

117TH CONGRESS
2D SESSION

S. 2490

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Blackwell School Na-
3 tional Historic Site Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the Blackwell School, located at 501 South
7 Abbott Street, in Marfa, Presidio County, Texas,
8 is—

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

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

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

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

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

1 (5) Mexican and Mexican American culture and
 2 history in Marfa is tied to the Blackwell School,
 3 which for more than 50 years served as a leading
 4 feature of the Hispanic community, illustrating the
 5 challenge of maintaining cultural identity in a domi-
 6 nant Anglo society;

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

11 (7) the historic Blackwell School building is a
 12 physical record of—

13 (A) the longevity and beauty of the distinc-
 14 tive design and craftsmanship informed by tra-
 15 ditional techniques and materials; and

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

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

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

4 (10) Mexicans and other members of the Latin
 5 American diaspora have placed a high value on edu-
 6 cation as a means of economic, social, and political
 7 advancement, but Hispanics and Latinos have not
 8 always had equitable opportunities and access to
 9 quality educational facilities in the United States.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) MAP.—The term “map” means the map en-
 13 titled “Blackwell School National Historic Site Pro-
 14 posed Boundary”, numbered 593/178387, and dated
 15 February 2022.

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

19 (3) SECRETARY.—The term “Secretary” means
 20 the Secretary of the Interior.

21 **SEC. 4. ESTABLISHMENT OF THE BLACKWELL SCHOOL NA-**
 22 **TIONAL HISTORIC SITE.**

23 (a) ESTABLISHMENT.—

24 (1) IN GENERAL.—Subject to paragraph (2),
 25 there is established the Blackwell School National

1 Historic Site in the State of Texas as a unit of the
2 National Park System to preserve, protect, and in-
3 terpret for the benefit of present and future genera-
4 tions the Blackwell School, including—

5 (A) the role of the Blackwell School as an
6 academic and cultural cornerstone in Marfa,
7 Texas; and

8 (B) the function of the Blackwell School
9 within a segregated system of education in
10 Texas and the United States from the period of
11 1885 through 1965.

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

15 (A) a written agreement has been entered
16 into by the Secretary with the Marfa Unified
17 School District providing that the Blackwell
18 School shall be donated to the United States or
19 co-managed with the Secretary for inclusion in
20 a national historic site to be managed consist-
21 ently with the purposes of a national historic
22 site; and

23 (B) a sufficient quantity of land or an in-
24 terest in land within the boundaries of the Na-

1 tional Historic Site has been acquired to con-
2 stitute a manageable unit.

3 (b) MAP.—

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

7 (2) AVAILABILITY OF MAP.—The map shall be
8 on file and available for public inspection in the ap-
9 propriate offices of the National Park Service.

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

13 (1) donation;

14 (2) purchase with donated funds; or

15 (3) exchange.

16 (d) ADMINISTRATION.—

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

19 (A) this Act; and

20 (B) the laws generally applicable to units
21 of the National Park System.

22 (2) MANAGEMENT PLAN.—

23 (A) IN GENERAL.—Not later than 3 years
24 after the date on which funds are first made
25 available to the Secretary to prepare a general

1 management plan for the National Historic
2 Site, the Secretary shall prepare a general man-
3 agement plan for the National Historic Site in
4 accordance with section 100502 of title 54,
5 United States Code.

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

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

20 (f) WRITTEN CONSENT OF OWNER.—No private
21 property or non-Federal public property shall be included
22 within the boundaries of the National Historic Site or

- 1 managed as part of the National Historic Site without the
- 2 written consent of the owner of the property.

Passed the Senate May 19 (legislative day, May 17),
2022.

Attest:

Secretary.

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