

NATIONAL UNDERGROUND RAILROAD NETWORK TO
FREEDOM ACT OF 1998

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JUNE 3, 1998.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed
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Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 1635]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1635) to establish within the United States National Park Service the National Underground Railroad Network to Freedom program, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend 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 “National Underground Railroad Network to Freedom Act of 1998”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) The Underground Railroad, which flourished from the end of the 18th century to the end of the Civil War, was one of the most significant expressions of the American civil rights movement during its evolution over more than 3 centuries.

(2) The Underground Railroad bridged the divides of race, religion, sectional differences, and nationality; spanned State lines and international borders; and joined the American ideals of liberty and freedom expressed in the Declaration of Independence and the Constitution to the extraordinary actions of ordinary men and women working in common purpose to free a people.

(3) Pursuant to title VI of Public Law 101-628 (16 U.S.C. 1a-5 note; 104 Stat. 4495), the Underground Railroad Advisory Committee conducted a study of the appropriate means of establishing an enduring national commemorative Underground Railroad program of education, example, reflection, and reconciliation.

(4) The Underground Railroad Advisory Committee found that—

(A) although a few elements of the Underground Railroad story are represented in existing National Park Service units and other sites, many sites are in imminent danger of being lost or destroyed, and many important resource types are not adequately represented and protected;

(B) there are many important sites which have high potential for preservation and visitor use in 29 States, the District of Columbia, and the Virgin Islands;

(C) no single site or route completely reflects and characterizes the Underground Railroad, since its story and associated resources involve networks and regions of the country rather than individual sites and trails; and

(D) establishment of a variety of partnerships between the Federal Government and other levels of government and the private sector would be most appropriate for the protection and interpretation of the Underground Railroad.

(5) The National Park Service can play a vital role in facilitating the national commemoration of the Underground Railroad.

(6) The story and significance of the Underground Railroad can best engage the American people through a national program of the National Park Service that links historic buildings, structures, and sites; routes, geographic areas, and corridors; interpretive centers, museums, and institutions; and programs, activities, community projects, exhibits, and multimedia materials, in a manner that is both unified and flexible.

(b) PURPOSES.—The purposes of this Act are the following:

(1) To recognize the importance of the Underground Railroad, the sacrifices made by those who used the Underground Railroad in search of freedom from tyranny and oppression, and the sacrifices made by the people who helped them.

(2) To authorize the National Park Service to coordinate and facilitate Federal and non-Federal activities to commemorate, honor, and interpret the history of the Underground Railroad, its significance as a crucial element in the evolution of the national civil rights movement, and its relevance in fostering the spirit of racial harmony and national reconciliation.

SEC. 3. NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM PROGRAM.

(a) IN GENERAL.—The Secretary of the Interior (in this Act referred to as the “Secretary”) shall establish in the National Park Service a program to be known as the “National Underground Railroad Network to Freedom” (in this Act referred to as the “national network”). Under the program, the Secretary shall—

(1) produce and disseminate appropriate educational materials, such as handbooks, maps, interpretive guides, or electronic information;

(2) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (c); and

(3) create and adopt an official, uniform symbol or device for the national network and issue regulations for its use.

(b) ELEMENTS.—The national network shall encompass the following elements:

(1) All units and programs of the National Park Service determined by the Secretary to pertain to the Underground Railroad.

(2) Other Federal, State, local, and privately owned properties pertaining to the Underground Railroad that have a verifiable connection to the Underground Railroad and that are included on, or determined by the Secretary to be eligible for inclusion on, the National Register of Historic Places.

(3) Other governmental and nongovernmental facilities and programs of an educational, research, or interpretive nature that are directly related to the Underground Railroad.

(c) COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.—To achieve the purposes of this Act and to ensure effective coordination of the Federal and non-Federal elements of the national network referred to in subsection (b) with National Park Service units and programs, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance to—

(1) the heads of other Federal agencies, States, localities, regional governmental bodies, and private entities; and

(2) in cooperation with the Secretary of State, the governments of Canada, Mexico, and any appropriate country in the Caribbean.

(d) APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act not more than \$500,000 for each fiscal year. No amounts may be appropriated for the purposes of this Act except to the Secretary for carrying out the responsibilities of the Secretary as set forth in section 3(a).

PURPOSE OF THE BILL

The purpose of H.R. 1635 is to establish, within the National Park Service, the National Underground Railroad Network to Freedom Program.

BACKGROUND AND NEED FOR LEGISLATION

In 1990, Congress directed the National Park Service (NPS) to study how to best interpret and commemorate the Underground Railroad (Public Law 101-628). This study was accomplished in coordination with an Underground Railroad Advisory Committee. The NPS and Committee issued their final report in 1995. The report concluded that the Underground Railroad is not individual sites or trails, but rather, networks and geographic regions that encompass a variety of partnerships among individuals, federal, state, and local governments, and the private sector.

There are 27 units of the National Park System directly related to the Underground Railroad experience, including such diverse areas as the Congaree Swamp National Monument in South Carolina, Harpers Ferry National Historic Park in West Virginia, Independence National Historic Park in Pennsylvania, and the Jefferson National Expansion Memorial in Missouri. Additionally, there are 55 sites in the National Park System that relate to the African-American experience in America. Furthermore, the study identified 380 sites and structures, in 29 states, Canada, Mexico, and the Caribbean islands, under state and local government stewardship, or privately owned, that have important direct association with the Underground Railroad. Of that number, 42 were identified as having potential for designation as national historic landmarks.

As established by H.R. 1635, the National Underground Railroad Network to Freedom Program would facilitate partnerships among the federal, state, and local governments, and the private sector, to assist in interpreting and commemorating the historical network of buildings, interpretive centers, museums, geographic areas and routes that were part of the movement to resist slavery in the United States in the decades prior to the Civil War.

This bill does not create any new units to the National Park System and uses the expertise of the NPS to coordinate, produce and distribute appropriate educational materials, and enter into cooperative agreements to provide technical assistance to state and local governments and the private sector. Furthermore, H.R. 1635 will authorize an official symbol for the National Underground Railroad Network and issue regulations for its use. H.R. 1635 authorizes appropriations to the Secretary of the Interior to carry out only the program objectives described above. The amount authorized is \$500,000 per year to staff and coordinate the program.

H.R. 1635 establishes partnerships between the NPS and the many entities that comprise the National Underground Railroad. This approach is unique and far reaching as an approach that does not require the federal government to assume all costs associated with interpreting this theme. The Committee recognizes this bill focuses on public-private partnerships. In a time of dwindling federal resources, the Committee highly recommends that the federal government be more creative in the protection of resources of national

importance, like the Underground Railroad. Rather than requiring the federal government to assume all costs associated with a project, these partnerships leverage a limited amount of federal dollars with privately-raised funds. The strong commitments from private parties will increase the degree to which the history of the Underground Railroad can be told. The Committee notes that many sites and institutions nationwide are currently commemorating the Underground Railroad. This bill will help preserve and protect them while linking them together.

One example of a successful public-private partnership is the National Underground Railroad Freedom Center in Cincinnati, Ohio. The Freedom Center, expected to open on the banks of the Ohio River in 2003, will employ state-of-the-art technology and advanced inter-disciplinary education to commemorate, educate, inspire and promote reconciliation among all races. Assisted by a national advisory board of distinguished leaders, such as Desmond Tutu, Vernon Jordan and Rosa Parks, the Center will be an international resource for scholarship, human relations education and genealogical study. As one of the first “distributive” museums in the country—and the first focused on the Underground Railroad—the Center will create cooperative programming and educational opportunities across the continent. The Committee commends the Freedom Center for its vision, and encourages the linkage of Underground Railroad sites across our nation and throughout the hemisphere that this legislation envisions.

COMMITTEE ACTION

H.R. 1635 was introduced on May 15, 1997, by Congressman Louis Stokes (D–OH) and Congressman Rob Portman (R–OH). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On July 22, 1997, the Subcommittee held a hearing on H.R. 1635, where Dennis Galvin, Acting Deputy Director of the National Park Service, testified in support of H.R. 1635. On October 7, 1997, the Subcommittee met to mark up H.R. 1635. One amendment was offered by Subcommittee Chairman James V. Hansen (R–UT) which specified an annual authorized appropriation of not more than \$500,000. The amendment was passed by voice vote and the bill, as amended, was then ordered favorably reported to the Full Committee. On May 20, 1998, the Full Resources Committee met to consider H.R. 1635. No further amendments were offered and the bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact H.R. 1635.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 1635. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1635 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1635.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 1635 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 27, 1998.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1635, the National Underground Railroad Network to Freedom Act of 1998.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 1635—National Underground Railroad Network to Freedom Act of 1998

Assuming appropriation of the authorized amounts, CBO estimates that the National Park Service (NPS) would spend about \$500,000 annually (beginning in fiscal year 1998) to carry out the

requirements of H.R. 1635. This legislation would not affect governmental receipts or direct spending; therefore, pay-as-you-go procedures would not apply. H.R. 1635 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

H.R. 1635 would require the NPS to establish a program to be known as the National Underground Railroad Network to Freedom. In order to implement this program, the NPS would produce and distribute educational materials, create and adopt an official symbol for the network, and provide technical assistance to other interested entities. Also for this purpose, the bill would authorize the agency to execute cooperative agreements or memoranda of understanding with such entities, including private organizations, other nations, and federal, state, or local government agencies. Finally, the bill would authorize appropriations to carry out the activities of \$500,000 per year.

Based on information provided by the NPS, CBO estimates that the agency would spend about \$500,000 to create the network in the first several months following enactment. This work would include basic planning, developing educational materials and interpretive exhibits, and coordinating federal activities with those of other interested groups or individuals. The NPS would use the \$500,000 authorized for each subsequent year to manage the network and provide assistance to other parties under cooperative agreements.

On May 20, 1998, CBO prepared a cost estimate for S. 887, the National Underground Railroad Network to Freedom Act of 1997, as ordered reported by the Senate Committee on Energy and Natural Resources on May 13, 1998. The Senate bill would authorize the appropriation of \$500,000 for 1998 and \$1 million for each year thereafter. The estimate for H.R. 1635 reflects the lower authorization levels contained in the House bill. Other provisions of the two bills are nearly identical.

The staff contact for this estimate is Deborah Reis. The estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 1635 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 1635 would make no changes in existing law.