

117TH CONGRESS
2D SESSION

S. 270

AN ACT

To amend the Act entitled “Act to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes” to provide for inclusion of additional related sites in the National Park System, 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 “Brown v. Board of
 5 Education National Historical Park Expansion and Re-
 6 designation Act”.

7 **SEC. 2. REDESIGNATION OF THE BROWN V. BOARD OF EDU-**
 8 **CATION NATIONAL HISTORICAL PARK.**

9 (a) IN GENERAL.—The Brown v. Board of Education
 10 National Historic Site established by section 103(a) of
 11 Public Law 102–525 (106 Stat. 3439) shall be known and
 12 designated as the “Brown v. Board of Education National
 13 Historical Park”.

14 (b) REFERENCES.—Any reference in any law, regula-
 15 tion, document, record, map, or other paper of the United
 16 States to the Brown v. Board of Education National His-
 17 toric Site shall be considered to be a reference to the
 18 “Brown v. Board of Education National Historical Park”.

19 (c) CONFORMING AMENDMENTS.—Title I of Public
 20 Law 102–525 (106 Stat. 3438) is amended—

21 (1) in the title heading, by striking “**HIS-**
 22 **TORIC SITE**” and inserting “**HISTORICAL**
 23 **PARK**”;

1 (2) in sections 101(2) and 103(a), by striking
 2 “National Historic Site” each place it appears and
 3 inserting “National Historical Park”;

4 (3) in the section heading for each of sections
 5 103 and 105, by striking “**HISTORIC SITE**” each
 6 place it appears and inserting “**HISTORICAL**
 7 **PARK**”; and

8 (4) by striking “historic site” each place it ap-
 9 pears and inserting “historical park”.

10 **SEC. 3. EXPANSION OF THE BROWN V. BOARD OF EDU-**
 11 **CATION NATIONAL HISTORICAL PARK AND**
 12 **ESTABLISHMENT OF AFFILIATED AREAS.**

13 (a) PURPOSE.—The purpose of this section is to
 14 honor the civil rights stories of struggle, perseverance, and
 15 activism in the pursuit of education equity.

16 (b) DEFINITIONS.—Section 101 of Public Law 102–
 17 525 (106 Stat. 3438) (as amended by section 2(c)) is
 18 amended—

19 (1) in the matter preceding paragraph (1), by
 20 striking “As used in this title—” and inserting “In
 21 this title:”;

22 (2) in paragraph (1), by striking “the term”
 23 and inserting the “The term”;

1 (3) in each of paragraphs (1) and (2), by in-
 2 serting a paragraph heading, the text of which is
 3 comprised of the term defined in that paragraph;

4 (4) by redesignating paragraphs (1) and (2) as
 5 paragraphs (3) and (2), respectively, and moving the
 6 paragraphs so as to appear in numerical order; and

7 (5) by inserting before paragraph (2) (as so re-
 8 designated) the following:

9 “(1) AFFILIATED AREA.—The term ‘affiliated
 10 area’ means a site associated with a court case in-
 11 cluded in *Brown v. Board of Education of Topeka*
 12 described in paragraph (8), (9), or (10) of section
 13 102(a) that is designated as an affiliated area of the
 14 National Park System by section 106(a).”.

15 (c) FINDINGS.—Section 102(a) of Public Law 102–
 16 525 (106 Stat. 3438) is amended—

17 (1) by redesignating paragraphs (3) and (4) as
 18 paragraphs (5) and (6), respectively;

19 (2) by inserting after paragraph (2), the fol-
 20 lowing:

21 “(3) The *Brown* case was joined by 4 other
 22 cases relating to school segregation pending before
 23 the Supreme Court (*Briggs v. Elliott*, filed in South
 24 Carolina, *Davis v. County School Board of Prince*
 25 Edward County, filed in Virginia, *Gebhart v. Belton*,

1 filed in Delaware, and *Bolling v. Sharpe*, filed in the
 2 District of Columbia) that were consolidated into the
 3 case of *Brown v. Board of Education of Topeka*.

4 “(4) A 1999 historic resources study examined
 5 the 5 cases included in *Brown v. Board of Education*
 6 of Topeka and found that each case—

7 “(A) is nationally significant; and

8 “(B) contributes unique stories to the case
 9 for educational equity.”; and

10 (3) by inserting after paragraph (6) (as so re-
 11 designated), the following:

12 “(7) With respect to the case of *Briggs v. El-*
 13 *liott*—

14 “(A) Summerton High School in
 15 Summerton, South Carolina, the all-White
 16 school that refused to admit the plaintiffs in the
 17 case—

18 “(i) has been listed on the National
 19 Register of Historic Places in recognition
 20 of the national significance of the school;
 21 and

22 “(ii) is used as administrative offices
 23 for Clarendon School District 1; and

24 “(B) the former Scott’s Branch High
 25 School, an ‘equalization school’ in Summerton,

1 South Carolina constructed for African-Amer-
 2 ican students in 1951 to provide facilities com-
 3 parable to those of White students, is now the
 4 Community Resource Center owned by
 5 Clarendon School District 1.

6 “(8) Robert Russa Moton High School, the all-
 7 Black school in Farmville, Virginia, which was the
 8 location of a student-led strike leading to *Davis v.*
 9 *County School Board of Prince Edward County*—

10 “(A) has been designated as a National
 11 Historic Landmark in recognition of the na-
 12 tional significance of the school; and

13 “(B) is now the Robert Russa Moton Mu-
 14 seum, which is administered by the Moton Mu-
 15 seum, Inc., and affiliated with Longwood Uni-
 16 versity.

17 “(9) With respect to the case of *Belton v.*
 18 *Gebhart*—

19 “(A) Howard High School in Wilmington,
 20 Delaware, an all-Black school to which the
 21 plaintiffs in the case were forced to travel—

22 “(i) has been designated as a National
 23 Historic Landmark in recognition of the
 24 national significance of the school; and

1 “(ii) is now the Howard High School
 2 of Technology, an active school adminis-
 3 tered by the New Castle County Voca-
 4 tional-Technical School District;

5 “(B) the all-White Claymont High School,
 6 which denied admission to the plaintiffs, is now
 7 the Claymont Community Center administered
 8 by the Brandywine Community Resource Coun-
 9 cil, Inc.; and

10 “(C) the Hockessin School #107C
 11 (Hockessin Colored School)—

12 “(i) is the all-Black school in
 13 Hockessin, Delaware, that 1 of the plain-
 14 tiffs in the case was required to attend
 15 with no public transportation provided; and

16 “(ii) is now used as a community fa-
 17 cility by Friends of Hockessin Colored
 18 School #107, Inc.

19 “(10) John Philip Sousa Junior High School in
 20 the District of Columbia, the all-White school that
 21 refused to admit plaintiffs in *Bolling v. Sharpe*—

22 “(A) has been designated as a National
 23 Historic Landmark in recognition of the na-
 24 tional significance of the school;

1 “(B) is now known as the ‘John Philip
2 Sousa Middle School’; and

3 “(C) is owned by the District of Columbia
4 Department of General Services and adminis-
5 tered by the District of Columbia Public
6 Schools.”.

7 (d) PURPOSES.—Section 102(b)(3) of Public Law
8 102–525 (106 Stat. 3438) is amended—

9 (1) by inserting “, protection,” after “preserva-
10 tion”;

11 (2) by striking “the city of Topeka” and insert-
12 ing “Topeka, Kansas, Summerton, South Carolina,
13 Farmville, Virginia, Wilmington, Claymont, and
14 Hockessin, Delaware, and the District of Columbia”;
15 and

16 (3) by inserting “and the context of *Brown v.*
17 *Board of Education*” after “civil rights movement”.

18 (e) BOUNDARY ADJUSTMENT.—Section 103 of Public
19 Law 102–525 (106 Stat. 3439) is amended by adding at
20 the end the following:

21 “(c) BOUNDARY ADJUSTMENT.—

22 “(1) ADDITIONS.—In addition to the land de-
23 scribed in subsection (b), the historical park shall in-
24 clude the land and interests in land, as generally de-
25 picted on the map entitled ‘*Brown v. Board of Edu-*

1 cation National Historical Park Boundary Additions
 2 and Affiliated Areas’, numbered 462/178,449, and
 3 dated February 2022, and more particularly de-
 4 scribed as—

5 “(A) the Summerton High School site in
 6 Summerton, Clarendon County, South Carolina;

7 “(B) the former Scott’s Branch High
 8 School site in Summerton, Clarendon County,
 9 South Carolina; and

10 “(C) approximately 1 acre of land adjacent
 11 to Monroe Elementary School in Topeka, Shaw-
 12 nee County, Kansas.

13 “(2) MAP.—The map described in paragraph
 14 (1) shall be on file and available for public inspec-
 15 tion in the appropriate offices of the National Park
 16 Service.”.

17 (f) PROPERTY ACQUISITION.—Section 104 of Public
 18 Law 102–525 (106 Stat. 3439) is amended—

19 (1) in the first sentence, by striking “section
 20 103(b)” and inserting “subsections (b) and (c) of
 21 section 103”;

22 (2) in the second sentence, by striking “States
 23 of Kansas” and inserting “State of Kansas or South
 24 Carolina”; and

25 (3) in the proviso—

1 (A) by striking “: *Provided, however,* That
 2 the” and inserting “. The”; and

3 (B) by inserting “or by condemnation of
 4 any land or interest in land within the bound-
 5 aries of the historical park” after “without the
 6 consent of the owner”.

7 (g) GENERAL MANAGEMENT PLAN.—Section 105 of
 8 Public Law 102–525 (106 Stat. 3439) is amended by
 9 striking subsection (c) and inserting the following:

10 “(c) AMENDMENT TO GENERAL MANAGEMENT
 11 PLAN.—The Secretary shall prepare and submit to the
 12 Committee on Energy and Natural Resources of the Sen-
 13 ate and the Committee on Natural Resources of the House
 14 of Representatives an amendment to the management plan
 15 for the historical park to include the portions of the histor-
 16 ical park in Summerton, Clarendon County, South Caro-
 17 lina.”.

18 (h) AFFILIATED AREAS.—Public Law 102–525 (106
 19 Stat. 3438) is amended—

20 (1) by redesignating section 106 as section 107;

21 and

22 (2) by inserting after section 105 the following:

1 **“SEC. 106. ESTABLISHMENT OF THE BROWN V. BOARD OF**
 2 **EDUCATION AFFILIATED AREAS.**

3 “(a) IN GENERAL.—On the date on which the Sec-
 4 retary determines that an appropriate management entity
 5 has been identified for the applicable affiliated area, as
 6 generally depicted on the map described in section
 7 103(c)(1), the following shall be established as affiliated
 8 areas of the National Park System:

9 “(1) The Robert Russa Moton Museum in
 10 Farmville, Virginia.

11 “(2) The Delaware Brown v. Board of Edu-
 12 cation Civil Rights Sites, to include—

13 “(A) the former Howard High School in
 14 Wilmington, Delaware;

15 “(B) Claymont High School in Claymont,
 16 Delaware; and

17 “(C) Hockessin Colored School #107 in
 18 Hockessin, Delaware.

19 “(3) The John Philip Sousa Middle School in
 20 the District of Columbia.

21 “(b) ADMINISTRATION.—Each affiliated area shall be
 22 managed in a manner consistent with—

23 “(1) this title; and

24 “(2) the laws generally applicable to units of
 25 the National Park System.

26 “(c) MANAGEMENT PLANS.—

1 “(1) IN GENERAL.—The Secretary, in consulta-
2 tion with the management entity for the applicable
3 affiliated area, shall develop a management plan for
4 each affiliated area.

5 “(2) REQUIREMENTS.—A management plan
6 under paragraph (1) shall—

7 “(A) be prepared in consultation and co-
8 ordination with interested State, county, and
9 local governments, management entities, organi-
10 zations, and interested members of the public
11 associated with the affiliated area;

12 “(B) identify, as appropriate, the roles and
13 responsibilities of the National Park Service
14 and the management entity in administering
15 and interpreting the affiliated area in a manner
16 that does not interfere with existing operations
17 and continued use of existing facilities; and

18 “(C) require the Secretary to coordinate
19 the preparation and implementation of the
20 management plan and interpretation of the af-
21 filiated area with the historical park.

22 “(3) PUBLIC COMMENT.—The Secretary shall—

23 “(A) hold not less than 1 public meeting in
24 the general proximity of each affiliated area on

1 the proposed management plan, which shall in-
2 clude opportunities for public comment; and

3 “(B)(i) publish the draft management plan
4 on the internet; and

5 “(ii) provide an opportunity for public
6 comment on the draft management plan.

7 “(4) SUBMISSION.—Not later than 3 years
8 after the date on which funds are made available to
9 carry out this section, the Secretary shall submit to
10 the Committee on Energy and Natural Resources of
11 the Senate and the Committee on Natural Resources
12 of the House of Representatives the management
13 plan for each affiliated area developed under para-
14 graph (1).

15 “(d) COOPERATIVE AGREEMENTS.—The Secretary
16 may provide technical and financial assistance to, and
17 enter into cooperative agreements with, the management
18 entity for each affiliated area to provide financial assist-
19 ance for the marketing, marking, interpretation, and pres-
20 ervation of the applicable affiliated area.

21 “(e) LAND USE.—Nothing in this section affects—

22 “(1) land use rights of private property owners
23 within or adjacent to an affiliated area, including ac-
24 tivities or uses on private land that can be seen or
25 heard within an affiliated area; or

1 “(2) the authority of management entities to
2 operate and administer the affiliated areas.

3 “(f) LIMITED ROLE OF THE SECRETARY.—

4 “(1) IN GENERAL.—Nothing in this section au-
5 thorizes the Secretary—

6 “(A) to acquire land in an affiliated area;
7 or

8 “(B) to assume financial responsibility for
9 the operation, maintenance, or management of
10 an affiliated area.

11 “(2) OWNERSHIP.—Each affiliated area shall
12 continue to be owned, operated, and managed by the
13 applicable public or private owner of the land in the
14 affiliated area.”.

Passed the Senate April 6, 2022.

Attest:

Secretary.

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