



National Trust for
Historic Preservation
Save the past. Enrich the future.

**Statement of the National Trust for Historic Preservation
Before the House Committee on Natural Resources' Subcommittee on National Parks,
Forests, and Public Lands: Legislative Hearing on H.R. 920, the Brown v. Board of
Education National Historic Site Expansion Act
April 21, 2021**

Chairman Neguse, Ranking Member Fulcher and members of the Subcommittee, I appreciate the opportunity to present the National Trust for Historic Preservation's testimony regarding H.R. 920, the Brown v. Board of Education National Historic Site Expansion Act. My name is Leslie Canaan, and I am a Senior Field Officer in the Preservation Services and Outreach Department.

The National Trust for Historic Preservation is a privately funded charitable, educational, and nonprofit organization chartered by Congress in 1949 to "facilitate public participation in historic preservation" and to further the purposes of federal historic preservation laws.¹ The intent of Congress was for the National Trust "to mobilize and coordinate public interest, participation, and resources in the preservation and interpretation of sites and buildings." With headquarters in Washington, D.C., 28 historic sites, more than one million members and supporters, and a national network of partners in states, territories, and the District of Columbia, the National Trust works to save America's historic places and advocates for historic preservation as a fundamental value in programs and policies at all levels of government.

Interests and Involvement of the National Trust for Historic Preservation

The 1954 Supreme Court decision in *Brown v. Board of Education* was described by constitutional scholar Louis H. Pollak as "probably the most important American government act of any kind since the Emancipation Proclamation." *Brown v. Board* ordered the desegregation of American public schools and overturned *Plessy v. Ferguson*, the 1896 ruling that established segregation through the doctrine of "separate but equal."

Although most often associated with Topeka, Kansas, *Brown v. Board* was in fact a portfolio of court cases drawn from Topeka, Kansas; Summerton, South Carolina; Wilmington, Delaware; Farmville, Virginia; and the District of Columbia. The geographic dispersion of these locations demonstrates that *Brown v. Board* is truly a story with national significance, also evidenced by the fact that at least one building in each state is a National Historic Landmark or listed in the National Register of Historic Places. However, the history of this case is currently represented in our national consciousness by a single building stewarded by the NPS—the Monroe Elementary School—that is a National Historic Site located in Topeka. This narrow geographic scope limits public memory of these events and fails to give due credit to the contributions and perspectives of the other four communities.

In 2018, the National Trust was honored to be invited by Majority Whip James E. Clyburn to explore the possibilities for preservation and protection of additional sites associated with the landmark *Brown v. Board* case. Through the National Trust's African American Cultural Heritage Action Fund,

¹ 54 U.S.C. §§ 320101, 312102

this multi-year effort has included extensive research to understand and connect these historic places, outreach to communities and their leaders about what their historic places mean to them and how they want to see them preserved, and collaboration with congressional staff to explore and draft legislative options.

On September 17, 2020, the National Trust launched the *Brown v. Board of Education* National Treasure campaign, one of our premier programs protecting places contributing to our shared national heritage. The launch was announced during a virtual event in collaboration with House Majority Whip Jim Clyburn (D-SC) and Senator Chris Coons (D-DE) where participants discussed the introduction of the *Brown v. Board of Education* National Historic Site Expansion Act. This event featured the site stewards from each of the states as they shared their stories about the importance of preserving sites in their communities.

Last September's announcement launched the second phase of our work to preserve the history of places associated with the five cases included in *Brown v. Board of Education*, including our ongoing webinar series and advocacy work. This National Treasure is part of a portfolio of work associated with the National's Trust's African American Cultural Heritage Action Fund (AACHAF). The AACHAF is committed to crafting a narrative that expands our view of history by telling the full story of African American historic sites. A multiyear, \$25 million dollar initiative created in 2017 as a response to the events in Charlottesville, we at the National Trust hope to draw attention to the remarkable—and still largely unrecognized—collection of places and stories of African American activism and achievement. African American history is American history and through the elevation of those stories, we contribute to that narrative.

In 2020, the Action Fund awarded \$1.6 million dollars to 27 African American historic sites nationwide in four categories: capital projects, programming and interpretation, organizational capacity, and project planning. Through our national grant program, we have awarded a total of \$4.3 million in funding to 65 African American sites and organizations so that they may accomplish their goals.

H.R. 920, *Brown v. Board of Education* National Historic Site Expansion Act

The National Trust for Historic Preservation enthusiastically endorses H.R. 920, the *Brown v. Board of Education* National Historic Site Expansion Act. This legislation would create National Park Service (NPS) Affiliated Areas in Delaware, Virginia, and the District of Columbia for sites associated with the *Brown v. Board of Education* case and expand the NPS's existing *Brown v. Board of Education* National Historic Site to include the related sites in South Carolina.

The legislation was introduced by House Majority Whip Jim Clyburn (D-SC) and Senator Chris Coons (D-DE) and secured 100% support for original co-sponsorship in the House and Senate:

- House original cosponsors: Representatives Clyburn (D-SC), Good (R-VA), Holmes-Norton (D-DC), and Blunt-Rochester (D-DE)
- Senate original cosponsors: Senators Coons (D-DE), Graham (R-SC), Warner (D-VA), Scott (R-SC), Carper (D-DE), and Kaine (D-VA).

This legislation is supported by each of the site stewards in each state and supported by numerous community members and organizations, as noted in the support letter at the conclusion of this testimony. The preservation community has demonstrated significant support for this effort, as evidenced in part by the engagement of nearly 1300 people around the country who have indicated their support for the legislation through the National Trust website.

Community Outreach Findings

Concurrently with the work developing legislative options and drafts, the National Trust developed a complimentary community outreach plan to ensure support for this multi-state effort. The National Trust conducted two rounds of site visits in 2019 and 2020—in addition to extensive virtual and digital communications—in each of the communities in South Carolina, Virginia, Washington, DC, Delaware and Kansas. Initial visits included viewing potential buildings and outreach to owners and stewards to hear first-hand about the importance of the *Brown v. Board* history, the impact on their communities, and future plans for the sites. Subsequent visits included discussions of draft legislation with site stewards and community members, sharing background on NPS Affiliated Areas, answering questions and concerns, and gauging the interest and readiness of the sites and communities to support and be included in the legislation.

As a result of our research and site visits, we determined the following:

- In each location, there are physical sites of high integrity and national significance, meeting NPS criteria;
- Sites are interested in being connected to each others' history;
- It is imperative to include the history of the aftermath of *Brown v. Board* in interpretive efforts; and
- This history is still very raw in many communities and must be approached sensitively.

The following sections summarize the unique history, as well as background and outreach findings related to this effort.

South Carolina

History and Harry Briggs Jr. et al v. R.W. Elliott, chairman, et al.²

The *Briggs v. Elliott* case was named for Harry Briggs, one of twenty parents who brought suit against R.W. Elliott, the president of the school board for Clarendon County, South Carolina. Initially, parents had only asked the county to provide school buses for the black students as they did for whites. When their petitions were ignored, they filed a suit challenging segregation itself. Reverend J. A. DeLaine, a school principal, was instrumental in recruiting the parent plaintiffs and enlisting the help of the National Association for the Advancement of Colored People NAACP. Thurgood Marshall, lead counsel for the NAACP Legal Defense Fund, Inc., and Harold Boulware, a local lawyer, filed *Briggs v. Elliott* in the fall of 1950.

A three-judge panel at the U.S. District Court was presented with substantial psychological evidence and expert testimony presented on African American school conditions, and the court denied the plaintiffs' request to abolish school segregation. Instead, they ordered the school board to begin equalization of the schools. In a lone dissenting opinion, Judge Julius Waring adamantly opposed segregation in public education. Facing retaliation from irate segregationists, Waring left the state soon after. J.A. DeLaine and Harry Briggs also lost their jobs as a result of their involvement with the case.³

² *Bolling v. Sharpe*, 347 U.S. 497 (1954).

³ "Briggs v. Elliot" *National Park Service*, U.S. Department of the Interior, <https://www.nps.gov/brvb/learn/historyculture/socarolina.htm>

Proposed Sites

In Summerton, South Carolina there are two sites that are included in H.R. 920. The former Summerton High School is now the part of the Clarendon District 1 offices and is listed on the National Register of Historic Places. The former Scotts Branch High School is now the Clarendon District 1 Community Resource Center.

Site Visit and Findings

In South Carolina, the National Trust met with Superintendent Barbara Champagne (Summerton High School and Scotts Branch Community Center), Reverend Robert China (Liberty Hill AME), Bea Rivers (Summerton Community Action Committee), Robert McFadden Sr. (Summerton Community Action Committee), and Dawn Dawson- House (South Carolina African American Heritage Commission).

In Summerton, South Carolina there is a strong desire from community members, including plaintiffs involved in *Briggs v. Elliot* for their stories to be recognized and elevated. There is a concern their part of the *Brown v. Board of Education* legacy is not widely known, even by the children in their community. There is a strong desire to explore and share the triumphs and the difficulties in the aftermath of the *Brown v. Board* decision. One community member recounted that integration was so painful and difficult for his older brother, he chose not to go to the integrated high school.

The South Carolina communities include several sites associated with *Briggs v. Elliott*, including the Briggs family home and many churches. While most of the sites are well known by the elders in the community, there is little interpretation or programming at these locations. The Summerton Community Action Committee does have a small display at their offices that interprets the history.

Due to a loss of population, the Clarendon 1 School District is consolidating and there is a fear the two sites associated with *Brown v Board* could be the first buildings to be sold and therefore lost. As such, many community members and the Clarendon 1 School Board expressed support for the locations to become part of the existing *Brown v. Board* National Historic Site allowing for the sites to be protected and for their story to be amplified. Superintendent Barbara Champagne noted:

“With the path to the infamous *Brown v. Board of Education* beginning its genesis in Summerton, South Carolina, with the *Briggs v. Elliott* case, the Clarendon School District One’s Board of Trustees and the local community is humbled and honored to have two historic facilities entrusted to the National Park Service,” **said Clarendon Superintendent Barbara Champagne.** “The designation of the Summerton School and the Scott’s Branch School is steeped in the authentic American story of the journey for equality and equity. The voices of those courageous men and women who were given the vision for better opportunities and for equitable resources will not remain silent or forgotten. Instead, their voices will echo through the annals of history as a reminder of what can be achieved through determination, perseverance, and faith.”

Virginia

*History and Dorothy E. Davis, et al. v. County School Board of Prince Edward County, Virginia*⁴

⁴ *Davis v. Prince Edward County* 347 U.S. 483 (1954).

During segregation, one of the few public high schools available to African Americans in the state of Virginia was Robert Russa Moton High School in Prince Edward County. Built in 1943, it was never large enough to accommodate its student population, and eventually, hastily constructed tar-paper-covered buildings were added as classrooms. The gross inadequacies of these classrooms sparked a student strike in 1951. Organized by sixteen-year-old Barbara Johns, the students initially sought to acquire a new building with indoor plumbing.

The NAACP soon joined their struggles and challenged the inferior quality of their school facilities in court. Although the U.S. District Court ordered that the plaintiffs be provided with equal school facilities, they were denied access to the white schools in their area. This class action case was named for Dorothy Davis. On August 31, 1998, Robert Russa Moton High School achieved National Historic Landmark designation for its significance to the *Brown v. Board of Education* U.S. Supreme Court case.⁵

Proposed Sites

In Farmville, Virginia there is one site included in H.R. 920. The former Robert Russa Moton High School is now Robert Russa Moton Museum and is designated as a National Historic Landmark.

Site Visit and Findings

In Virginia, the National Trust met with Larissa Smith (Longwood University), Justin Reid (Virginia Humanities), and Cameron Patterson (Moton Museum). The story of the Moton Museum and the community's connection to the *Brown v. Board* case is unique as Prince Edward County Board of Supervisors closed schools for five years rather than integrate. The community is aware of the history and there is still anger and pain in the community from those who were denied an education. At the same time, there is a pride in the history of the student led massive resistance that led to the *Davis v. Prince Edward County case*. Many in the community believe the story of the student-led massive resistance and school closings is not widely known, and there is a desire for their story to be amplified and connected with the other sites associated with the cases consolidated in *Brown v. Board*. The Executive Director of Moton Museum notes:

“The Robert R. Moton Museum is excited to join with communities involved in the historic *Brown v. Board of Education of Topeka* decision. In seeking to become an affiliated area of the National Park Service, we know this affiliation will allow us the opportunity to better collaborate with other communities involved in the historic Brown decision as we work to ensure that countless individuals have the opportunity to know of the courage and sacrifice that citizens made towards equality in education,” **said Cameron D. Patterson, Executive Director of the Robert R. Moton Museum.** “The Moton Museum Board of Trustees, Moton Museum Community Council, and our partner institution Longwood University in offering their support towards this effort, recognize that the resources and benefits offered from this affiliation with the National Park Service will only strengthen our ability to fulfill our mission as a museum.”

⁵ “Davis v. County School Board” *National Park Service*, U.S. Department of the Interior, <https://www.nps.gov/brvb/learn/historyculture/virginia.htm>

Delaware

*History and Gebhart et al. v. Belton et al. Gebhart et al. v. Bulah et al. Belton et al. v. Gebhart et al. Bulah et al. v. Gebhart et al.*⁶

There were two separate court cases in Delaware, but the issues were the same. Black families were frustrated with the inequitable conditions in schools reserved for African American children. *Belton v. Gebhart* was brought by parents in Claymont, who were forced to send their children to a run-down segregated high school in Wilmington rather than a school in the community. *Bulah v. Gebhart* was brought by Sarah Bulah, a parent who had made several attempts to convince the Delaware Department of Public Instruction to provide bus transportation for black children in the town of Hockessin. Particularly galling was the fact that a bus for white children passed her house twice a day but would not pick up her daughter.

The parents sought representation from Louis Redding, a local lawyer who was the state's first black attorney. He suggested that they petition their all-white neighborhood schools on behalf of their children. The children were denied admission and in 1951, the cases *Belton v. Gebhart* and *Bulah v. Gebhart* were filed. At the state's request the cases were heard at the Delaware Court of Chancery rather than the U.S. District Court. Jack Greenberg from the NAACP Legal Defense and Educational Fund, Inc. assisted Redding with the case.

In a groundbreaking decision, the Chancellor ruled that the plaintiffs were being denied equal protection of the law and ordered that the eleven children involved be immediately admitted to the white school. The board of education, however, appealed the decision. Delaware was the only case of the five consolidated in *Brown v. Board* that achieved relief for the plaintiffs at the state level, and the decision did not strike down Delaware's segregation law.⁷

Proposed Sites

In Delaware there are three sites included in H.R. 920. In Wilmington, the former Howard High School is now Howard High School of Technology and is designated as a National Historic Landmark. In Claymont, Claymont High School is now the Claymont Community Center. In Hockessin, the former Hockessin Colored School #107 is proposed as a center for diversity, inclusion, and social equity.

Site Visit and Findings

In Wilmington, The National Trust met with Kathy Demarest (community relations and public information officer) and Superintendent Joseph Jones, Howard High School has a small museum that interprets the history of their case. As this site is a functioning school, the students know the history well, but the history is not well known by the broader community. Delaware is unique in that *Belton (Bulah) v. Gebhart* was decided in favor of the plaintiffs. In this case, the issue was not the caliber of education, but rather how far the school was and the lack of transportation. The Howard High School community and alumni are very proud of the facility and the education that was provided during segregation. They want to make sure the excellence of the education and facility is highlighted.

⁶ *Gebhart v. Belton*, 344 U.S. 891 (1952)

⁷ "Belton (Bulah) v. Gebhart" *National Park Service*, U.S. Department of the Interior, <https://www.nps.gov/brvb/learn/historyculture/delaware.htm>

There is a mixed memory about the results. The former Superintendent indicates the transition was relatively painless. Integration was not violent but there was animosity over the way it was handled in terms of the school district and redrawing boundaries. Former African American students report the opposite. They found integration to be quite painful and the lack of violence did not mean it was a smooth transition. It is clear a fuller story must be told.

In Claymont, The National Trust met with Allison David (Chief Executive Officer) and Debbie Quinn (Development, Administrative Manager). The history the Brown v. Board Supreme Court decision is less well known in Claymont because Claymont was already integrated by that time. The site has a room that interprets the history but there is no programming. The site steward is eager to elevate the story and be connected to other sites locally and nationally. Through this process, the sites in Delaware have already met and started figuring out how to work together.

In Hockessin, the Friends of Hockessin Colored School #107 are working with New Castle County, Trust for Public Lands, former students, and community members to amplify their story locally as they work towards making the former school a center for diversity, inclusion, and social equity. There is a strong desire by the site stewards for amplify the story nationally and connect with the other sites. The quotes below convey the feelings regarding the history:

“Recognizing Hockessin Colored School #107 as an affiliated area of the National Park System is a fitting tribute to Delaware’s unique role in the Brown decision,” **said the Honorable Collins J. Seitz, Chief Justice of the Delaware Supreme Court.** “Of the five cases appealed in Brown, the Delaware decision in *Belton v. Gebhart* – requiring the immediate admission of African American students to schools attended by white children – was the only appeal affirmed by the Supreme Court.”

“The family of Louis L. Redding commends the preservation of these historic schools as reminders of the hard-won rights of African Americans to equal access in education,” **said JB Redding, on behalf of the family of Louis L. Redding, Delaware’s first Black attorney and the lawyer who argued the Delaware school desegregation cases.** “Further, their existence serves as a reminder that the struggle for full implementation of these rights continues.”

Washington, DC

*History and Spottswood Thomas Bolling et al., Petitioners, v. C. Melvin Sharpe, President of the District of Columbia Board of Education, et al.*⁸

In 1947, Gardner Bishop and the Consolidated Parents Group, Inc. began a crusade to end segregated schooling in Washington, D.C. At the beginning of the school term in 1950, Bishop attempted to get eleven young African American students admitted to the newly completed John Philip Sousa Junior High School. They were turned away, although the school had several empty classrooms. Charles Hamilton Houston, the special counsel to the NAACP, intended to provide legal representation for the group, however James Nabrit, Jr. a colleague from Howard University, replaced Houston when he became ill. Nabrit did not present evidence that schools the plaintiffs attended were inferior to the facilities for white students. He felt the sole issue was that of segregation itself. It was a risky position.

The U.S. District court dismissed the case on the basis of a recent ruling by the Court of Appeals in *Carr v. Corning* that segregated schools were constitutional in the District of Columbia. Nabrit filed

⁸ *Bolling v. Sharpe*, 347 U.S. 497 (1954).

an appeal and was awaiting a hearing when the U.S. Supreme Court sent word that it was interested in considering the case along with the other four segregation cases already pending. The U.S. Supreme Court rendered a separate opinion on *Bolling v. Sharpe* based on the Fifth Amendment because the Fourteenth Amendment to the U.S. Constitution was not applicable in the District of Columbia.⁹

Proposed Sites

In Washington, DC there is one site included in H.R. 920. The former John Phillip Sousa Junior High School is now John Phillip Sousa Middle School and is designated as a National Historic Landmark.

Site Visit and Findings

In Washington, DC, the National Trust met with Sharona Robinson (Community Team Action Coordinator for Wards 7 and 8, District of Columbia Public Schools DCPS), Calvin L. Osborne and Robin Rubin (Mayor's Office), Christian Edge and Tanisha Montgomery (Sousa Middle School).

During our visit to John Sousa Middle School, we found a staff that was well aware of the history of *Bolling v. Sharpe* and actively teaching that history to the students. The school has great programming, videos, and connection with the community. With that said, the story does not seem to be amplified in other schools or within the broader Washington, D.C. community. The school is interested in having their story amplified locally and nationally, and they are interested in connecting with the other sites.

Conclusion

Each state has no less than one site included in this bill that is a National Historic Landmark or on the National Register. All sites in the proposed legislation are directly related to the landmark *Brown v. Board of Education* decision. All sites have buildings with integrity that need to be saved. All sites have stories that are nationally significant and need to be recognized and uplifted. All sites can benefit from connection with each other and from connection and assistance to the National Park Service. As such, these sites should be included in the National Park System.

The creation of NPS Affiliated Areas in Delaware, Virginia, and the District of Columbia and for sites associated with the *Brown v. Board* case and an expansion of the *Brown v. Board of Education* National Historic Site to include the related sites in South Carolina provides an opportunity to save America's historic sites, by protecting irreplaceable historic places as Affiliated Areas of the National Park System. It allows us to tell the full American story, by uplifting under-recognized stories of students, parents, and their allies in South Carolina, Delaware, Virginia, Kansas, and the District of Columbia who helped shape American society. It builds stronger communities, by unlocking the potential of these *Brown v. Board* historic places to contribute to the cultural vibrancy of their neighborhoods. It allows us to invest in the future together, in collaboration with our partners on the Hill and at the National Park Service, as well as the stewards and stakeholders of the historic places associated with *Brown v. Board*.

Enactment of this legislation has the potential to appropriately recognize the sites associated with the other four court cases consolidated into the landmark *Brown v. Board* case and amplify their stories on a national stage. In collaboration with local partners and other stakeholders, the National Trust will continue our collective work to bring recognition to communities that fought for school

⁹ "Bolling v. Sharpe" *National Park Service*, U.S. Department of the Interior, <https://www.nps.gov/brvb/learn/historyculture/districtofcolumbia.htm>

integration, helping these sites to tell their own history of the *Brown v. Board of Education* case and make connections to other communities engaged in the fight for educational equity, past and present.