

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE
AUTHORITY OF THE DIRECTOR, NATIONAL PARK SERVICE, U.S.
DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS,
CONCERNING H.R. 434, TO DESIGNATE THE EMANCIPATION NATIONAL
HISTORIC TRAIL, AND FOR OTHER PURPOSES.**

APRIL 2, 2019

Chairwoman Haaland, Ranking Member Young, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on H.R. 434, a bill to designate the Emancipation National Historic Trail, and for other purposes.

The Department recognizes that the subject of this bill, a trail followed by a group of freed people in Texas whose emancipation was delayed for two and a half years after President Abraham Lincoln issued the Emancipation Proclamation, represents a significant story in American history. However, we do not support enactment of H.R. 434 for the reasons explained in this statement. If the committee decides to act on this legislation, we would like to work with the committee and the sponsor to address the aspects of this bill that are inconsistent with other National Trails System legislation that Congress has approved in the past.

The trail that is the subject of H.R. 434 is a series of routes extending approximately 51 miles that follow the migration route taken in 1865 by newly freed enslaved people and other persons of African descent from the 19th century seaport of Galveston to the community of Freedman's Town, now a part of Houston.

Although President Abraham Lincoln signed the Emancipation Proclamation on September 22, 1862, the proclamation was not enforced in Texas until the Union Army, under Major General Gordon Granger, arrived in Galveston. The General immediately issued General Order No. 3, which stated: *"The people of Texas are informed that, in accordance with a proclamation from the Executive of the United States, 'all slaves are free.'"*

The date of this order was June 19, 1865, two and a half years after the initial proclamation, and it has been celebrated since, becoming a Texas state holiday known as "Juneteenth" in 1979. The place of this announcement was the Osterman Building, Union Headquarters, in Galveston, where the proposed trail would start. As newly freed African Americans left the plantations, many began to make their way north and east to Houston, where on the western edge of town, they settled and formed Freedmen's Town on the meandering Buffalo Bayou. In Freedmen's Town, in 1872, the community's Colored People's Festival and Emancipation Park Association pooled funds and set aside 10 acres of land to be known as Emancipation Park to honor their freedom. The proposed trail would run to this park, now in the Fourth Ward of Houston.

H.R. 434 would authorize the National Park Service to study the proposed Emancipation National Historic Trail and provide for the designation of the trail when the study is submitted to Congress, regardless of the findings of the study. In reviewing previous National Historic Trail designation acts, it appears to be unprecedented for Congress to authorize a trail study and designation in the same bill. The National Trails System Act provides for studies to be conducted to determine whether a proposed trail meets the three criteria for designation as a national historic trail, whether it is physically possible to develop a trail along a route being studied, and whether the trail is financially feasible. These study requirements are premised on the idea that it is critical for Congress to have the information provided by a study before making a decision about whether a trail should be included in the National Trails System. To approve a trail designation bill before first seeing the results of an authorized trail study would undermine the longstanding process supported by both Congress and the Executive Branch for adding new trails to the National Trails System.

However, even if H.R. 434 were amended to provide only for a study, the Department would not support this bill at this time. Congress has previously authorized 30 studies to determine if certain areas or resources meet the appropriate criteria for designation as new park units, national heritage areas, national trails, or wild and scenic rivers that the National Park Service has not yet completed. Only a few weeks ago, nine of those studies were authorized as part of Public Law 116-9. At a time that the Administration needs to use resources to reduce the National Park Service's \$11.9 billion deferred maintenance backlog and address other critical national park needs, the Department is not in a position to spend additional funds on conducting more studies at this time.

Should the committee move forward with this legislation, we would recommend that the bill be amended to remove the trail designation language, thereby limiting the bill to the authorization of a trail study. Along with that change, we would urge the adoption of amendments to change the one-year period for conducting the study to the three-year period that is provided for under the National Trails System Act. We would also recommend removing the \$5 million authorization of funding for the bill. If the bill is amended to authorize a study only, based on the characteristics of this proposed trail, the study would likely cost \$200,000 to \$400,000. But the authorization of funding at any level is not necessary unless it is to be used as a funding limitation.

Finally, we would suggest considering making the trail title more specific to its location, such as the Juneteenth Emancipation National Historic Trail. This would help distinguish the story of the delayed emancipation in Texas from a term that describes the broader story of the freeing of enslaved people throughout the South.

We would be happy to provide the committee and sponsor with suggested language for these changes.

Ms. Chairwoman, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.