered H.R. 4895 favorably reported, as amended.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on October 2, 2018, by a majority voice vote of a quorum present recommends that the Senate pass H.R. 4895, if amended as described herein.

COMMITTEE AMENDMENTS

During its consideration of H.R. 4895, the Committee adopted a joint staff amendment in the nature of a substitute. The substitute amendment makes a number of changes, including updating and alphabetizing definitions; modifying the Monument's name to include Myrlie Evers; standardizing the determination and acquisition authority; and clarifying that the National Park Service and Tougaloo College may enter into agreements to provide educational and interpretive services. The Committee also adopted an amendment to the title to reflect the Monument's revised name.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 contains the short title.

Section 2. Definitions

Section 2 contains key definitions.

Section 3. Establishment of Medgar and Myrlie Evers Home National Monument

Subsection (a) establishes the Medgar and Myrlie Evers Home National Monument in the State of Mississippi as a unit of the National Park System to preserve, protect, and interpret for the benefit of present and future generations resources associated with the pivotal roles of Medgar and Myrlie Evers in the American Civil Rights Movement. This subsection specifies that the Monument shall not be established until the Secretary determines that a sufficient quantity of land or interests in land have been acquired to constitute a manageable park unit.

Subsection (b) notes that the boundaries of the Monument shall be as generally depicted on the map entitled, "Medgar and Myrlie Evers Home National Monument," numbered 515/142561, and dated September 2018.

Subsection (c) provides that the map shall be on file and available for public inspection.

Subsection (d) authorizes the Secretary to acquire any land or interest in land located within the Monument's boundary by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

Subsection (e) requires the Secretary of the Interior to administer the Monument in accordance with this Act and all laws generally applicable to the National Park System. This subsection also directs the Secretary to prepare a general management plan for the Monument not later than three years after the date on which funds are first made available. Upon completion, the Secretary is required to submit the general management plan to the House Natural Resources Committee and the Senate Energy and Natural Resources Committee.

Subsection (f) directs the Secretary to seek to enter into an agreement with Tougaloo College, a private educational institution in Tougaloo, Mississippi, to provide interpretive and educational services relating to the Monument. The Secretary is also authorized to enter into agreements with Tougaloo College and other entities for the purposes of carrying out the Act. The Secretary is further authorized to enter into agreements with the owner of a nationally significant historic property within the Medgar Evers Historic District to identify, mark, interpret, and provide technical assistance regarding the preservation and interpretation of the property.

Subsection (g) clarifies that nothing in this Act, the establishment of the Monument, or the management of the Monument creates a buffer zone outside of the Monument. This subsection further makes clear that an activity which can be seen, heard, or detected from within the Monument shall not preclude the conduct of the activity or use outside of the Monument.

COST AND BUDGETARY CONSIDERATIONS

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

H.R. 4895 would establish the Medgar Evers Home National Monument in Jackson, Mississippi. Under the bill, the site would become a unit of the National Park System and would be owned and operated by the National Park Service (NPS). The bill would direct the NPS to acquire the Medgar Evers home by means of donation from Tougaloo College. Based on the expected date of that donation and the experience of other system units, CBO expects the monument would not be formally established for several years.

Using information from the NPS on the costs for operating new system units, CBO estimates that the agency would incur about \$200,000 annually in administrative costs in its initial years. The bill also would require the NPS to develop a general management plan for the monument. Based on the costs of similar tasks, CBO estimates that developing the plan would cost less than \$500,000. In total, CBO estimates that implementing H.R. 4895 would cost about \$1 million over the 2018–2022 period; such spending would be subject to the availability of appropriated funds.

Enacting H.R. 4895 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 4895 would not increase net direct spending or onbudget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 4895 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Janani Shankaran. 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 H.R. 4895. The Act is not a regulatory measure in the sense of im-

posing 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 H.R. 4895, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

H.R. 4895, 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 Department of the Interior at the August 15, 2018, hearing on H.R. 4895 and S. 2889, companion legislation to H.R. 4895, follows:

STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to provide the Department of the Interior's views on H.R. 4895 and S. 2889, bills to establish the Medgar Evers Home National Monument in the State of Mississippi, and for other purposes.

The Department supports enactment of H.R. 4895 and S. 2889 with amendments described later in this statement. As a nationally significant civil rights site, where the owner has indicated a desire to donate the property for inclusion in the National Park System, the Medgar Evers Home represents an exceptional opportunity to preserve and interpret for future generations one of the most crucial stories of the African American civil rights movement of the mid-20th Century.

H.R. 4895 and S. 2889 would authorize the Secretary of the Interior to establish the Medgar Evers Home National Monument after meeting specified requirements. The proposed boundary of the monument includes land within the Medgar Evers National Register District and the Medgar and Myrlie Evers National Historic Landmark. The bills include authorities for land acquisition and administration that are commonly included in legislation establishing a unit of the National Park System.

Medgar Wiley 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. His wife, Myrlie Beasley, was born in 1933 and grew up in Vicksburg, Mississippi. Medgar and Myrlie met while enrolled as students at Alcorn College in Lorman, Mississippi. They were married in 1951 and had three children: Darrell, Reena, and James.

Medgar and Myrlie Evers were major contributors to advancing the goals of the civil rights movement by combining local, grassroots strategies in Mississippi with national organization efforts to change laws and policies related to voting rights, public education, and public accommodations. Medgar Evers was the first Mississippi field secretary for the National Association for the Advancement of Colored People (NAACP) and was at the forefront of every major civil rights event in Mississippi from 1955 until his assassination in 1963. He traveled constantly to work on voter registration drives around the state; investigated the murders of African Americans such as Emmett Till, George Lee, and others; worked behind the scenes with James Meredith and Clyde Kennard to integrate Mississippi's white universities; and was involved in direct action campaigns such as the beach wade-ins on the Mississippi Gulf Coast, the library read-ins and the economic boycott of downtown Jackson.

While Medgar was the public face of the NAACP in Mississippi, Myrlie Evers worked behind the scenes running the NAACP field office in Jackson, drafting speeches, and providing personal and logistical support for her husband and other civil rights workers. After her husband's death, Myrlie took on a public, active role in the civil rights movement. Soon after his funeral, she began speaking at NAACP events across the nation, eventually becoming the first woman to chair the board of the NAACP from 1995 to 1998.

The assassination of Medgar Evers on June 12, 1963, in the carport of the couple's home was the first murder of a civil rights leader that focused national attention on the civil rights movement. His death heightened public awareness throughout the United States of civil rights issues and became one of the catalysts for the passage of the Civil Rights Act of 1964.

The Evers family donated their home to Tougaloo College in 1993. Located in Jackson's Elaine Subdivision, it is listed in the National Register of Historic Places as the first post-World War II subdivision created for middle-class African Americans in Mississippi. Restored by the College, the home is operated as a museum commemorating the life of Medgar and Myrlie Evers. Guided tours of the house are available to the public by appointment. The Medgar and Myrlie Evers Home, located within the Medgar Evers Historic District on the National Register of Historic Places, was designated as a National Historic Landmark in 2016. On August 3, 2018, Secretary Ryan Zinke added the Medgar and Myrlie Evers home to the U.S. Civil Rights Network to further recognize its significance in the history of the African American civil rights movement.

The National Park Service is in the process of conducting a Congressionally authorized special resource study of Mississippi's nationally significant civil rights sites, including the Evers home and many of the locations

Medgar investigated during his work with the NAACP. Strong local support for including the home in the National Park System has been indicated through public meetings and comments. Tougaloo College, which owns the home, is prepared to donate the property for inclusion in the proposed unit. All funding for the unit would be subject to National Park Service priorities and the availability of appropriations.

The Department recommends that S. 3176 and H.R. 5979 be amended in the following ways:

First, H.R. 4895 and S. 2889 would name the site the "Medgar Evers Home National Monument". The Department recommends adding Myrlie's name to make it the "Medgar and Myrlie Evers Home National Monument". This amendment would provide recognition for Myrlie's own important contributions to furthering the advancement of the civil rights movement, and it would make the name consistent with the National Historic Landmark designation.

Second, the bills include two conditions for establishing the Medgar Evers Home as a unit of the National Park System: (1) entering into an agreement for donation of the property, and (2) acquiring sufficient land to constitute a manageable unit. Because land must be acquired prior to the establishment of the Monument, an agreement evidencing an intent to donate land is a precondition that does not need to be included in the legislation. We therefore recommend striking the first condition.

Third, the bills require the National Park Service to enter into a cooperative agreement with Tougaloo College for interpretive and educational programming related to the national monument. The Department recommends amending the bills to allow flexibility for the National Park Service and Tougaloo College to determine the best way to work in partnership to further the purposes of the new unit rather than requiring a specific type of agreement for a specific purpose.

Fourth, the bills provides land acquisition authority by means of donation, purchase with donated funds, or exchange. The Department recommends amending the bill to also include the authority to purchase lands with appropriated funds. Such authority is common for other National Park Service units. That authority would allow the owners of private property within the boundary the opportunity to sell their lands to the Federal government. Even if the owners are not interested in selling their land at the current time, this authority provides the flexibility for them to make that decision in the future if circumstances change. Before the National Park Service would seek to acquire any property, whether by purchase, donation, or exchange, it would take into consideration the condition of any structures on the property that would add to the Service's deferred maintenance backlog. Any funding to purchase land would be subject to future appropriations from Congress.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions 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 H.R. 4895 as ordered reported.

