

Calendar No. 300

117TH CONGRESS
2D SESSION

S. 2490

[Report No. 117–92]

To establish the Blackwell School National Historic Site in Marfa, Texas,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2021

Mr. CORNYN (for himself and Mr. PADILLA) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

MARCH 2, 2022

Reported by Mr. MANCHIN, without amendment

A BILL

To establish the Blackwell School National Historic Site in
Marfa, Texas, 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 “Blackwell School Na-
5 tional Historic Site Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the Blackwell School, located at 501 South
4 Abbott Street, in Marfa, Presidio County, Texas,
5 is—

6 (A) associated with the period of racial
7 segregation in Marfa public schools; and

8 (B) the only extant property directly asso-
9 ciated with Hispanic education in Marfa since
10 the other buildings were torn down after the
11 Blackwell School closed in 1965;

12 (2) the Blackwell School is a tangible reminder
13 of the period during which the doctrine of “separate
14 but equal” dominated education and social systems;

15 (3) despite being categorized as “white” by
16 Texas law, Mexican Americans were regularly ex-
17 cluded from commingling with Anglo individuals at
18 barbershops, restaurants, funeral homes, theaters,
19 churches, and schools;

20 (4) the spectrum of experiences of students and
21 teachers at the Blackwell School are an important
22 record of life in a segregated school in the context
23 of the history of Texas and the United States;

24 (5) Mexican and Mexican American culture and
25 history in Marfa is tied to the Blackwell School,
26 which for more than 50 years served as a leading

1 feature of the Hispanic community, illustrating the
2 challenge of maintaining cultural identity in a domi-
3 nant Anglo society;

4 (6) Hispanic influences continue to be seen in
5 social and religious organizations, business and gov-
6 ernment institutions, and shared experiences of lan-
7 guage, food, and music in Marfa, Texas;

8 (7) the historic Blackwell School building is a
9 physical record of—

10 (A) the longevity and beauty of the distinc-
11 tive design and craftsmanship informed by tra-
12 ditional techniques and materials; and

13 (B) the transition from the purely
14 vernacular to the period of materials, design,
15 and workmanship made available after the ar-
16 rival of the railroad;

17 (8) the original historic school building and
18 grounds on which the Blackwell School building
19 stands provide an authentic setting to commemorate
20 and interpret the history of the Blackwell School;

21 (9) the Blackwell School is closely associated
22 with the broad patterns of local, State, and national
23 history in the area of school segregation; and

24 (10) Mexicans and other members of the Latin
25 American diaspora have placed a high value on edu-

1 cation as a means of economic, social, and political
 2 advancement, but Hispanics and Latinos have not
 3 always had equitable opportunities and access to
 4 quality educational facilities in the United States.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) MAP.—The term “map” means the map
 8 prepared under section 4(b)(1).

9 (2) NATIONAL HISTORIC SITE.—The term “Na-
 10 tional Historic Site” means the Blackwell School
 11 National Historic Site established by section 4(a)(1).

12 (3) SECRETARY.—The term “Secretary” means
 13 the Secretary of the Interior.

14 **SEC. 4. ESTABLISHMENT OF THE BLACKWELL SCHOOL NA-**
 15 **TIONAL HISTORIC SITE.**

16 (a) ESTABLISHMENT.—

17 (1) IN GENERAL.—Subject to paragraph (2),
 18 there is established the Blackwell School National
 19 Historic Site in the State of Texas as a unit of the
 20 National Park System to preserve, protect, and in-
 21 terpret for the benefit of present and future genera-
 22 tions the Blackwell School, including—

23 (A) the role of the Blackwell School as an
 24 academic and cultural cornerstone in Marfa,
 25 Texas; and

1 (B) the function of the Blackwell School
2 within a segregated system of education in
3 Texas and the United States from the period of
4 1885 through 1965.

5 (2) DETERMINATION BY SECRETARY.—The Na-
6 tional Historic Site shall not be established until the
7 date on which the Secretary determines that—

8 (A) a written agreement has been entered
9 into by the Secretary with the Marfa Unified
10 School District providing that the Blackwell
11 School shall be donated to the United States or
12 co-managed with the Secretary for inclusion in
13 a national historic site to be managed consist-
14 ently with the purposes of a national historic
15 site; and

16 (B) a sufficient quantity of land or an in-
17 terest in land within the boundaries of the Na-
18 tional Historic Site has been acquired to con-
19 stitute a manageable unit.

20 (b) MAP.—

21 (1) IN GENERAL.—As soon as practicable after
22 the date of enactment of this Act, the Secretary
23 shall prepare a map that depicts the boundaries of
24 the National Historic Site.

1 (2) BOUNDARIES.—The boundaries of the Na-
 2 tional Historic Site shall be the boundaries generally
 3 depicted on the map.

4 (3) AVAILABILITY OF MAP.—The map shall be
 5 on file and available for public inspection in the ap-
 6 propriate offices of the National Park Service.

7 (c) ACQUISITION OF AUTHORITY.—The Secretary
 8 may only acquire any land or interest in land located with-
 9 in the boundary of the National Historic Site by—

10 (1) donation;

11 (2) purchase with donated funds; or

12 (3) exchange.

13 (d) ADMINISTRATION.—

14 (1) IN GENERAL.—The Secretary shall admin-
 15 ister the National Historic Site in accordance with—

16 (A) this Act; and

17 (B) the laws generally applicable to units
 18 of the National Park System.

19 (2) MANAGEMENT PLAN.—

20 (A) IN GENERAL.—Not later than 3 years
 21 after the date on which funds are first made
 22 available to the Secretary to prepare a general
 23 management plan for the National Historic
 24 Site, the Secretary shall prepare a general man-
 25 agement plan for the National Historic Site in

1 accordance with section 100502 of title 54,
2 United States Code.

3 (B) SUBMISSION.—On completion of the
4 general management plan under subparagraph
5 (A), the Secretary shall submit to the Com-
6 mittee on Energy and Natural Resources of the
7 Senate and the Committee on Natural Re-
8 sources of the House of Representatives the
9 general management plan prepared under that
10 subparagraph.

11 (e) COOPERATIVE AGREEMENTS.—The Secretary
12 shall enter into cooperative agreements with the Blackwell
13 School Alliance and other local, regional, State, academic,
14 and nonprofit partners for interpretive and educational
15 programming, technical assistance, and rehabilitation re-
16 lating to the National Historic Site.

17 (f) WRITTEN CONSENT OF OWNER.—No private
18 property or non-Federal public property shall be included
19 within the boundaries of the National Historic Site or
20 managed as part of the National Historic Site without the
21 written consent of the owner of the property.

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