

117TH CONGRESS
1ST SESSION

S. 2490

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

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”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

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

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

3 (B) the only extant property directly asso-
4 ciated with Hispanic education in Marfa since
5 the other buildings were torn down after the
6 Blackwell School closed in 1965;

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

10 (3) despite being categorized as “white” by
11 Texas law, Mexican Americans were regularly ex-
12 cluded from commingling with Anglo individuals at
13 barbershops, restaurants, funeral homes, theaters,
14 churches, and schools;

15 (4) the spectrum of experiences of students and
16 teachers at the Blackwell School are an important
17 record of life in a segregated school in the context
18 of the history of Texas and the United States;

19 (5) Mexican and Mexican American culture and
20 history in Marfa is tied to the Blackwell School,
21 which for more than 50 years served as a leading
22 feature of the Hispanic community, illustrating the
23 challenge of maintaining cultural identity in a domi-
24 nant Anglo society;

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

5 (7) the historic Blackwell School building is a
 6 physical record of—

7 (A) the longevity and beauty of the distinc-
 8 tive design and craftsmanship informed by tra-
 9 ditional techniques and materials; and

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

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

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

21 (10) Mexicans and other members of the Latin
 22 American diaspora have placed a high value on edu-
 23 cation as a means of economic, social, and political
 24 advancement, but Hispanics and Latinos have not

1 always had equitable opportunities and access to
 2 quality educational facilities in the United States.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

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

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

10 (3) SECRETARY.—The term “Secretary” means
 11 the Secretary of the Interior.

12 **SEC. 4. ESTABLISHMENT OF THE BLACKWELL SCHOOL NA-**
 13 **TIONAL HISTORIC SITE.**

14 (a) ESTABLISHMENT.—

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

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

24 (B) the function of the Blackwell School
 25 within a segregated system of education in

1 Texas and the United States from the period of
2 1885 through 1965.

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

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

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

18 (b) MAP.—

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

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

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

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

7 (1) donation;

8 (2) purchase with donated funds; or

9 (3) exchange.

10 (d) ADMINISTRATION.—

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

13 (A) this Act; and

14 (B) the laws generally applicable to units
15 of the National Park System.

16 (2) MANAGEMENT PLAN.—

17 (A) IN GENERAL.—Not later than 3 years
18 after the date on which funds are first made
19 available to the Secretary to prepare a general
20 management plan for the National Historic
21 Site, the Secretary shall prepare a general man-
22 agement plan for the National Historic Site in
23 accordance with section 100502 of title 54,
24 United States Code.

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

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

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

○