

Committee on Natural Resources

Rob Bishop Chairman
Markup Memorandum

July 16, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff – Terry Camp and Holly Baker
Subcommittee on Federal Lands (x6-7736)

Markup: **H.R. 5532 (Rep. James E. Clyburn)**, To redesignate the Reconstruction Era National Monument as the Reconstruction Era National Historical Park, and for other purposes
July 18, 2018, 10:45 AM; 1324 Longworth House Office Building

H.R. 5532, “Reconstruction Era National Historical Park Act”

Summary of the Bill

H.R. 5532, introduced by Representative James E. Clyburn (D-SC-06), redesignates Reconstruction Era National Monument as Reconstruction Era National Historical Park, establishes the Reconstruction Era National Historic Network, and authorizes the Secretary of the Interior to acquire additional lands for the park.

Cosponsors

Rep. Mark Sanford [R-SC-01]

Background

The years following the Civil War, known as the Reconstruction Era, were a time of significant transformation for the United States. Reconstruction addressed how the 11 States that had seceded would be reestablished in Congress, as well as how the civil rights and integration into free society of four million formerly enslaved individuals could be secured. Intense controversy and even violence erupted over these issues.

During Reconstruction, Congress passed three constitutional amendments that permanently abolished slavery, defined birthright citizenship, guaranteed equal protection under the law, and prohibited voter discrimination based on race, color, or previous condition of servitude (13th, 14th, and 15th amendments).¹ Congress also established the Freedmen’s Bureau to undertake needed relief efforts and assist newly freed individuals with reaching full citizenship. With the assistance of the Bureau, African Americans established schools and

¹ “Landmark Legislation: Thirteenth, Fourteenth, & Fifteenth Amendments”. The Civil War—The Senate’s Story. United States Senate website. <https://www.senate.gov/artandhistory/history/common/generic/CivilWarAmendments.htm>

independent churches, negotiated employment contracts, began voting, and were elected to political office.²

Many in the South, however, believed that these new official actions had been illegally imposed on them by the government and emboldened their resistance. Election fraud and state laws passed to circumvent equal voting rights resulted in disenfranchisement for African Americans. Some Southern whites resorted to intimidation and devastating violence to restore the antebellum social order.³ For a brief time, the U.S. Army was used to protect the rights of new voters and quell violence. In the late 1870s and 1880s, as Congress grew wary of using military force to enforce African American rights, the political tides turned and the Reconstruction Era came to a close.

Reconstruction Era National Monument was established in January 2017 as a unit of the National Park Service. It consists of a collection of historic sites located in Beaufort County, South Carolina—an area that has been called the birthplace of Reconstruction.⁴ Beaufort County was home to the “Port Royal Experiment” initiated in 1861, just months after the Civil War began. With the backing of President Lincoln and the assistance of Northern charity organizations, 10,000 former slaves were allocated land and worked to build a new community.⁵ In and around Beaufort County during Reconstruction, some of the first African Americans enlisted as soldiers and founded the first African American schools and hospitals. Beaufort was also the home of Robert Smalls, a former slave who became a political leader—serving on two State constitutional conventions, in the State legislature, and in the U.S. Congress.⁶

The National Park Service completed a theme study on the Reconstruction Era in 2017. The report reiterated the significance of historic sites in Beaufort County that were already listed as National Historic Landmarks and informed the decision to designate the sites as Reconstruction Era National Monument. The report also recommended other locations in Beaufort County that could be considered for further study to evaluate their significance and integrity for possible nomination as National Historic Landmarks.⁷

The Subcommittee on Federal Lands will hold a legislative hearing on H.R. 5532 on July 17, 2018.

² “African American Records: Freedmen’s Bureau”. National Archives. <https://www.archives.gov/research/african-americans/freedmens-bureau>

³ “The Era of Reconstruction 1861-1900”. A National Historic Landmarks Theme Study. National Park Service. <https://www.nps.gov/nhl/learn/themes/Reconstruction.pdf>

⁴ Presidential Proclamation 9567, January 12, 2017. “Establishment of the Reconstruction Era National Monument”. <https://www.gpo.gov/fdsys/pkg/DCPD-201700017/pdf/DCPD-201700017.pdf>

⁵ “Port Royal Experiment”. VCU Libraries Social Welfare History Project. Virginia Commonwealth University. <https://socialwelfare.library.vcu.edu/eras/civil-war-reconstruction/port-royal-experiment/>

⁶ “Reconstruction Era” brochure. Reconstruction Era National Monument. National Park Service. https://www.nps.gov/reer/planyourvisit/upload/REER-Site-Bulletin-Final_3_08_2016.pdf

⁷ “The Era of Reconstruction 1861-1900”. A National Historic Landmarks Theme Study. National Park Service. <https://www.nps.gov/nhl/learn/themes/Reconstruction.pdf>

Major Provisions of H.R. 5532

- Redesignates the National Monument as a National Historical Park
- Authorizes the Secretary to expand the park boundary and acquire land within the Beaufort National Historic District, on St. Helena Island, and to accept administrative jurisdiction of Federal Lands adjacent to Camp Sexton from the U.S. Navy
- Establishes the Reconstruction Era National Historic Network, which will be administered through the Reconstruction Era National Historic Site
- Requires the Secretary to solicit proposals from sites interested in being a part of the Network, and requires the Secretary to include—
 - All units and programs of the National Park Service related to the Reconstruction Era;
 - Other properties on, or eligible for, the National Register of Historic Places that relate to the Reconstruction Era; and
 - Other facilities and programs of an educational nature that are related to the Reconstruction Era
- Authorizes \$5,000,000 in appropriations to carry out this section for each fiscal year

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

The Administration's position is currently unknown.

Anticipated Amendments

Chairman Bishop will offer an amendment to strike specific authorization of appropriations for the Reconstruction Era National Historic Network and to limit the method by which land can be acquired for inclusion in the historical park to donation, exchange, or purchase with donated funds.

Effect on Current Law (Ramseyer)

None.