



**To:** House Committee on Natural Resources Republican Members  
**From:** House Committee on Natural Resources Republican Staff  
**Date:** April 4, 2022  
**Subject:** Markup of five bills: H.R. 920, H.R. 1638, H.R. 2626, H.R. 5093, and H.R. 6651

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The Natural Resources Committee will hold a hybrid markup on **Wednesday, April 6, 2022, at 10:00 a.m. EDT** in person and online via Cisco WebEx on five bills: H.R. 920 (Clyburn), H.R. 1638 (Johnson, SD), H.R. 2626 (Kelly), H.R. 5093 (Herrera Beutler), and H.R. 6651 (Young).

Republican members are encouraged to take advantage of the opportunity to participate in person from the hearing room.

Member offices are requested to notify Baylee Seeman ([Baylee.Seeman@mail.house.gov](mailto:Baylee.Seeman@mail.house.gov)) by **4:30 p.m. EDT on Tuesday, April 5, 2022**, if their Member intends to participate in person in the hearing room or remotely from his/her laptop from another location. Members may vote either by electronic device in the hearing room or by voice (while visible) if participating remotely.

Submissions for the hearing record must be submitted through the Committee's electronic repository at [HNRCDocs@mail.house.gov](mailto:HNRCDocs@mail.house.gov). Please contact David DeMarco ([David.DeMarco@mail.house.gov](mailto:David.DeMarco@mail.house.gov)) or Everett Winnick ([EverettWinnick@mail.house.gov](mailto:EverettWinnick@mail.house.gov)) should any technical difficulties arise.

## **I. KEY MESSAGES**

- Bills expected to move by unanimous consent are H.R. 920, *Brown v. Board of Education National Historic Site Expansion Act* (Clyburn), H.R. 1638, *Gilt Edge Mine Conveyance Act* (Johnson, SD), H.R. 2626, *Pullman National Historical Park Act* (Kelly, IL), H.R. 5093, *Wind River Administrative Site Conveyance Act* (Herrera Beutler), and H.R. 6651, *Alaska Salmon Research Task Force Act* (Young).
- In light of President Biden's ongoing energy crisis, Republican members are encouraged to seek recognition during the mark-up to discuss the need to unleash America's domestic energy potential, restart onshore and offshore lease sales and require the timely issuance of permits to drill and advance pro-energy legislation like the [package of Republican Natural Resources bills](#) introduced last week.

## II. EXPECTED LEGISLATION

### **H.R. 920 (Clyburn), Brown v. Board of Education National Historic Site Expansion Act**

H.R. 920 would expand the Brown v. Board of Education National Historic Site currently located in Topeka, Kansas, to include additional sites in Clarendon County, South Carolina, and would establish as affiliated areas specified sites in Farmville, Virginia; Wilmington and Hockessin, Delaware; and the District of Columbia. The bill would also redesignate the site as the “Brown v. Board of Education National Historical Park”.

In October 1952, the U.S. Supreme Court announced it would hear five cases regarding school desegregation, collectively titled *Brown v. Board of Education*.<sup>1</sup> The five cases were *Brown et. al. v. Board of Education of Topeka* from Kansas; *Briggs v. Elliott* from South Carolina; *Davis v. County School Board of Prince Edward County, Virginia*; *Bolling v. Sharpe* from the District of Columbia; and *Gebhart v. Belton* from Delaware.<sup>2</sup> The cases involved lower funding levels for segregated schools, resulting in poorer facilities, limited class sizes, curricula of lower quality, teachers with lower qualifications, no high school, or lack of transportation.<sup>3</sup> The ruling directly affected 21 states.<sup>4</sup> The landmark, unanimous ruling issued by the U.S. Supreme Court in *Brown v. Board of Education* (1954) repealed the “separate but equal” precedent and ruled that segregated public education violated the Fourteenth Amendment. The new precedent would be used to help overturn similar laws establishing segregation in other public facilities across the nation.

In 1987, Monroe Elementary School and Sumner Elementary School in Topeka, two schools involved in the class action suit were designated as national historic landmarks.<sup>5</sup> In 1992, through P.L. 102-525, Congress established the Brown v. Board of Education National Historic Site in Kansas, consisting of the Monroe Elementary School site in Topeka.<sup>6</sup> At the time of the designation, Sumner Elementary School was still being used, thus Monroe Elementary was designated as the historic site. Sumner Elementary School closed in 2009 and is now privately owned.

In addition to the schools in Topeka, other schools are designated as historic landmarks because of their association with the *Brown v. Board of Education* case. Among them are Robert Russa Moton School in Farmville, Virginia; John Philip Sousa Junior High School in Washington, D.C.; and Howard High School (today, the Howard High School of

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<sup>1</sup> U.S. National Archives and Records Administration, *Brown v. Board of Education of Topeka*. 2004, [www.archives.gov/publications/prologue/2004/spring/brown-v-board-1.html](http://www.archives.gov/publications/prologue/2004/spring/brown-v-board-1.html).

<sup>2</sup> Kansas Historical Society, *Brown v. Board of Education of Topeka*, (Jan., 2019), [www.kshs.org/kansapedia/brown-v-board-of-education-of-topeka/11994](http://www.kshs.org/kansapedia/brown-v-board-of-education-of-topeka/11994).

<sup>3</sup> *Id.*

<sup>4</sup> Texas, Oklahoma, Missouri, Arkansas, Louisiana, Mississippi, Alabama, South Carolina, Georgia, Florida, North Carolina, Tennessee, Kentucky, Virginia, West Virginia, Maryland, Delaware, Kansas, Arizona, New Mexico, and Wyoming

<sup>5</sup> National Park Service, *Topeka, Kansas*, (Mar. 26, 2022), <https://www.nps.gov/brvb/learn/historyculture/topeka.htm>.

<sup>6</sup> P.L. 102-525 – October 26, 1992.

Technology) in Wilmington, Delaware in 2005.<sup>7</sup> Another school, Summerton High School in Clarendon County, South Carolina, is listed on the National Register of Historic Places.<sup>8</sup> In 1999 the National Park Service (NPS) published a historic resource study, “A Strong Pull, a Long Pull, and a Pull Altogether: Topeka’s Contribution to the Campaign for School Desegregation.”<sup>9</sup> The study concluded that the four other cases made important contributions to end segregation in public education.

An amendment in the nature of the substitute (ANS) will be offered to further expand the boundary of the site by authorizing the NPS to acquire approximately one acre of land adjacent to Monroe Elementary School in Topeka, Kansas in addition to the two sites in South Carolina (approximately 4.64 acres in total). The ANS will also make technical corrections requested by the NPS. The hearing memo for H.R. 920 may be viewed [here](#). ***The Ranking Member supports this bill and it is expected to move by unanimous consent.***

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### **[H.R. 1638 \(Johnson, SD\), Gilt Edge Mine Conveyance Act](#)**

H.R. 1638 would authorize the state of South Dakota to purchase approximately 266 acres of U.S. Forest Service (USFS) land in Lawrence County, South Dakota, to help facilitate remediation of the mine site. The State of South Dakota owns a portion of the land base of the mine site and has an interest in consolidating adjoining Federal and private land within the Superfund site to mitigate acidic rock drainage and pursue additional water reclamation efforts. The land transfer authorized by this legislation would allow the state to conduct clean-up efforts within the boundary of the Gilt Edge Mine superfund site once the Environmental Protection Agency (EPA) completes its portion of the cleanup.

Any proceeds received by USFS from the conveyance would be deposited in a special fund created by the Sisk Act and available to the USFS for the maintenance and improvement of land or administrative facilities in the Black Hills National Forest in South Dakota. The hearing memo for H.R. 1638 may be viewed [here](#). ***The Ranking Member supports this bill and it is expected to move by unanimous consent.***

Staff contacts: Aniela Butler ([Aniela.Butler@mail.house.gov](mailto:Aniela.Butler@mail.house.gov)) and Brandon Miller ([Brandon.Miller@mail.house.gov](mailto:Brandon.Miller@mail.house.gov))

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<sup>7</sup> U.S. Civil Rights Trail, *Robert Russa Moton High School and Robert Russa Moton Museum*, [civilrightstrail.com/attraction/robert-russa-moton-high-school](http://civilrightstrail.com/attraction/robert-russa-moton-high-school); National Park Service, *John Philip Sousa Junior High School National Historic Landmark Nomination*, [https://npgallery.nps.gov/NRHP/GetAsset/NHLS/01001045\\_text](https://npgallery.nps.gov/NRHP/GetAsset/NHLS/01001045_text); National Park Service, *Howard High School National Historic Landmark Nomination*, <https://npgallery.nps.gov/GetAsset/f9d27c83-1521-48fe-afc0-9eef52244889>.

<sup>8</sup> National Park Service, *Clarendon County, South Carolina*, (March 26, 2022), <https://www.nps.gov/brvb/learn/historyculture/clarendoncounty.htm>.

<sup>9</sup> National Park Service, *A Strong Pull, A Long Pull, And A Pull Altogether*, (Dec. 1999), <http://npshistory.com/publications/brvb/hrs.pdf>.

## **H.R. 2626 (Kelly, IL), Pullman National Historical Park Act**

H.R. 2626 would redesignate Pullman National Monument as Pullman National Historical Park. Pullman National Monument, also known as the Pullman District and Pullman Historic District, is the sole NPS unit within the city limits of Chicago. Pullman was one of the first model, planned industrial communities in the United States.<sup>10</sup> The District is significant for its historical origins in the Pullman Company, as one of the most famous company towns in the United States, and as the scene of the violent 1894 Pullman strike.<sup>11</sup> The Pullman Historic District includes the Pullman factory, established by sleeping car magnate, George Mortimer Pullman, and the Hotel Florence, named after George Pullman's daughter. Also within the district is the A. Philip Randolph Pullman Porter Museum, named for the prominent leader A. Philip Randolph, which recognizes African American labor history.<sup>12</sup>

The bill would also expand the boundary of the monument originally declared by President Barack Obama on February 19, 2015. The initial monument designation did not provide the desired authorities or designation that are now sought through the proposed legislation. This bill is yet another example of why Congress should establish historic sites through the open debate of the legislative process, rather than by presidential fiat.

An ANS will be offered to insert a legislative map and make other technical corrections requested by the NPS. The hearing memo for H.R. 2626 may be viewed [here](#). *The Ranking Member supports this bill and it is expected to move by unanimous consent.*

Staff contact: Terry Camp ([Terry.Camp@mail.house.gov](mailto:Terry.Camp@mail.house.gov))

## **H.R. 5093 (Herrera Beutler), Wind River Administrative Site Conveyance Act**

H.R. 5093 seeks to provide opportunity for historic, recreational, and economic activity by transferring ownership of approximately 23 acres of the former Wind River Nursery Administrative Site from the U.S. Forest Service (USFS) to Skamania County, Washington. The USFS first established the Wind River Nursery Administrative Site in 1906. The site is 65 acres and contains representative structures from three distinct USFS administrative units. Most of the buildings at the site are presently leased to Skamania County, while others are available to be rented for lodging for travelers exploring the Gifford Pinchot National Forest. Skamania County owns 187 acres adjacent to Wind River Nursery and intends to develop the site conveyed by this bill for additional lodging facilities to support recreation and other business opportunities that will generate much needed economic activity and revenue for the county. The bill would allow USFS to consolidate its resources so it can focus on addressing the \$10 million deferred maintenance backlog at the Gifford Pinchot National Forest.

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<sup>10</sup> National Park Service, "Pullman National Monument History & Culture," Dec. 29, 2021, <https://www.nps.gov/pull/learn/historyculture/index.htm>.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

Skamania County and USFS both support this conveyance, as it will fulfil a 2016 agreement made between USFS and the County that will also allow USFS to proceed with a land purchase to benefit the Pacific Crest Trail. Representative Herrera Beutler worked with Skamania County and USFS to negotiate an agreement for support of the land purchase in exchange for USFS's commitment and support for conveying the Wind River Nursery to the County. The hearing memo for H.R. 5093 may be viewed [here](#). ***The Ranking Member supports this bill and it is expected to move by unanimous consent.***

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### **H.R. 6651 (Young), Alaska Salmon Research Task Force Act**

H.R. 6651 would require the Secretary of Commerce, in consultation with the Governor of Alaska, to create an Alaska Salmon Research Task Force to review existing Pacific salmon research, identify research gaps regarding the variability and the decline of salmon returns in regions of Alaska, and support sustainable management of salmon in Alaska. The bill would not authorize funding for the task force.

This task force would examine recent low salmon runs in the Yukon River following National Oceanic and Atmospheric Administration (NOAA) determinations for fourteen fisheries disasters in Alaska since 2018.<sup>13</sup> The task force would be composed of thirteen to nineteen members and would be required to report to the Secretary of Commerce and to Congress on its work and recommendations.

The hearing memo for H.R. 6651 may be viewed [here](#). ***The Ranking Member supports this bill and it is expected to move by unanimous consent.***

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<sup>13</sup> Alaska Dept. of Fish and Game, *2021 Yukon River Salmon Fall Fishery Announcement #6* (July 27, 2021), <https://www.adfg.alaska.gov/static/applications/dfnewsrelease/1308492981.pdf>; Nat'l Oceanic and Atmosphere. Admin., *Fishery Disaster Determinations* (Jan. 21, 2022), <https://www.fisheries.noaa.gov/national/funding-and-financial-services/fishery-disaster-determinations>.