



To: House Committee on Natural Resources Republican Members
From: Subcommittee on National Parks, Forests, and Public Lands Republican Staff;
Terry Camp (Terry.Camp@mail.house.gov) and Chandler Guy
(Chandler.Guy@mail.house.gov)
Date: April 19, 2021
Subject: Legislative Hearing on Four NPS Bills

The Subcommittee on National Parks, Forests, and Public Lands will hold a legislative hearing on H.R. 820, New Philadelphia National Historical Park Act (Rep. LaHood), H.R. 920, Brown v. Board of Education National Historic Site Expansion (Rep. Clyburn), H.R. 2497, Amache National Historic Site Act (Rep. Neguse), and H.R. 2626, Pullman National Historical Park Act (Rep. Kelly) on **Wednesday, April 21, 2021, at 1:00pm EDT**. This is a virtual hearing.

Member offices are requested to notify Terry Camp no later than Monday, April 19, at 4:30pm EDT, if their Member intends to participate in person in the hearing room or remotely from his/her laptop from another location. Submissions for the hearing record must be submitted through the Committee's electronic repository at HNRCDocs@mail.house.gov. Please contact David DeMarco (David.DeMarco@mail.house.gov) or Everett Winnick (Everett.Winnick@mail.house.gov) should any technical difficulties arise.

I. KEY MESSAGES

- The Week of April 17 to 25 is National Park Week.¹
- Our national parks commemorate the triumphs and tragedies of our past and help us learn about, and from, the seminal events of our history. The United States is, and has always been, a melting pot and our parks should reflect the uniqueness and diversity of our nation.
- In recent years, the National Park Service (NPS) has made a concerted effort to ensure that our parks tell the stories of all Americans. The NPS has published numerous theme studies to assess existing cultural resources of various groups, better interpret the contributions of diverse groups at existing park units, and identify where there may be

¹ National Park Week, National Park Service, <https://www.nps.gov/subjects/npscelebrates/national-park-week.htm> (last visited Apr 14, 2021).



gaps in the National Park System.²

- Despite the opportunity that this hearing provides to discuss the NPS' efforts to manage and preserve our nation's and cultural sites, and even though the virtual nature of this hearing provides maximum flexibility for witness attendance, the Biden Administration's NPS has refused to send a witness to testify and answer questions from committee members.

II. WITNESSES

Panel I:

- Representative Joe Neguse, Colorado, 2nd District
- Representative Robin Kelly, Illinois, 2nd District
- Representative Darin LaHood, Illinois, 18th District
- Representative James E. Clyburn, South Carolina, 6th District

Panel II:

- Mr. Philip E. Bradshaw, President, New Philadelphia Association [*Republican Witness*]
- Ms. Leslie Canaan, Senior Field Officer, National Trust for Historic Preservation
- Dr. Robert "Bob" Y. Fuchigami, Amache Survivor
Note: Dr. Fuchigami has a hearing impairment. Members are encouraged to submit questions they intend to ask Mr. Fuchigami in writing either before or after the hearing.
- Michael A. Shymanski, AIA Emeritus, Board Member, Historic Pullman Foundation, Past President, Historic Pullman Foundation

III. BACKGROUND

[H.R. 820 \(LaHood\)](#)

New Philadelphia, located near Barry, Illinois, is the first known town to be platted and officially registered by an African American in the United States.³ Founded in 1836 by "Free" Frank McWorter, McWorter was born into slavery in South Carolina in 1777. He spent his first 42 years of life enslaved and during that time was moved with his owner to Kentucky.⁴ In Kentucky, Frank met his wife Lucy and they started a family.⁵ Frank worked extremely hard and was soon allowed to hire himself out and began to produce and sell saltpeter, a component of gunpower, by working in local mines. After some time, Frank saved enough to purchase the freedom of his then-pregnant wife Lucy, ensuring the freedom of her and their unborn child. Two years later, in 1819, Frank purchased his own freedom.⁶ In 1830, the couple and their three freeborn children moved to a pioneer

² Telling All Americans' Stories: Publications on Diverse and Inclusive History (U.S. National Park Service), NATIONAL PARKS SERVICE, <https://www.nps.gov/articles/publications-diverse.htm> (last visited Apr 14, 2021).

³ Archeology of New Philadelphia (U.S. National PARK SERVICE), <https://www.nps.gov/articles/archeology-of-new-philadelphia.htm> (last visited Apr 13, 2021).

⁴ Id.

⁵ Id.

⁶ Id.

homestead in Illinois, where Frank obtained land for his family to farm. In 1836, Frank purchased 42 acres of land in Pike County, Illinois, which he platted into 144 lots.⁷ He called the town he founded New Philadelphia and sold lots to African American and European American settlers alike.⁸ New Philadelphia was an integrated town where free-born and formerly enslaved African Americans lived alongside European Americans in a region and era of intense racial strife.⁹ Once a thriving area, New Philadelphia fell into decline when the first railroad constructed in the area bypassed the town. Today the town site is covered by farmland. No original buildings of the town or the McWorter farm or home are visible above ground.¹⁰

New Philadelphia was added to the National Register of Historic Places in 2005 and was designated a National Historic Landmark in 2009.¹¹ At the request of the Illinois delegation, the NPS completed a reconnaissance survey for the town site in 2012.¹² A year later, New Philadelphia was added to the NPS National Underground Railroad Network to Freedom. In 2014, Congress authorized a Special Resource Study for New Philadelphia to evaluate the national significance of the site and the suitability and feasibility of adding it to the National Park System.¹³ Despite nearly seven years passing, the NPS still has not released the findings of the Special Resource Study. The New Philadelphia Historical Park Act, offered by Representative LaHood of Illinois, would establish the New Philadelphia town site as a unit of the National Park System. **Staff contact: Terry Camp (x67736).**

[H.R. 920 \(Clyburn\)](#)

In October 1952, the U.S. Supreme Court announced it would hear five cases regarding school desegregation, collectively titled *Brown v. Board of Education*.¹⁴ 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.¹⁵ 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

⁷ Id.

⁸ Id.

⁹ Id.

¹⁰ Id.

¹¹ Midwest Region et al., New Philadelphia Townsite Reconnaissance Survey 4-4 (2012), <http://npshistory.com/publications/srs/neph-recon-survey.pdf> (last visited Apr 13, 2021).

¹² Id. at 1.

¹³ P.L. 113–291—DEC. 19, 2014, Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015.

¹⁴ “Brown v. Board of Education of Topeka.” *National Archives*, 23 Jan. 2020, www.archives.gov/publications/prologue/2004/spring/brown-v-board-1.html.

¹⁵ “Brown v. Board of Education of Topeka - Kansapedia - Kansas Historical Society.” <https://www.kshs.org/Kansapedia/Brown-v-Board-of-Education-of-Topeka/11994>, 2003, www.kshs.org/kansapedia/brown-v-board-of-education-of-topeka/11994.

lack of transportation.¹⁶ The ruling directly affected 21 states.¹⁷ ¹⁸ 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, were designated a national historic landmark.¹⁹ In 1992, through P.L. 102-525, Congress established the Brown v. Board of Education National Historic Site in the State of Kansas, consisting of the Monroe Elementary School site in Topeka, Kansas.²⁰ At the time, Sumner Elementary School was being used at the time of designation, thus Monroe Elementary was designated the historic site. Sumner eventually closed in 1999 and was used as storage by the Topeka and Shawnee County Public Library. In 2002, the city bought the building but could not afford its maintenance and renovation. Its renovation was estimated to cost \$7 million.²¹ In early 2009, the city auctioned off the building to True Foundation World Outreach Ministries.²²

Other schools that were designated as historic landmarks because of their association with the *Brown v. Board of Education* case included Robert Russa Moton School in Farmville, Virginia, in 1998; John Philip Sousa Junior High School in Washington, D.C., in 2001; and Howard High School (today, the Howard High School of Technology) in Wilmington, Delaware in 2005.²³ ²⁴ ²⁵

In 1999 the NPS published a historic resources study, “A Strong Pull, a Long Pull, and a Pull Altogether: Topeka’s Contribution to the Campaign for School Desegregation.”²⁶ The study concluded that the four other cases made important contributions to end segregation in public education.

¹⁶ Id.

¹⁷ 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

¹⁸ Id.

¹⁹ “Belton (Bulah) v. Gebhart - Brown v. Board of Education National Historic Site (U.S. National Park Service).” *National Park Service*, www.nps.gov/brvb/learn/historyculture/delaware.htm. Accessed 14 Apr. 2021.

²⁰ P.L. 102-525 – October 26, 1992, To provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes.

²¹ Id.

²² Id.

²³ “Robert Russa Moton High School and Robert Russa Moton Museum –.” *US Civil Rights Trail*, civilrightstrail.com/attraction/robert-russa-moton-high-school. Accessed 19 Apr. 2021.

²⁴ “African American History Month Howard High School (U.S. National Park Service).” *National Park Service*, <https://www.nps.gov/nr/feature/afam/2006/howard.htm>. Accessed 14 Apr. 2021.

²⁵ https://npgallery.nps.gov/NRHP/GetAsset/NHLS/01001045_text

²⁶ https://www.nps.gov/brvb/learn/historyculture/upload/BRVB_HRS.pdf

The Brown v. Board of Education National Historic Site Expansion Act, H.R. 920, offered by Representative Clyburn of South Carolina, expands the Brown v. Board of Education National Historic Site currently located in Topeka, Kansas, to include additional sites in Clarendon County, South Carolina, and establishes as affiliated areas specified sites in Farmville, Virginia; Wilmington and Hockessin, Delaware; and the District of Columbia. *Staff contact: Terry Camp (x67736) or Chandler Guy (x67736).*

H.R. 2497 (Neguse)

Executive Order 9066, issued by President Franklin D. Roosevelt in 1942 and enforced by law (P.L. 77-503), forcibly removed tens of thousands of Japanese Americans, including nearly 70,000 American citizens, from the West Coast to internment centers further inland during World War II.²⁷ The smallest internment camp was located a mile from Granada, Colorado, in the southeastern part of the state. The camp was unofficially known as “Amache” after a mail mix-up between the town Granada and the similarly named center.²⁸ Over 7,000 residents of Japanese ancestry, most of them American citizens, were imprisoned at Amache from 1942 to 1945, making the camp the tenth largest concentration of people in Colorado at the time.²⁹ During peak occupation in 1943, Amache was a self-contained compound of more than 550 buildings used for quarters, administration buildings, businesses, a hospital, and other services. Children attended school there, and agriculture became the main industry.³⁰ Amache had the highest rate of military volunteerism of the internment camps—10 percent of the population, or 953 men and women, volunteered or were drafted for military service during World War II. One Amache resident, Kiyoshi Muranaga, volunteered in 1943 and was killed in battle in Italy. He was posthumously awarded the Congressional Medal of Honor for his extraordinary heroism and devotion to duty.³¹

The Amache site was added to the National Register of Historic Places in 1994 and designated a National Historic Landmark in 2005.³² Amache is currently owned by the town of Granada, Colorado, and maintained by a group of student volunteers, who, led by their high school social studies teacher, are known as the Amache Preservation Society.³³ In 2019 as part of P.L. 116-9, the John D. Dingell, Jr. Conservation, Management, and Recreation Act, Congress directed the NPS to conduct a Special Resource Study to evaluate the national significance of the Amache site, and the suitability and feasibility of adding it to the National Park System. This study has not yet been completed. The Amache National Historic Site Act, H.R. 2497, offered by Representative Neguse of Colorado,

²⁷ Executive order 9066: Resulting in the relocation of Japanese (1942), <https://www.ourdocuments.gov/doc.php?flash=false&doc=74>(last visited Apr 14, 2021).

²⁸ Overview, Amache.org (2018), <https://amache.org/overview/#:~:text=The%20population%20of%20Granada%20peaked,whom%20the%20county%20is%20named.> (last visited Apr 14, 2021).

²⁹ Id.

³⁰ S. 2870 Rep No. 115-375, pg. 2 (2018).

³¹ Id.

³² Id.

³³ Id.

would establish the Amache National Historic Site in Colorado as a unit of the National Park System. *Staff contact: Terry Camp (x67736).*

[H.R. 2626 \(Robin Kelly\)](#)

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.³⁴ The District is significant for its historical origins in the Pullman Company, one of the most famous company towns in the United States, and scene of the violent 1894 Pullman strike.³⁵ Located in what is now the Pullman area of Chicago, the district includes the Pullman factory, established by sleeping car magnate, George Mortimer Pullman, and also 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 and explores African American labor history.³⁶

The Pullman National Historical Park Act, offered by Representative Robin Kelly of Illinois, would establish the Pullman National Historical Park in Chicago, Illinois. The bill expands and redesignates the Pullman National Monument designated 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. It is notable that, rather than designate a site through executive fiat, this bill follows regular order and seeks to establish the historical park through the open debate of the legislative process. *Staff contact: Terry Camp (x67736).*

IV. MAJOR PROVISIONS & ANALYSIS (or /SECTION-BY-SECTION)

[H.R. 820 \(LaHood\)](#)

- Establishes New Philadelphia Historical Park as a unit of the National Park System in Illinois.
- Authorizes the Secretary of the Interior to enter into cooperative agreements with the State or other public and nonpublic entities to assist in identifying, interpreting, and providing assistance for the preservation of non-federal land within the boundaries of the Park and at sites in close proximity to the Park.
- Authorizes the Secretary of the Interior to acquire for the Park, land (including interests in land), buildings, or structures owned by the State or any other political, private, or nonprofit entity by donation, transfer, exchange, or purchase from a willing seller.
- Authorizes the Secretary of the Interior to provide public interpretation and technical assistance for the preservation of historic structures of, the maintenance of the cultural landscape of, and local preservation planning for, related historic and cultural resources within the boundaries of the Park.

³⁴ History & Culture, National Park Service (2021), <https://www.nps.gov/pull/learn/historyculture/index.htm> (last visited April 13, 2021).

³⁵ *Id.*

³⁶ *Id.*

- Requires the Secretary of the Interior to complete a general management plan for the Park.
- Includes private property rights protections to prohibit buffer zones and eminent domain or condemnation.

H.R. 920 (Clyburn)

- Expands the boundaries of the Brown v. Board of Education National Historic Site in the State of Kansas to include Summerton High School and Scott’s Branch High School in Clarendon County, South Carolina.
- Authorizes the Secretary of the Interior to acquire these additional sites via donation, exchange, or purchase with donated or appropriated funds.
- Adds two new terms, “affiliated area” and “affiliated areas,” which describe one or more of the locations associated with the four court cases included in *Brown v. Board of Education of Topeka*.
- Directs the Secretary of the Interior to assist in the preservation and interpretation of related resources within the city of Topeka that further the understanding of the civil rights movement.
- Prohibits the Secretary of the Interior from acquiring property via condemnation.
- Requires the Secretary of the Interior to submit to the House Natural Resources Committee and Senate Energy and Natural Resources Committee a general management plan for the new sites in Clarendon County, South Carolina.
- Establishes the sites associated with the additional court cases as affiliated areas of the National Park System.
- Requires the Secretary of the Interior to develop a general management plan for each of the affiliated areas and to provide for a public comment period.
- Authorizes the Secretary of the Interior to provide technical assistance and grants and enter into cooperative agreements with management entities for each affiliated area to provide financial assistance for the marketing, marking, interpretation, and preservation of the respective affiliated area.
- Specifies that nothing in the Act affects land use rights of private property owners within or adjacent to the affiliated areas, including activities or uses on private land that can be seen or heard within the affiliated areas and the authorities for management entities to operate and administer the affiliated areas.
- Clarifies that nothing in the Act authorizes the Secretary to acquire property in an affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of an affiliated area.

H.R. 2497 (Neguse)

- Establishes the Amache National Historic Site in Colorado as a unit of the National Park System.
- Authorizes the Secretary of the Interior to acquire land or interests in land within the boundary of the Historic Site by donation or purchase with donated or appropriated funds.

- Limits the acquisition of personal property by the Secretary of the Interior to donation only.
- Requires that the Historic Site not be established until the Secretary of the Interior acquires sufficient land within the exterior boundary to constitute a manageable unit.
- Requires the Secretary of the Interior to create a general management plan for the Historic Site.
- Authorizes the Secretary of the Interior to establish facilities for administration, visitor services, and curation of personal property, outside the exterior boundaries of, and in the vicinity of, the Historic Site.
- Authorizes the Secretary of the Interior to enter into agreements with public or private entities for the purpose of carrying out the Act and establishing and operating facilities outside of the exterior boundary of the Historic Site for administration, visitor services and curation of personal property.
- Clarifies that nothing in the Act affects the use, allocation, ownership, or control, in existence on the date of the enactment of any water, water right, or any other valid existing right; any vested absolute or decreed conditional water right in existence on the date of the enactment; any interstate water compact in existence on the date of the enactment; or State jurisdiction over any water law.

[H.R. 2626 \(Robin Kelly\)](#)

- Establishes the National Historical Park in Illinois as a unit of the National Park System replacing the existing Pullman National Monument.
- Specifies that the Park shall preserve and interpret the significant labor, industrial, civil rights, and social history of the Park; the significant architectural structures in the Park; and the role of the Pullman community in the creation of the first national Labor Day holiday.
- Further specifies that the Park shall coordinate the preservation, protection, and interpretation efforts of the Park by the federal government, Illinois, units of local government, and private and nonprofit organizations; and the management options necessary to ensure the protection, preservation, and interpretation of the many significant aspects of the Park.
- Requires the boundary to be established by the Department of the Interior but limits the boundary to the approximately 300-acre Pullman Historic District. Upon conveyance of land by the State of Illinois to the Department of the Interior, the Park shall include the Pullman Factory Complex, including the Clock Tower Building and rear erecting shops; and the approximately 13 acres of land on which those structures are located.

V. COST

None of the bills on this hearing have received a CBO cost analysis.

VI. ADMINISTRATION POSITION

The Administration's position on each of these bills is unknown at this time.

VII. EFFECT ON CURRENT LAW (RAMSEYER)

H.R. 920 (Clyburn)

[Link to Ramsayer.](#)