

Calendar No. 794

110TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 110-362

GREEN MCADOO SCHOOL NATIONAL HISTORIC SITE STUDY ACT

JUNE 16, 2008.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany S. 2207]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2207) to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee as a unit of the National Park System, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Green McAdoo School National Historic Site Study Act of 2008”.

SEC. 2. GREEN MCADOO SCHOOL NATIONAL HISTORIC SITE SPECIAL RESOURCE STUDY.

(a) IN GENERAL.—The Secretary of the Interior (referred to in this Act as the “Secretary”) shall conduct a special resource study of the site of Green McAdoo School in Clinton, Tennessee, (referred to in this Act as the “site”) to evaluate—

(1) the national significance of the site; and

(2) the suitability and feasibility of designating the site as a unit of the National Park System.

(b) CRITERIA.—In conducting the study under subsection (a), the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System under section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)).

(c) CONTENTS.—The study authorized by this Act shall—

(1) determine the suitability and feasibility of designating the site as a unit of the National Park System;

(2) include cost estimates for any necessary acquisition, development, operation, and maintenance of the site; and

(3) identify alternatives for the management, administration, and protection of the site.

(d) REPORT.—Not later than 3 years after the date on which funds are made available to carry out this Act, 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 findings and conclusions of the study; and
- (2) any recommendations of the Secretary.

PURPOSE

The purpose of S. 2207 is to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee, as a unit of the National Park System.

BACKGROUND AND NEED

Green McAdoo School was the City of Clinton's only public African American elementary school in the 1940s and 1950s. Following the Supreme Court decision in *Brown v. Board of Education*, the school served as a strategy center and staging area during the desegregation of the public high school in Clinton. Once desegregation was underway in the fall of 1956, local African American students would gather at the Green McAdoo School to form a group before proceeding on their walk to high school. The Green McAdoo School also hosted various public meetings in 1955 and 1956 where the desegregation process was explained and discussed within the African American community. In 2005, Green McAdoo School was added to the National Register of Historic Places.

S. 2207 directs the Secretary of the Interior to conduct a study of the site of Green McAdoo School in Clinton, Tennessee, to evaluate the national significance of the site and the suitability and feasibility of designating the site as a unit of the National Park System.

LEGISLATIVE HISTORY

S. 2207 was introduced by Senator Alexander on October 19, 2007. Senator Corker and Senator Salazar are cosponsors. The Subcommittee on National Parks held a hearing on S. 2207 on April 9, 2008.

At its business meeting on May 7, 2008, the Committee on Energy and Natural Resources ordered S. 2207 favorably reported, with an amendment in the nature of a substitute.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on May 7, 2008, by a voice vote of a quorum present, recommends that the Senate pass S. 2207, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 2207, the Committee adopted an amendment in the nature of a substitute. The amendment removes the findings section, and makes other clarifying and conforming changes. The amendment is described in detail in the section-by-section analysis, below.

SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title “Green McAdoo School National Historic Site Study Act of 2008”.

Section 2(a) directs the Secretary of the Interior to conduct a special resource study to assess the suitability and feasibility of designating the Green McAdoo School for inclusion in the National Park System.

Subsection (b) directs the Secretary to use the criteria for new area studies described in section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)).

Subsection (c) provides that the study shall include cost estimates for any necessary acquisition, development, operation, and maintenance of the site and shall identify alternatives for the management, administration and protection of the site.

Subsection (d) requires the Secretary to submit the study to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives containing the results of the study and any findings, conclusions, and recommendations of the Secretary, not later than 3 years after the date on which funds are first made available for the study.

COST AND BUDGETARY CONSIDERATIONS

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

S. 2207—Green McAdoo School National Historic Site Study Act of 2008

S. 2207 would require the National Park Service (NPS) to conduct a study to determine the suitability and feasibility of establishing the Green McAdoo School in Tennessee as a unit of the National Park System. Based on information provided by the NPS and assuming the availability of appropriated funds, CBO estimates that carrying out the proposed study would cost about \$250,000 over the 2009–2012 period. Enacting the legislation would not affect direct spending or revenues.

S. 2207 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 Deborah Reis. This estimate was approved by Theresa Gullo, 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. 2207. 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 paper work would result from the enactment of S. 2207, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 2207, as reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined by rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the April 23, 2008 hearing on S. 2207 follows:

STATEMENT OF KATHERINE H. STEVENSON, ACTING ASSISTANT DIRECTOR, BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 2207, a bill to authorize the Secretary of the Interior (Secretary) to conduct a study to evaluate the national significance and the suitability and feasibility of designating the Green McAdoo School in Clinton, Tennessee, as a unit of the National Park System.

The Department supports S. 2207 with two technical amendments described later in this testimony. However, the Department feels that priority should be given to the 32 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 the Congress.

The Secretary would use the criteria for the study under section 8 of Public Law 91-383. Studies of this type typically cost approximately \$250,000 and take three years to complete after funds are made available.

S. 2207 would direct the Secretary to carry out a study of the formerly segregated African-American Green McAdoo School. The Green McAdoo School and the nearby all-white Clinton High School played an important role in school desegregation that preceded and followed the Supreme Court's decision in *Brown v. Board of Education* in 1954.

The Federal District Court in Tennessee issued an order on January 4, 1956, requiring desegregation of Anderson County schools no later than the fall term, 1956. On Aug. 25, 1956, 12 students from the Green McAdoo School, later dubbed the "Clinton 12" became the first African-American students to effect the integration of a southern, state-operated school. On September 1, 1956, Clinton was the first southern town to be occupied by National Guard troops in an effort to suppress violence sparked by protestors that were opposed to school integration. In 1958, the newly integrated Clinton High School was destroyed by explosives.

Anderson County rebuilt Clinton High School. Green McAdoo and Clinton High are the only remaining schools associated with the historic Clinton desegregation crisis. After closing as a segregated school, the Green McAdoo School was reopened as a museum and cultural center in

2006. The Green McAdoo School is listed on the National Register of Historic Places.

We recommend amending the short title of the bill on page 1 line 5 by striking “National Historic Site” and inserting “Special Resource” before “Study” in order to not appear to have already determined the outcome of the study. We also recommend making a similar amendment on page 4 line 8 by inserting “special resource” before “study” to use the term for the proposed study that is normally used.

That concludes my testimony. I would be happy 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 the bill, S. 2207, as ordered reported.

