

BLACKWELL SCHOOL NATIONAL HISTORIC SITE ACT

DECEMBER 1, 2021.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 4706]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4706) to establish the Blackwell School National Historic Site in Marfa, Texas, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 4706 is to establish the Blackwell School National Historic Site in Texas as a unit of the National Park System.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 4706 directs the Secretary of the Interior to establish the Blackwell School National Historic Site to preserve, protect, and interpret the role of the Blackwell School as an academic and cultural cornerstone in Marfa, Texas. The bill stipulates that the Secretary must enter into a written agreement with the Marfa United School District providing for the donation or co-management of the Blackwell School prior to establishing the National Historic Site. In addition, the bill would authorize the Secretary to enter into cooperative agreements with the Blackwell School Alliance, and other local, regional, state, academic, and nonprofit entities, for interpretative and educational programming, technical assistance, and rehabilitation.

The segregated Blackwell School in Marfa, Texas, was the sole public education institution for children of Mexican descent in the city from 1909 until Marfa schools were integrated in 1965. Even though there were no state laws mandating segregation for chil-

dren of Mexican descent, many Texas school districts practiced de facto segregation through the mid-twentieth century.¹ The school, originally known as the Ward or Mexican School, was named Blackwell School in 1940 after its longtime principal, Jesse Blackwell.

Students at the Blackwell School received English instruction, many for the first time, and were banned from speaking Spanish on campus in 1954. Teachers were known to paddle children for violating rules, and one teacher even made students write notes saying, “I will not speak Spanish,” and buried them in a mock funeral for the Spanish language.² Over the course of more than 50 years, approximately 4,000 students attended the school.³ Today, all that remains of the once sprawling campus is a three-room adobe schoolhouse—one of the last of such schools remaining in Texas.

COMMITTEE ACTION

H.R. 4706 was introduced on July 27, 2021, by Representative Tony Gonzales (R–TX). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands. On October 14, 2021, the Subcommittee held a hearing on the bill. On November 17, 2021, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered. The bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House Rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on National Parks, Forests, and Public Lands held on October 14, 2021.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and

¹See NAT’L PARK SERV., *Blackwell School* (last visited Dec. 1, 2021), <https://www.nps.gov/places/blackwell-school.htm>, of which the above text is partly excerpts. See also Tx. Hist. Comm’n, *Recent Listing: Blackwell School* (last visited Dec. 1, 2021), <https://www.thc.texas.gov/recent-listing-blackwell-school>.

²See NAT’L PARKS CONSERVATION ASS’N, *Advocacy in Action: Preserving the Complicated History at a Segregated Texas School* (last visited Dec. 1, 2021), <https://www.npca.org/advocacy/96-preserving-the-complicated-history-at-a-segregated-texas-school>, of which the above text is partly excerpts.

³Benjamin J. Hulac, *A Bipartisan Effort to Turn a Segregated School into a Monument*, ROLL CALL (Sept. 15, 2020, 6:00 a.m.), <https://www.rollcall.com/2020/09/15/a-bipartisan-effort-to-turn-a-segregated-school-into-a-monument/>.

402 of the Congressional Budget Act of 1974, the Committee has been informed by the Director of the Congressional Budget Office that the bill, as noticed for consideration under suspension of the rules, will have no effect on direct spending or revenues.⁴

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, or credit authority. The Committee adopts as its own cost estimate the cost estimate of the Director of the Congressional Budget Office and any updates thereto, should any updates be made available before House passage of the bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to establish the Blackwell School National Historic Site in Texas as a unit of the National Park System.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

⁴ CBO, LEGISLATION CONSIDERED UNDER SUSPENSION OF THE RULES 2 (Nov. 29, 2021), https://www.cbo.gov/system/files/2021_11/suspensions_week_of_November_29_0.pdf.

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS
None.

