

TO DIRECT THE SECRETARY OF THE INTERIOR TO REMOVE THE STATUE TO THE MEMORY AND IN HONOR OF ALBERT PIKE ERECTED NEAR JUDICIARY SQUARE IN THE DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES

DECEMBER 14, 2020.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources, submitted the following

## R E P O R T

[To accompany H.R. 4135]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4135) to direct the Secretary of the Interior to remove the statue to the memory and in honor of Albert Pike erected near Judiciary Square in the District of Columbia, 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 all after the enacting clause and insert the following:

### SECTION 1. REMOVAL OF STATUE OF ALBERT PIKE.

(a) REMOVAL.—The Secretary of the Interior, acting through the Director of the National Park Service, shall remove the statue to the memory and in honor of Albert Pike erected near Judiciary Square in the District of Columbia under the “Joint Resolution Granting permission for the erection of a monument or statue in Washington City, District of Columbia, in honor of the late Albert Pike.”, approved April 9, 1898 (30 Stat. 737).

(b) RELOCATION.—The Secretary of the Interior may donate the statue to a museum or other similar entity, as determined appropriate by the Secretary, to ensure its preservation and interpretation in an indoor setting. The recipient of the statue may not store, display, or exhibit the statue outside.

### PURPOSE OF THE BILL

The purpose of H.R. 4135 is to direct the Secretary of the Interior to remove and appropriately dispose of the statue to the memory and in honor of Albert Pike erected near Judiciary Square in the District of Columbia.

### BACKGROUND AND NEED FOR LEGISLATION

H.R. 4135, as reported, requires the Secretary of the Interior to remove and appropriately dispose of the statue of Albert Pike erect-

ed near Judiciary Square in the District of Columbia. The bill permits the Secretary of the Interior to donate the statue to a museum or other similar entity, as determined appropriate by the Secretary, to ensure its preservation and interpretation in an indoor setting. The legislation stipulates that the recipient of the statue may not store, display, or exhibit the statue outside.

Albert Pike commanded armed forces against the United States as a brigadier general in the Confederate States Army for two years before he was accused of treason and ultimately forced to resign in disgrace following reports from his fellow officers that he was misappropriating funds and that soldiers under his command were known to mutilate the bodies of American soldiers. Following the war and a pardon from President Andrew Johnson, Pike moved to Washington, D.C., in 1868 and played an influential role in growing the largest Scottish Rite branch of the Freemasons. The Masons lobbied Congress for land to erect a monument to Pike and donated the majority of the funds needed to build and install the statue in 1901. The Freemasons are in support of permanently removing the statue “so that it shall not serve as a source of contention or strife for the residents of [their] community.”<sup>1</sup> The D.C. Mayor and D.C. Council also support permanent removal of the statue.<sup>2</sup>

#### COMMITTEE ACTION

H.R. 4135 was introduced on July 30, 2019, by Representative Eleanor Holmes Norton (D–DC). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands. On July 21, 2020, the Subcommittee held a hearing on the bill. On September 30, 2020, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Raúl M. Grijalva (D–AZ) offered an amendment designated Grijalva #1. The amendment was agreed to by voice vote. No additional amendments were offered, and the bill, as amended, was adopted and ordered favorably reported to the House of Representatives by voice vote.

#### HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 4135: legislative hearing by the Subcommittee on National Parks, Forests, and Public Lands held on July 21, 2020.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

<sup>1</sup>Jenna Portnoy, *A Homeless Confederate? Albert Pike’s Complicated Legacy Leaves Statue in Limbo*, WASH. POST. (Oct. 30, 2017), [https://www.washingtonpost.com/local/dc-politics/a-homeless-confederate-albert-pikes-complicated-legacy-leaves-statue-in-limbo/2017/10/16/40fe05d6-aa10-11e7-92d1-58c702d2d975\\_story.html](https://www.washingtonpost.com/local/dc-politics/a-homeless-confederate-albert-pikes-complicated-legacy-leaves-statue-in-limbo/2017/10/16/40fe05d6-aa10-11e7-92d1-58c702d2d975_story.html).

<sup>2</sup>See, e.g., Council of DC (@councilofdc), TWITTER (June 19, 2020, 11:48 PM), <https://twitter.com/councilofdc/status/1274187263736532998> (noting Council efforts since 1992, including a unanimous resolution in 2017).

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET  
ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of Rule XIII, the general performance goals and objectives of this bill are to direct the Secretary of the Interior to remove and appropriately dispose of the statue to the memory and in honor of Albert Pike erected near Judiciary Square in the District of Columbia.

## EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

## UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee.

## EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

## APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.