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SENATE

{ REPORT
105-217

NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1997

JUNE 12, 1998.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural
Resources, submitted the following

REPORT

[To accompany S. 887]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 887) to establish in the National Park Service the National Underground Railroad Network to Freedom program, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 887 is to establish in the National Park Service the National Underground Railroad Network to Freedom program.

BACKGROUND AND NEED

The Underground Railroad was perhaps the most dramatic protest action against slavery in United States history. It was a clandestine operation that began during the colonial period, which later became part of organized abolitionist activity in the 19th century, reaching its peak in the period 1830–1865. The story of the Underground Railroad is one of individual sacrifice and heroism in the efforts of enslaved people to reach freedom from bondage.

The phenomenon known as the Underground Railroad involved both a deep personal commitment and defiance of certain laws. The Underground Railroad was neither “underground” nor a “railroad”. Usually scholars describe it as a loosely constructed network of routes, that originated in the South, intertwined throughout the North, and extending into Canada. Escape routes, however, were

not restricted to the North, they also extended into the western territories, Mexico, and the Caribbean.

The underground railroad operations relied heavily on secret codes as railroad jargon alerted “passengers” when travel was safe. Runaways usually commuted either alone or in small groups, and were occasionally assisted by black and white “conductors” who risked their lives to escort runaways to freedom. By definition, this activity was clandestine, so information about sites and routes was kept secret or not widely distributed. After slavery was abolished, the story of the Underground Railroad was kept alive by oral tradition and written works, including personal accounts, and historic documentation. Although the history of the Underground Railroad has been described in several publications, information about the current condition of sites and structures has been limited. Many of these sites and structures, especially in urban areas, have been demolished or substantially changed since the Civil War.

Despite its historical significance, the Underground Railroad has not been officially recognized in any fashion. In 1990, Congress passed legislation directing the Secretary of the Interior, through the National Park Service, to conduct a study of options for commemorating the Underground Railroad. The study, completed in 1996, focused on the sites, routes, and other resources that remain throughout the Nation. The study focused on those sites that are available for public appreciation and education. The Underground Railroad was found to be nationally significant and suitable for inclusion in the National Park System. In addition, the study found a few elements of the story are represented in existing NPS units and other sites, but many important resource types of sites in the underground network of sites are not adequately represented or protected. Some sites have very high potential for preservation, visitor use, and interpretation. No single site or route completely reflects the complete story of the Underground Railroad or its related activities. The story and resources involve networks composed of a number of different types of facilities and regions rather than specific individual sites and trails.

The study concluded that a variety of partnership approaches would be most appropriate for the protection and interpretation of the Underground Railroad. These partnerships could include the Federal, State, and local governments along with a variety of private sector involvement.

Sites in danger of being lost or destroyed were identified in the study and concern was expressed that other sites have yet to be located and documented. The study also noted that despite a tremendous amount of interest in the Underground Railroad, little organized coordination and communication exists among interested individuals and organizations.

The study documented 380 sites, including 27 sites of the National Park System that could have a direct interpretive relationship with the Underground Railroad story, and another 55 park units that could have African-American history associations. Thirty-one existing National Historic Landmarks are associated in some manner with the Underground Railroad story through the sub-themes of abolitionism, slavery and plantation life and ethnic communities. Finally, a list of 42 potential new National Historic

Landmarks with association to the Underground Railroad story have been identified.

LEGISLATIVE HISTORY

S. 887 was introduced by Senator Moseley-Braun and Senator DeWine on June 11, 1997 and referred to the Committee on Energy and Natural Resources. Since introduction the following cosponsors were added: Senators Durbin, Specter, Murray, Sarbanes, D'Amato, Snowe, Collins, Biden, Dodd, Moynihan, Robb, Lugar, Kennedy, Bond, Abraham, Ford, Faircloth, Warner, Hagel, Boxer, Torricelli, Lautenberg, Wellstone, Chafee, and Santorum. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on S. 887 on March 24, 1998.

At its business meeting on May 13, 1998, the Committee on Energy and Natural Resources ordered S. 887 favorably reported.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on May 13, 1998, by a unanimous vote of a quorum present, recommends that the Senate pass S. 887. The rollcall vote on reporting the measure was 20 yeas, 0 nays, as follows:

YEAS

Mr. Murkowski
 Mr. Domenici
 Mr. Nickles ¹
 Mr. Craig
 Mr. Campbell
 Mr. Thomas
 Mr. Kyl
 Mr. Grams ¹
 Mr. Smith
 Mr. Gorton
 Mr. Burns ¹
 Mr. Bumpers
 Mr. Ford
 Mr. Bingaman
 Mr. Akaka
 Mr. Dorgan ¹
 Mr. Graham ¹
 Mr. Wyden
 Mr. Johnson
 Ms. Landrieu

¹ Indicates voted by proxy.

SECTION BY SECTION ANALYSIS

Section 1 designates the bills short title as the "National Underground Railroad Network to Freedom Act of 1997".

Section 2(a) gives a brief history of the underground railroad and the role it played in bridging the divides of race, religion, and nationality. This section discusses the Underground Railroad Advisory Committee's study and its findings. The Advisory Committee found that many of the sites are in imminent danger of being lost or destroyed; no single site or route completely reflects the Under-

ground Railroad; establishment of a variety of partnerships with federal, state, local, and private sector would be the appropriate way to preserve and protect the Underground Railroad.

Subsection 2(b) states the purpose of the bill in recognizing the importance of the Underground Railroad and the sacrifices made by those involved. This section authorizes the National Park Service to coordinate and facilitate both Federal and non-Federal activities of the Underground Railroad.

Section 3(a) directs the Secretary of the Interior to establish in the National Park Service a program known as the "National Underground Railroad Network to Freedom" (National Network). The bill directs the Secretary to produce and disseminate necessary educational materials; enter into agreements to provide technical assistance to other Federal, State, local, and private entities; and create a uniform symbol and associated regulations for use of symbol.

Subsection 3(b) states that the National Network includes any existing National Park Service unit or any other Federal, State, local or private property pertaining to the National Network that is included and determined to be eligible for inclusion on the National Register of Historic Places.

Subsection 3(c) authorizes the Secretary to enter into cooperative agreements and memorandums of understanding to provide technical assistance to other Federal, State, local, private entities, or with the governments of Canada, Mexico, or any other appropriate country in the Caribbean to ensure effective coordination of the National Network.

Subsection 3(d) authorizes appropriations of \$500,000 for 1998, and \$1,000,000 for each year thereafter.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 20, 1998.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 887, the National Underground Railroad Network to Freedom Act of 1997.

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.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 887—National Underground Railroad Network to Freedom Act of 1997

Assuming appropriation of the authorized amounts, CBO estimates that the National Park Service (NPS) would spend less than \$500,000 in fiscal year 1998 and about \$1 million annually in subsequent years to carry out the requirements of S. 887. This legislation would not affect governmental receipts or direct spending; therefore, pay-as-you-go procedures would not apply. S. 887 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would impose no costs on state, local, or tribal governments.

S. 887 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 these activities of \$500,000 for fiscal year 1998 and \$1 million for each year thereafter.

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 \$1 million authorized for each year beginning with 1999 to manage the network and provide assistance to other parties under cooperative agreements.

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

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 887. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of S. 887, as ordered reported.

EXECUTIVE COMMUNICATIONS

On May 14, 1998, the Committee received the following legislative report from the Department of Interior and the Office of Man-

agement and Budget setting forth agency recommendations on S. 887.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
Senate Dirksen Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On Wednesday, May 13, the Committee is scheduled to mark up S. 887, the National Underground Railroad Network to Freedom Act of 1997, which would establish the National Underground Railroad Network to Freedom program within the National Park Service (NPS).

The Department strongly supports S. 887.

Public Law 101-628 directed the Secretary of the Interior, through the NPS, to conduct a study of alternatives for commemorating and interpreting the underground railroad. The study was completed and transmitted to Congress on February 7, 1996. The underground railroad was found to be nationally significant.

S. 887 provides a structure to identify and commemorate the activities of the underground railroad and would promote public education of this part of American history. The bill would allow the NPS, working in partnership with other public agencies and the private sector, to raise community awareness of the value of the remaining sites and to coordinate a regional approach to the presentation of historic sites and the interpretation of the underground railroad story.

The underground railroad was an activity of long duration and had wide geographic sweep. While some aspects of the underground railroad story are represented in NPS units and sites, for the most part such sites are outside the National Park System. S. 887 allows the NPS to enhance interpretation at existing sites and to identify other sites, some of which are in danger of being destroyed.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

NANCY K. HAYES,
Acting Assistant Secretary
for Fish Wildlife and Parks.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 887, as ordered reported.