

117TH CONGRESS  
1ST SESSION

# H. R. 3222

To establish the Alabama Black Belt National Heritage Area, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2021

Ms. SEWELL (for herself, Mr. CARL, Mr. ROGERS of Alabama, Mr. KILDEE, Mr. BROOKS, Mr. TONKO, Mr. MOORE of Alabama, and Mr. ADERHOLT) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To establish the Alabama Black Belt National Heritage Area, 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 “Alabama Black Belt  
5 National Heritage Area Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **LOCAL COORDINATING ENTITY.**—The term  
9 “Local Coordinating Entity” means the local coordi-

1 nating entity for the National Heritage Area des-  
2 ignated by section 3(b).

3 (2) MANAGEMENT PLAN.—The term “manage-  
4 ment plan” means the management plan for the Na-  
5 tional Heritage Area prepared under section 5.

6 (3) MAP.—The term “map” means the map en-  
7 titled “Alabama Black Belt Heritage Area Bound-  
8 ary”.

9 (4) NATIONAL HERITAGE AREA.—The term  
10 “National Heritage Area” means the Alabama Black  
11 Belt National Heritage Area established by section  
12 3(a).

13 (5) SECRETARY.—The term “Secretary” means  
14 the Secretary of the Interior.

15 (6) STATE.—The term “State” means the State  
16 of Alabama.

17 **SEC. 3. ESTABLISHMENT OF ALABAMA BLACK BELT NA-**  
18 **TIONAL HERITAGE AREA.**

19 (a) IN GENERAL.—There is established in the State  
20 the Alabama Black Belt National Heritage Area con-  
21 sisting of land in Bibb, Bullock, Butler, Choctaw, Clarke,  
22 Conecuh, Dallas, Greene, Hale, Lowndes, Macon,  
23 Marengo, Monroe, Montgomery, Perry, Pickens, Sumter,  
24 Washington, and Wilcox counties in the State, as generally  
25 depicted in the management plan.

1 (b) LOCAL COORDINATING ENTITY.—The Center for  
2 the Study of the Black Belt at the University of West Ala-  
3 bama shall be the local coordinating entity for the Na-  
4 tional Heritage Area.

5 **SEC. 4. ADMINISTRATION.**

6 (a) AUTHORITIES.—For purposes of carrying out the  
7 management plan, the Secretary (acting through the Local  
8 Coordinating Entity) may use amounts made available  
9 under section 9—

10 (1) to make grants to the State, political sub-  
11 divisions of the State, Indian Tribes with jurisdic-  
12 tion over land in the State, nonprofit organizations,  
13 and other persons;

14 (2) to enter into cooperative agreements with,  
15 or provide technical assistance to, the State, political  
16 subdivisions of the State, Indian Tribes, nonprofit  
17 organizations, and other interested persons;

18 (3) to hire and compensate staff, which shall in-  
19 clude individuals with expertise in natural, cultural,  
20 and historical resources protection and heritage pro-  
21 gramming;

22 (4) to obtain money or services from any  
23 source, including any money or services that are pro-  
24 vided under any other Federal law or program;

25 (5) to contract for goods or services; and

1 (6) to undertake any other activity that—

2 (A) furthers the purposes of the National  
3 Heritage Area; and

4 (B) is consistent with the approved man-  
5 agement plan.

6 (b) DUTIES.—The Local Coordinating Entity shall—

7 (1) assist Federal agencies, the State, political  
8 subdivisions of the State, Indian Tribes, regional  
9 planning organizations, nonprofit organizations, and  
10 other interested persons in carrying out the ap-  
11 proved management plan by—

12 (A) carrying out programs and projects  
13 that recognize, protect, and enhance important  
14 resource values in the National Heritage Area;

15 (B) establishing and maintaining interpre-  
16 tive exhibits and programs in the National Her-  
17 itage Area;

18 (C) developing recreational and educational  
19 opportunities in the National Heritage Area;

20 (D) increasing public awareness of, and  
21 appreciation for, natural, historical, scenic, and  
22 cultural resources of the National Heritage  
23 Area;

24 (E) protecting and restoring historic sites  
25 and buildings in the National Heritage Area

1           that are consistent with the themes of the Na-  
2           tional Heritage Area;

3           (F) ensuring that clear, consistent, and ap-  
4           propriate signs identifying points of public ac-  
5           cess and sites of interest are posted throughout  
6           the National Heritage Area; and

7           (G) promoting a wide range of partner-  
8           ships among the Federal Government, State,  
9           Tribal, and local governments, organizations,  
10          and individuals to further the purposes of the  
11          National Heritage Area;

12          (2) consider the interests of diverse units of  
13          government, businesses, organizations, and individ-  
14          uals in the National Heritage Area in the prepara-  
15          tion and implementation of the management plan;

16          (3) conduct meetings open to the public not less  
17          frequently than semiannually regarding the prepara-  
18          tion and implementation of the management plan;

19          (4) for any year that Federal funds have been  
20          received under this subsection—

21                  (A) submit to the Secretary an annual re-  
22                  port that describes, with respect to the report-  
23                  ing period—

24                          (i) the activities, expenses, and income  
25                          of the Local Coordinating Entity; and

1 (ii) any grants made to any other en-  
2 tities;

3 (B) make available to the Secretary for  
4 audit all records relating to the expenditure of  
5 the funds and any matching funds; and

6 (C) require, with respect to all agreements  
7 authorizing the expenditure of Federal funds by  
8 any other organization, that the organization  
9 receiving the funds make available to the Sec-  
10 retary for audit all records concerning the ex-  
11 penditure of the funds; and

12 (5) encourage, by appropriate means and con-  
13 sistent with the purposes of the National Heritage  
14 Area, the economic viability of the National Heritage  
15 Area.

16 (c) PROHIBITION ON THE ACQUISITION OF REAL  
17 PROPERTY.—The Local Coordinating Entity shall not use  
18 Federal funds made available under section 9 to acquire  
19 real property or any interest in real property.

20 **SEC. 5. MANAGEMENT PLAN.**

21 (a) IN GENERAL.—Not later than 3 years after the  
22 date of enactment of this Act, the Local Coordinating En-  
23 tity shall prepare and submit to the Secretary for approval  
24 a proposed management plan for the National Heritage  
25 Area.

1 (b) REQUIREMENTS.—The management plan shall—

2 (1) incorporate an integrated and cooperative  
3 approach for the protection, enhancement, and inter-  
4 pretation of the natural, cultural, historic, scenic,  
5 and recreational resources of the National Heritage  
6 Area;

7 (2) take into consideration other applicable  
8 Federal, State, local, and Tribal plans and treaty  
9 rights;

10 (3) include—

11 (A) an inventory of—

12 (i) the resources located in the Na-  
13 tional Heritage Area; and

14 (ii) any other property in the National  
15 Heritage Area that—

16 (I) is related to the themes of the  
17 National Heritage Area; and

18 (II) should be preserved, re-  
19 stored, managed, or maintained be-  
20 cause of the significance of the prop-  
21 erty;

22 (B) comprehensive policies, strategies, and  
23 recommendations for the conservation, funding,  
24 management, and development of the National  
25 Heritage Area;

1 (C) a description of activities that the Fed-  
2 eral Government, State, Tribal, and local gov-  
3 ernments, private organizations, and individuals  
4 have agreed to carry out to protect the natural,  
5 historical, cultural, scenic, and recreational re-  
6 sources of the National Heritage Area;

7 (D) a program of implementation for the  
8 management plan by the Local Coordinating  
9 Entity that includes a description of—

10 (i) actions to facilitate ongoing col-  
11 laboration among partners to promote  
12 plans for resource protection, restoration,  
13 and construction; and

14 (ii) specific commitments for imple-  
15 mentation that have been made by the  
16 Local Coordinating Entity or any unit of  
17 government, organization, or individual for  
18 the first 5 years of operation of the Na-  
19 tional Heritage Area;

20 (E) the identification of sources of funding  
21 to implement the management plan;

22 (F) analysis and recommendations for  
23 means by which Federal, State, local, and Trib-  
24 al programs may be best coordinated (including  
25 the role of the National Park Service in the Na-



1           tional Heritage Area) to carry out the purposes  
2           of this Act; and

3           (G) an interpretive plan for the National  
4           Heritage Area; and

5           (4) recommend policies and strategies for re-  
6           source management that consider and detail the ap-  
7           plication of appropriate land and water management  
8           techniques, including the development of intergov-  
9           ernmental and interagency cooperative agreements  
10          to protect the natural, historical, cultural, edu-  
11          cational, scenic, and recreational resources of the  
12          National Heritage Area.

13          (c) DEADLINE.—If a proposed management plan is  
14          not submitted to the Secretary by the date that is 3 years  
15          after the date of enactment of this Act, the Local Coordi-  
16          nating Entity shall be ineligible to receive additional fund-  
17          ing under this Act until the date on which the Secretary  
18          approves the management plan.

19          (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT  
20          PLAN.—

21               (1) IN GENERAL.—Not later than 180 days  
22               after the date of receipt of the management plan  
23               under subsection (a), the Secretary, in consultation  
24               with State and Tribal governments, shall approve or  
25               disapprove the management plan.

1           (2) CRITERIA FOR APPROVAL.—In determining  
2       whether to approve the management plan, the Sec-  
3       retary shall consider whether—

4           (A) the Local Coordinating Entity is rep-  
5       resentative of the diverse interests of the Na-  
6       tional Heritage Area, including the Federal  
7       Government, State, Tribal, and local govern-  
8       ments, natural and historic resource protection  
9       organizations, educational institutions, busi-  
10      nesses, and recreational organizations;

11          (B) the Local Coordinating Entity has af-  
12      forded adequate opportunity, including public  
13      hearings, for public and governmental involve-  
14      ment in the preparation of the management  
15      plan; and

16          (C) the resource protection and interpreta-  
17      tion strategies contained in the management  
18      plan, if implemented, would adequately protect  
19      the natural, historical, and cultural resources of  
20      the National Heritage Area.

21          (3) ACTION FOLLOWING DISAPPROVAL.—If the  
22      Secretary disapproves the management plan under  
23      paragraph (1), the Secretary shall—

24          (A) advise the Local Coordinating Entity  
25      in writing the reasons for the disapproval;

1 (B) make recommendations to the Local  
2 Coordinating Entity for revisions to the man-  
3 agement plan; and

4 (C) not later than 180 days after the re-  
5 ceipt of any proposed revision of the manage-  
6 ment plan from the Local Coordinating Entity,  
7 approve or disapprove the proposed revision.

8 (4) AMENDMENTS.—

9 (A) IN GENERAL.—The Secretary shall ap-  
10 prove or disapprove each amendment to the  
11 management plan that makes a substantial  
12 change to the management plan, as determined  
13 by the Secretary.

14 (B) USE OF FUNDS.—The Local Coordi-  
15 nating Entity shall not use Federal funds au-  
16 thorized under section 9 to carry out any  
17 amendment to the management plan until the  
18 date on which the Secretary has approved the  
19 amendment.

20 **SEC. 6. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

21 (a) IN GENERAL.—Nothing in this Act affects the au-  
22 thority of a Federal agency to provide technical or finan-  
23 cial assistance under any other law.

24 (b) CONSULTATION AND COORDINATION.—The head  
25 of any Federal agency planning to conduct activities that

1 may have an impact on the National Heritage Area is en-  
2 couraged to consult and coordinate the activities with the  
3 Secretary and the Local Coordinating Entity to the max-  
4 imum extent practicable.

5 (c) OTHER FEDERAL AGENCIES.—Nothing in this  
6 Act—

7 (1) modifies, alters, or amends any law (includ-  
8 ing regulations) authorizing a Federal agency to  
9 manage Federal land under the jurisdiction of the  
10 Federal agency;

11 (2) limits the discretion of a Federal land man-  
12 ager to implement an approved land use plan within  
13 the boundaries of the National Heritage Area; or

14 (3) modifies, alters, or amends any authorized  
15 use of Federal land under the jurisdiction of a Fed-  
16 eral agency.

17 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
18 **TIONS.**

19 Nothing in this Act—

20 (1) abridges the rights of any property owner  
21 (whether public or private), including the right to re-  
22 frain from participating in any plan, project, pro-  
23 gram, or activity conducted within the National Her-  
24 itage Area;

25 (2) requires any property owner—

1 (A) to permit public access (including ac-  
2 cess by Federal, State, or local agencies) to the  
3 property of the property owner; or

4 (B) to modify public access or use of prop-  
5 erty of the property owner under any other  
6 Federal, State, or local law;

7 (3) alters any duly adopted land use regulation,  
8 approved land use plan, or other regulatory author-  
9 ity of any Federal, State, Tribal, or local agency;

10 (4) conveys any land use or other regulatory  
11 authority to the Local Coordinating Entity;

12 (5) authorizes or implies the reservation or ap-  
13 propriation of water or water rights;

14 (6) enlarges or diminishes the treaty rights of  
15 any Indian Tribe within the National Heritage Area;

16 (7) diminishes—

17 (A) the authority of the State to manage  
18 fish and wildlife, including the regulation of  
19 fishing and hunting, within the National Herit-  
20 age Area; or

21 (B) the authority of Indian Tribes to regu-  
22 late members of Indian Tribes with respect to  
23 fishing, hunting, and gathering in the exercise  
24 of treaty rights; or

1           (8) creates any liability, or affects any liability  
2           under any other law, of any private property owner  
3           with respect to any person injured on the private  
4           property.

5 **SEC. 8. EVALUATION AND REPORT.**

6           (a) IN GENERAL.—Not later than 3 years before the  
7           date on which authority for Federal funding terminates  
8           for the National Heritage Area, the Secretary shall—

9                   (1) conduct an evaluation of the accomplish-  
10           ments of the National Heritage Area; and

11                   (2) prepare a report in accordance with sub-  
12           section (c).

13           (b) EVALUATION.—An evaluation conducted under  
14           subsection (a)(1) shall—

15                   (1) assess the progress of the Local Coordi-  
16           nating Entity with respect to—

17                           (A) accomplishing the purposes of the Na-  
18           tional Heritage Area; and

19                           (B) achieving the goals and objectives of  
20           the management plan;

21                   (2) analyze the investments of the Federal Gov-  
22           ernment, State, Tribal, and local governments, and  
23           private entities in the National Heritage Area to de-  
24           termine the impact of the investments; and

1           (3) review the management structure, partner-  
2           ship relationships, and funding of the National Her-  
3           itage Area for purposes of identifying the critical  
4           components for sustainability of the National Herit-  
5           age Area.

6           (c) REPORT.—Based on the evaluation conducted  
7           under subsection (a)(1), the Secretary shall submit to the  
8           Committee on Energy and Natural Resources of the Sen-  
9           ate and the Committee on Natural Resources of the House  
10          of Representatives a report that includes recommendations  
11          for the future role of the National Park Service, if any,  
12          with respect to the National Heritage Area.

13   **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

14          (a) IN GENERAL.—There is authorized to be appro-  
15          priated for the National Heritage Area \$10,000,000, of  
16          which not more than \$1,000,000 may be made available  
17          in any fiscal year.

18          (b) AVAILABILITY.—Amounts made available under  
19          subsection (a) shall remain available until expended.

20          (c) COST-SHARING REQUIREMENT.—

21                (1) IN GENERAL.—The Federal share of the  
22                total cost of any activity under this Act shall be not  
23                more than 50 percent.

24                (2) FORM.—The non-Federal share of the total  
25                cost of any activity under this Act may be in the

1 form of in-kind contributions of goods or services  
2 fairly valued.

3 (d) TERMINATION OF AUTHORITY.—The authority of  
4 the Secretary to provide assistance under this Act termi-  
5 nates on the date that is 15 years after the date of enact-  
6 ment of this Act.

