

114TH CONGRESS
2D SESSION

H. R. 5358

To establish Penn School – Reconstruction Era National Monument in the State of South Carolina as a unit of the National Park System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2016

Mr. CLYBURN (for himself and Mr. SANFORD) introduced the following bill;
which was referred to the Committee on Natural Resources

A BILL

To establish Penn School – Reconstruction Era National Monument in the State of South Carolina as a unit of 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 “Penn School – Recon-
5 struction Era National Monument Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Penn Center on St. Helena Island in South
9 Carolina is a unique historical and cultural resource

1 for the understanding and interpretation of the Re-
2 construction era.

3 (2) Penn Center is the site of Penn School,
4 founded in 1862 by Laura M. Towne and Ellen
5 Murray, missionaries from Pennsylvania. It was one
6 of the first schools in the South for formerly
7 enslaved African Americans. The school held classes
8 at Oaks Plantation and Brick Church on St. Helena
9 before moving to its permanent location.

10 (3) In 1864, with assistance from the Freed-
11 man's Aid Society of Pennsylvania, Penn School
12 purchased 50 acres of land across from Brick
13 Church from Hastings Gantt and erected a school-
14 house shipped from Philadelphia as its first building.
15 Penn School opened in its permanent location in
16 January 1865, and the campus has continuously op-
17 erated in various forms to the present day.

18 (4) At its founding, Penn School was a central
19 component of the Port Royal Experiment, the effort
20 begun by the Lincoln Administration during the
21 Civil War to help former slaves in the Sea Islands
22 of the South Carolina Lowcountry become self-suffi-
23 cient.

24 (5) Penn School lasted much longer than the
25 Port Royal Experiment, thriving for the duration of

1 the Civil War and through the Reconstruction era,
2 helping thousands transition to freedom.

3 (6) After the Civil War ended, Laura Towne
4 advocated for public funding of schools for African
5 Americans in the Sea Islands, knowing that the phil-
6 anthropic missionary organizations in Pennsylvania
7 which supported Penn School could not meet the
8 need.

9 (7) In 1868, Robert Smalls, whose daughter at-
10 tended Penn School during the Civil War, won pas-
11 sage of a provision at the South Carolina constitu-
12 tional convention requiring compulsory education for
13 all children ages seven to fourteen that would be fi-
14 nancially supported by the government and free of
15 charge to attend.

16 (8) The Compromise of 1877 ended Reconstruc-
17 tion in the South, withdrawing Federal military pro-
18 tection of African Americans' rights. The effects on
19 education of African Americans were immediate.
20 South Carolina quickly stripped communities of their
21 power to democratically elect school board members.
22 By June 1877, the people of St. Helena were forbid-
23 den to raise money for educational purposes, effec-
24 tively ending their nascent public school system.

1 (9) Penn School, privately funded by Northern
2 charities, continued, and as Reconstruction ended
3 and the Jim Crow era took hold, Penn School be-
4 came a sanctuary for former slaves and their de-
5 scendants, developing a class of rural Black land-
6 owners who built communities and preserved African
7 traditions. This adaptation of old traditions to a new
8 land forged a unique culture, which would become
9 known as Gullah.

10 (10) In 1901, upon the death of co-founder
11 Laura Towne, who had led the school for 40 years,
12 the Penn School reorganized as the Penn Normal,
13 Agricultural and Industrial School. Led by new
14 chairman, Horace Burke Frissell, then President of
15 Hampton Institute, it adopted the industrial arts
16 curriculum taught at Hampton and Tuskegee Insti-
17 tutes.

18 (11) By 1948, Beaufort County was operating
19 public schools on St. Helena and the other sea is-
20 lands. Penn Normal, Agricultural and Industrial
21 School ended its academic mission and reorganized
22 as Penn Community Services, Inc. (known as Penn
23 Center), dedicated to civil rights and social justice,
24 the preservation of Gullah history and culture, and

1 providing critical services and resources to the com-
2 munity on St. Helena.

3 (12) In the 1950s and 60s, Penn Center was
4 one of the few places in the South that Whites and
5 Blacks could gather together, and as a result many
6 social and political organizations used the campus to
7 plan activities as part of the Civil Rights Movement.

8 (13) Dr. Martin Luther King, Jr., used Penn
9 Center for Southern Christian Leadership Con-
10 ference staff retreats and to plan other activities.
11 Much of SCLC's planning for the great "March on
12 Washington" and the "Poor People's Campaign"
13 took place at Penn Center as did several of King's
14 iconic speeches.

15 (14) The Penn Center campus was designated
16 a National Historic Landmark District by the Sec-
17 retary of the Interior in 1974.

18 (15) Penn Center began to offer legal services,
19 particularly those involving heirs' property issues, to
20 preserve African-American family land ownership in
21 St. Helena and the surrounding area where property
22 had passed from generation to generation without
23 the benefit of wills or estate plans as a result of
24 Blacks' lack of access to the legal system.

1 (16) In 2000, Congress instructed the National
2 Park Service to execute the Low Country Gullah
3 Culture Special Resource Study, which was com-
4 pleted in 2005. Building on those findings, in 2006
5 Congress authorized the Gullah/Geechee Cultural
6 Heritage Corridor, dedicating an entity to the pres-
7 ervation and interpretation of African-American cul-
8 ture on the Southeast coast, known as Gullah in
9 North Carolina and South Carolina and Geechee in
10 Georgia and Florida. Penn Center is at the heart of
11 this corridor, helping preserve Gullah culture on St.
12 Helena and throughout the Sea Islands.

13 (17) The National Park Service’s Special Re-
14 source Study stated that, “Penn School is one of the
15 most historically significant educational and cultural
16 institutions in the United States.”.

17 (18) No unit of the National Park Service is
18 dedicated to the preservation and interpretation of
19 the Reconstruction Era, and establishing such a unit
20 at Penn Center will be an important step in ensur-
21 ing that the National Park Service offers a complete
22 version of American history.

1 **SEC. 3. ESTABLISHMENT OF PENN SCHOOL – RECONSTRUC-**
2 **TION ERA NATIONAL MONUMENT.**

3 (a) ESTABLISHMENT.—There is hereby established
4 Penn School – Reconstruction Era National Monument in
5 the State of South Carolina, which shall become a unit
6 of the National Park System when the Secretary has—

7 (1) acquired sufficient land or an interest in
8 land within the boundary of the National Monument
9 to constitute a manageable unit, as determined by
10 the Secretary; and

11 (2) entered into a written agreement with Penn
12 Center, under subsection (d).

13 (b) PURPOSES.—The purposes of the National Monu-
14 ment are—

15 (1) preserving and interpreting for the benefit
16 of future generations the significant educational, so-
17 cial, and cultural history in the National Monument
18 and providing a unit of the National Park Service
19 dedicated to the history of the Reconstruction Era;

20 (2) coordinating preservation, protection, and
21 interpretation efforts by Federal, State, and local
22 governmental entities, and private and nonprofit or-
23 ganizations; and

24 (3) coordinating appropriate management op-
25 tions needed to ensure the protection, preservation,

1 and interpretation of the many significant aspects of
2 the National Monument.

3 (c) BOUNDARIES.—The boundaries of the National
4 Monument are the same as the boundaries of the Penn
5 Center National Historic Landmark District as depicted
6 on the map.

7 (d) AGREEMENT.—The Secretary is authorized to
8 enter into an agreement with Penn Center—

9 (1) regarding the transfer of land or interests
10 in land; and

11 (2) delineating the respective roles and respon-
12 sibilities of the National Park Service and Penn
13 Center in the operation, maintenance, and interpre-
14 tation of the National Monument.

15 (e) PUBLICATION OF NOTICE.—Not later than 60
16 days after the date on which the conditions in subsection
17 (a) are satisfied, the Secretary shall publish in the Federal
18 Register notice of the establishment of the National Monu-
19 ment as a unit of the National Park System.

20 (f) LAND ACQUISITION.—The Secretary may acquire
21 by donation, purchase with donated or appropriated funds
22 from a willing seller, or exchange—

23 (1) lands or interests in land within the bound-
24 ary of the National Monument; and

1 (2) lands or interests in land in the vicinity of
2 the National Monument, as determined by the Sec-
3 retary.

4 **SEC. 4. ADMINISTRATION.**

5 (a) **IN GENERAL.**—The Secretary shall administer
6 the National Monument in accordance with—

7 (1) this Act; and

8 (2) the laws generally applicable to units of the
9 National Park System, including—

10 (A) section 100101(a), chapter 1003, and
11 sections 100751(a), 100752, 100753, and
12 102101 of title 54, United States Code; and

13 (B) chapter 3201 of title 54, United States
14 Code.

15 (b) **COOPERATIVE AGREEMENTS.**—The Secretary
16 may enter into cooperative agreements with other public
17 and nonpublic parties that provide for—

18 (1) National Park Service operation and main-
19 tenance of the national historic park;

20 (2) collaboration and cooperation by the Na-
21 tional Park Service and Penn Center on manage-
22 ment and interpretation of the National Monument;
23 and

24 (3) the State or other public and nonpublic par-
25 ties, under which the Secretary may identify, inter-

1 pret, and provide assistance for the preservation of
2 non-Federal properties within and adjacent to the
3 National Monument, including providing for place-
4 ment of directional and interpretive signage, exhib-
5 its, and technology-based interpretive devices.

6 (c) **MANAGEMENT PLAN.**—Not later than 3 fiscal
7 years after the date on which funds are first made avail-
8 able to carry out this Act, the Secretary shall complete
9 a general management plan for the National Monument
10 in accordance with—

11 (1) section 100502 of title 54, United States
12 Code; and

13 (2) any other applicable laws.

14 (d) **LEGAL DESCRIPTION AND MAP.**—The Secretary
15 shall prepare a legal description of the land and interests
16 in land designated as the National Monument. The legal
17 description and map prepared pursuant to this subsection
18 shall be on file and available for public inspection in the
19 appropriate offices.

20 **SEC. 5. AUTHORITY TO CARRY OUT FEDERAL LAW.**

21 Nothing in this Act modifies any authority of the
22 United States to carry out Federal laws on Federal land
23 located within the National Monument.

24 **SEC. 6. DEFINITIONS.**

25 In this Act:

1 (1) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (2) MAP.—Except for the purposes of section
4 4(d), the term “map” means the map titled “Penn
5 Center Historic District” and received on August
6 22, 1974, by the Department of the Interior, Na-
7 tional Register, as part of the National Register
8 Nomination Form (Form 10–300) for the Penn
9 Center Historic District.

10 (3) NATIONAL MONUMENT.—The term “Na-
11 tional Monument” means the Penn School – Recon-
12 struction Era National Monument pursuant to this
13 Act.

14 (4) PENN CENTER.—The term “Penn Center”
15 means Penn Community Services, Inc., a South
16 Carolina corporation recognized under section
17 501(c)(3) of the Internal Revenue Code of 1986.

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