

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.

S. 270

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.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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

1 Public Law 102–525 (106 Stat. 3439) shall be known and
2 designated as the “Brown v. Board of Education National
3 Historical Park”.

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

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

11 (1) in the title heading, by striking “**HIS-**
12 **TORIC SITE**” and inserting “**HISTORICAL**
13 **PARK**”;

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

17 (3) in the section heading for each of sections
18 103 and 105, by striking “**HISTORIC SITE**” each
19 place it appears and inserting “**HISTORICAL**
20 **PARK**”; and

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

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

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

7 (b) DEFINITIONS.—Section 101 of Public Law 102–
8 525 (106 Stat. 3438) (as amended by section 2(c)) is
9 amended—

10 (1) in the matter preceding paragraph (1), by
11 striking “As used in this title—” and inserting “In
12 this title.”;

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

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

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

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

23 “(1) AFFILIATED AREA.—The term ‘affiliated
24 area’ means a site associated with a court case in-
25 cluded in Brown v. Board of Education of Topeka
26 described in paragraph (8), (9), or (10) of section

1 102(a) that is designated as an affiliated area of the
2 National Park System by section 106(a).”.

3 (c) FINDINGS.—Section 102(a) of Public Law 102–
4 525 (106 Stat. 3438) is amended—

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

7 (2) by inserting after paragraph (2), the fol-
8 lowing:

9 “(3) The Brown case was joined by 4 other
10 cases relating to school segregation pending before
11 the Supreme Court (*Briggs v. Elliott*, filed in South
12 Carolina, *Davis v. County School Board of Prince*
13 *Edward County*, filed in Virginia, *Gebhart v. Belton*,
14 filed in Delaware, and *Bolling v. Sharpe*, filed in the
15 District of Columbia) that were consolidated into the
16 case of *Brown v. Board of Education of Topeka*.

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

20 “(A) is nationally significant; and

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

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

1 “(7) With respect to the case of Briggs v. El-
2 liott—

3 “(A) Summerton High School in
4 Summerton, South Carolina, the all-White
5 school that refused to admit the plaintiffs in the
6 case—

7 “(i) has been listed on the National
8 Register of Historic Places in recognition
9 of the national significance of the school;
10 and

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

13 “(B) the former Scott’s Branch High
14 School, an ‘equalization school’ in Summerton,
15 South Carolina constructed for African-Amer-
16 ican students in 1951 to provide facilities com-
17 parable to those of White students, is now the
18 Community Resource Center owned by
19 Clarendon School District 1.

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

1 “(A) has been designated as a National
2 Historic Landmark in recognition of the na-
3 tional significance of the school; and

4 “(B) is now the Robert Russa Moton Mu-
5 seum, which is administered by the Moton Mu-
6 seum, Inc., and affiliated with Longwood Uni-
7 versity.

8 “(9) With respect to the case of Belton v.
9 Gebhart—

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

13 “(i) has been designated as a National
14 Historic Landmark in recognition of the
15 national significance of the school; and

16 “(ii) is now the Howard High School
17 of Technology, an active school adminis-
18 tered by the New Castle County Voca-
19 tional-Technical School District;

20 “(B) the all-White Claymont High School,
21 which denied admission to the plaintiffs, is now
22 the Claymont Community Center administered
23 by the Brandywine Community Resource Coun-
24 cil, Inc.; and

1 “(C) the Hockessin School #107C
2 (Hockessin Colored School)—

3 “(i) is the all-Black school in
4 Hockessin, Delaware, that 1 of the plain-
5 tiffs in the case was required to attend
6 with no public transportation provided; and

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

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

13 “(A) has been designated as a National
14 Historic Landmark in recognition of the na-
15 tional significance of the school;

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

18 “(C) is owned by the District of Columbia
19 Department of General Services and adminis-
20 tered by the District of Columbia Public
21 Schools.”.

22 (d) PURPOSES.—Section 102(b)(3) of Public Law
23 102–525 (106 Stat. 3438) is amended—

24 (1) by inserting “, protection,” after “preserva-
25 tion”;

1 (2) by striking “the city of Topeka” and insert-
2 ing “Topeka, Kansas, Summerton, South Carolina,
3 Farmville, Virginia, Wilmington, Claymont, and
4 Hockessin, Delaware, and the District of Columbia”;
5 and

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

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

11 “(c) BOUNDARY ADJUSTMENT.—

12 “(1) ADDITIONS.—In addition to the land de-
13 scribed in subsection (b), the historical park shall in-
14 clude the land and interests in land, as generally de-
15 picted on the map entitled ‘*Brown v. Board of Edu-*
16 cation National Historical Park Boundary Additions
17 and Affiliated Areas’, numbered 462/178,449, and
18 dated February 2022, and more particularly de-
19 scribed as—

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

22 “(B) the former Scott’s Branch High
23 School site in Summerton, Clarendon County,
24 South Carolina; and

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

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

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

10 (1) in the first sentence, by striking “section
11 103(b)” and inserting “subsections (b) and (c) of
12 section 103”;

13 (2) in the second sentence, by striking “States
14 of Kansas” and inserting “State of Kansas or South
15 Carolina”; and

16 (3) in the proviso—

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

19 (B) by inserting “or by condemnation of
20 any land or interest in land within the bound-
21 aries of the historical park” after “without the
22 consent of the owner”.

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

1 “(A) the former Howard High School in
2 Wilmington, Delaware;

3 “(B) Claymont High School in Claymont,
4 Delaware; and

5 “(C) Hockessin Colored School #107 in
6 Hockessin, Delaware.

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

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

11 “(1) this title; and

12 “(2) the laws generally applicable to units of
13 the National Park System.

14 “(c) MANAGEMENT PLANS.—

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

19 “(2) REQUIREMENTS.—A management plan
20 under paragraph (1) shall—

21 “(A) be prepared in consultation and co-
22 ordination with interested State, county, and
23 local governments, management entities, organi-
24 zations, and interested members of the public
25 associated with the affiliated area;

1 “(B) identify, as appropriate, the roles and
2 responsibilities of the National Park Service
3 and the management entity in administering
4 and interpreting the affiliated area in a manner
5 that does not interfere with existing operations
6 and continued use of existing facilities; and

7 “(C) require the Secretary to coordinate
8 the preparation and implementation of the
9 management plan and interpretation of the af-
10 filiated area with the historical park.

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

12 “(A) hold not less than 1 public meeting in
13 the general proximity of each affiliated area on
14 the proposed management plan, which shall in-
15 clude opportunities for public comment; and

16 “(B)(i) publish the draft management plan
17 on the internet; and

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

20 “(4) SUBMISSION.—Not later than 3 years
21 after the date on which funds are made available to
22 carry out this section, the Secretary shall submit to
23 the Committee on Energy and Natural Resources of
24 the Senate and the Committee on Natural Resources
25 of the House of Representatives the management

1 plan for each affiliated area developed under para-
2 graph (1).

3 “(d) COOPERATIVE AGREEMENTS.—The Secretary
4 may provide technical and financial assistance to, and
5 enter into cooperative agreements with, the management
6 entity for each affiliated area to provide financial assist-
7 ance for the marketing, marking, interpretation, and pres-
8 ervation of the applicable affiliated area.

9 “(e) LAND USE.—Nothing in this section affects—
10 “(1) land use rights of private property owners
11 within or adjacent to an affiliated area, including ac-
12 tivities or uses on private land that can be seen or
13 heard within an affiliated area; or

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

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

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

19 “(A) to acquire land in an affiliated area;
20 or

21 “(B) to assume financial responsibility for
22 the operation, maintenance, or management of
23 an affiliated area.

24 “(2) OWNERSHIP.—Each affiliated area shall
25 continue to be owned, operated, and managed by the

1 applicable public or private owner of the land in the
2 affiliated area.”.