

Union Calendar No. 451

117TH CONGRESS
2^D SESSION

H. R. 920

[Report No. 117-627]

To amend the Act entitled “Act to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes” to provide for inclusion of additional related sites in the National Park System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2021

Mr. CLYBURN (for himself, Ms. BLUNT ROCHESTER, Ms. NORTON, and Mr. GOOD of Virginia) introduced the following bill; which was referred to the Committee on Natural Resources

DECEMBER 14, 2022

Additional sponsors: Mr. FOSTER, Mr. HASTINGS, Ms. KUSTER, Ms. MCCOLLUM, and Ms. WILLIAMS of Georgia

DECEMBER 14, 2022

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 8, 2021]

A BILL

To amend the Act entitled “Act to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes” to provide for inclusion of additional related sites in the National Park System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Brown v. Board of Edu-*
5 *cation National Historical Park Expansion and Redesigna-*
6 *tion Act”.*

7 **SEC. 2. REDESIGNATION OF THE BROWN V. BOARD OF EDU-**
8 **CATION NATIONAL HISTORICAL PARK.**

9 (a) *IN GENERAL.*—*The Brown v. Board of Education*
10 *National Historic Site established by Public Law 102–525*
11 *shall be known and designated as the “Brown v. Board of*
12 *Education National Historical Park”.*

13 (b) *REFERENCES.*—*Any reference in any law, regula-*
14 *tion, document, record, map, or other paper of the United*
15 *States to the Brown v. Board of Education National His-*
16 *toric Site shall be considered to be a reference to the “Brown*
17 *v. Board of Education National Historical Park”.*

18 **SEC. 3. EXPANSION OF THE BROWN V. BOARD OF EDU-**
19 **CATION NATIONAL HISTORICAL PARK AND**
20 **ESTABLISHMENT OF AFFILIATED AREAS.**

21 *In order to honor the civil rights stories of struggle,*
22 *perseverance, and activism in the pursuit of education eq-*
23 *uity, Public Law 102–525 is amended as follows:*

24 (1) *In section 101, by adding at the end the fol-*
25 *lowing new paragraph—*

1 “(3) *The terms ‘affiliated area’ and ‘affiliated*
2 *areas’ mean one or more of the locations associated*
3 *with the four court cases included in Brown v. Board*
4 *of Education of Topeka described in section 102(a)(8),*
5 *(9), and (10).’.*”

6 (2) *In section 102(a)—*

7 (A) *by redesignating paragraphs (3) and*
8 *(4) as paragraphs (5) and (6), respectively;*

9 (B) *by inserting after paragraph (2), the*
10 *following:*

11 “(3) *The Brown case was joined by four other*
12 *cases related to school segregation pending before the*
13 *Supreme Court (Briggs v. Elliott, filed in South*
14 *Carolina; Davis v. County School Board of Prince*
15 *Edward County, Spottswood Thomas Bolling, et al.,*
16 *Petitioners, v. C. Melvin Sharpe, President of the Dis-*
17 *trict of Columbia Board of Education, et al., filed in*
18 *Virginia; Gebhart v. Belton, filed in Delaware; and*
19 *Bolling v. Sharpe, filed in the District of Columbia)*
20 *and consolidated into one case named Brown v.*
21 *Board of Education of Topeka.*

22 “(4) *A 1999 historic resources study examined*
23 *the five cases included in Brown v. Board of Edu-*
24 *cation of Topeka and found each to be nationally sig-*

1 *nificant and to contribute unique stories to the case*
2 *for educational equity.”; and*

3 *(C) by inserting after paragraph (6) (as so*
4 *redesignated by this section), the following—*

5 *“(7)(A) Summerton High School in Summerton,*
6 *South Carolina, the all-White school that refused to*
7 *admit the plaintiffs in Briggs v. Elliott, has been list-*
8 *ed on the National Register of Historic Places in rec-*
9 *ognition of its national significance and is used as*
10 *administrative offices for Clarendon School District 1.*

11 *“(B) The former Scott’s Branch High School, an*
12 *‘equalization school’ in Summerton, South Carolina,*
13 *constructed for African-American students in 1951 to*
14 *provide facilities comparable to those of White stu-*
15 *dents and that is now the Community Resource Cen-*
16 *ter owned by Clarendon School District 1.*

17 *“(8) Robert Russa Moton High School, the all-*
18 *Black school in Farmville, Virginia, which was the lo-*
19 *cation of a student-led strike leading to Davis v.*
20 *County School Board of Prince Edward County,*
21 *Spottswood Thomas Bolling, et al., Petitioners, v. C.*
22 *Melvin Sharpe, President of the District of Columbia*
23 *Board of Education, et al., has been designated a Na-*
24 *tional Historic Landmark in recognition of its na-*
25 *tional significance and is now the Robert Russa*

1 *Moton Museum, governed by the Moton Museum, Inc.*
2 *and affiliated with Longwood University.*

3 “(9)(A) *Howard High School in Wilmington,*
4 *Delaware, an all-Black school to which plaintiffs in*
5 *Belton v. Gebhart were forced to travel, has been des-*
6 *ignated a National Historic Landmark in recognition*
7 *of its national significance and is now the Howard*
8 *High School of Technology, an active school adminis-*
9 *tered by the New Castle County Vocational-Technical*
10 *School District.*

11 “(B) *The all-White Claymont High School,*
12 *which denied plaintiffs admission, and is now the*
13 *Claymont Community Center administered by the*
14 *Brandywine Community Resource Council, Inc.*

15 “(C) *The Hockessin School #107C (Hockessin*
16 *Colored School) is the all-Black school in Hockessin,*
17 *Delaware that one of the plaintiffs in Belton v.*
18 *Gebhart was required to attend with no public trans-*
19 *portation provided and is now used by Friends of*
20 *Hockessin Colored School #107, Inc. as a community*
21 *facility.*

22 “(10) *John Philip Sousa Junior High School in*
23 *the District of Columbia, the all-White school that re-*
24 *fused to admit plaintiffs in Bolling v. Sharpe, has*
25 *been designated a National Historic Landmark in*

1 *recognition of its national significance, is now the*
 2 *John Philip Sousa Middle School and is owned by the*
 3 *District of Columbia Department of General Services*
 4 *and administered by the District of Columbia Public*
 5 *Schools.”.*

6 (3) *In section 102(b)(3)—*

7 (A) *by inserting “, protection,” after “pres-*
 8 *ervation”;*

9 (B) *by inserting “, Kansas; Summerton,*
 10 *South Carolina; Farmville, Virginia; Wil-*
 11 *mington, Claymont, and Hockessin, Delaware;*
 12 *and the District of Columbia” after “Topeka”;*
 13 *and*

14 (C) *by inserting “and the context of Brown*
 15 *v. Board of Education” after “civil rights move-*
 16 *ment”.*

17 (4) *In section 103, by inserting after subsection*
 18 *(b) the following:*

19 “(c) *BOUNDARY ADJUSTMENT.—*

20 “(1) *ADDITIONS.—In addition to land described*
 21 *in subsection (b), the historical park shall consist of*
 22 *the following land and interests in land as generally*
 23 *depicted on the map entitled ‘Brown v. Board of Edu-*
 24 *cation National Historical Park Boundary Additions*

1 *and Affiliated Areas’, numbered 462/178,449 and*
 2 *dated February 2022—*

3 *“(A) Summerton High School site, in*
 4 *Summerton, Clarendon County, South Carolina;*

5 *“(B) The former Scott’s Branch High*
 6 *School site, in Summerton, Clarendon County,*
 7 *South Carolina; and*

8 *“(C) approximately one acre of land adja-*
 9 *cent to Monroe Elementary School in Topeka,*
 10 *Shawnee County, Kansas.*

11 *“(2) MAP.—The map described in paragraph (1)*
 12 *shall be on file and available for public inspection in*
 13 *the appropriate offices of the National Park Service,*
 14 *Department of the Interior.”.*

15 *(5) In section 104—*

16 *(A) by striking “section 103(b)” and insert-*
 17 *ing “subsections (b) and (c) of section 103”;*

18 *(B) by striking “States of Kansas” and in-*
 19 *serting “State of Kansas or South Carolina”;*

20 *(C) by striking “: Provided, however, That*
 21 *the” and inserting “. The”; and*

22 *(D) by adding before the final period the*
 23 *following: “nor by condemnation of any land or*
 24 *interest in land within the boundaries of the his-*
 25 *toric site”.*

1 (6) *By amending subsection (c) of section 105 to*
 2 *read as follows:*

3 “(c) *MANAGEMENT PLAN.*—*The Secretary shall pre-*
 4 *pare and submit to the Committee on Natural Resources*
 5 *of the House of Representatives and the Committee on En-*
 6 *ergy and Natural Resources of the Senate an amendment*
 7 *to the Brown v. Board of Education National Historical*
 8 *Park management plan for the historical park to include*
 9 *the locations in Summerton, Clarendon County, South*
 10 *Carolina.”.*

11 (7) *By inserting after section 105, the following:*

12 **“SEC. 106. ESTABLISHMENT OF THE BROWN V. BOARD OF**
 13 **EDUCATION AFFILIATED AREAS.**

14 “(a) *IN GENERAL.*—*Upon the date that the Secretary*
 15 *determines that an appropriate managing entity has been*
 16 *identified for that location, the following locations, as gen-*
 17 *erally depicted on the map described in section 103(c), shall*
 18 *be established as affiliated areas of the National Park Sys-*
 19 *tem—*

20 “(1) ‘*Robert Russa Moton Museum*’, *in*
 21 *Farmville, Virginia;*

22 “(2) ‘*Delaware Brown v. Board of Education*
 23 *Civil Rights Sites*’, *to include—*

24 “(A) *the former Howard High School in*
 25 *Wilmington, Delaware,*

1 “(B) *Claymont High School in Claymont,*
2 *Delaware, and*

3 “(C) *Hockessin Colored School #107 in*
4 *Hockessin, Delaware; and*

5 “(3) *‘John Philip Sousa Middle School’ in Wash-*
6 *ington, District of Columbia.*

7 “(b) *ADMINISTRATION.—Upon establishment, each af-*
8 *filiated area shall be managed in a manner consistent*
9 *with—*

10 “(1) *this Act; and*

11 “(2) *laws generally applicable to units of the Na-*
12 *tional Park System.*

13 “(c) *MANAGEMENT PLANS.—*

14 “(1) *IN GENERAL.—Not later than three years*
15 *after an affiliated area has been established in accord-*
16 *ance with subsection (a), subject to the availability of*
17 *appropriations, the Secretary, in consultation with*
18 *the management entity of each established affiliated*
19 *area, shall develop a management plan for each of the*
20 *affiliated areas that shall—*

21 “(A) *be prepared in consultation and co-*
22 *ordination with the interested State, county, and*
23 *local governments; management entities; organi-*
24 *zations and interested members of the public as-*
25 *sociated with the affiliated areas;*

1 “(B) identify, as appropriate, the roles and
2 responsibilities of the National Park Service and
3 each management entity in administering and
4 interpreting the affiliated area in such a manner
5 that it does not interfere with existing operations
6 and continued use of existing facilities; and

7 “(C) require the Secretary to coordinate the
8 preparation and implementation of the manage-
9 ment plan and interpretation of the affiliated
10 area with the *Brown v. Board of Education Na-*
11 *tional Historical Park.*

12 “(2) *PUBLIC COMMENT.*—*The Secretary shall—*

13 “(A) hold not less than one public meeting
14 in the general proximity of each affiliated area
15 on the proposed management plan, including op-
16 portunities for public comment; and

17 “(B) publish the draft management plan on
18 the internet and provide an opportunity for pub-
19 lic comment.

20 “(3) *TRANSMITTAL.*—*Not later than 3 years*
21 *after the date on which funds are made available to*
22 *carry out this section, the Secretary shall transmit*
23 *the management plan for each affiliated area devel-*
24 *oped under this subsection to the Committee on Nat-*
25 *ural Resources of the House of Representatives and*

1 *the Committee on Energy and Natural Resources of*
 2 *the Senate.*

3 “(d) *COOPERATIVE AGREEMENTS.—The Secretary*
 4 *may provide technical and financial assistance and enter*
 5 *into cooperative agreements with the management entity for*
 6 *each affiliated area to provide financial assistance for the*
 7 *marketing, marking, interpretation, and preservation of the*
 8 *respective affiliated area.*

9 “(e) *LAND USE.—Nothing in this section shall affect*
 10 *the land use rights of private property owners within or*
 11 *adjacent to the affiliated areas, including activities or uses*
 12 *on private land that can be seen or heard within the affi-*
 13 *ated areas and the authorities for management entities to*
 14 *operate and administer the affiliated areas.*

15 “(f) *LIMITED ROLE OF THE SECRETARY.—Nothing in*
 16 *this section authorizes the Secretary to acquire property in*
 17 *an affiliated area or to assume financial responsibility for*
 18 *the operation, maintenance, or management of an affiliated*
 19 *area.*

20 “(g) *OWNERSHIP.—Each affiliated area shall continue*
 21 *to be owned, operated, and managed by its respective public*
 22 *and private owners.”.*

23 (8) *By redesignating section 106 as section 107.*

Amend the title so as to read: “A bill to expand and
 redesignate Brown v. Board National Historic Site as

Brown v. Board National Historical Park, and for other purposes.”.

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