

117TH CONGRESS
2D SESSION

H. R. 3222

IN THE SENATE OF THE UNITED STATES

JULY 20, 2022

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Alabama Black Belt
3 National Heritage Area Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) NATIONAL HERITAGE AREA.—The term
7 “National Heritage Area” means the Alabama Black
8 Belt National Heritage Area established by section
9 3(a).

10 (2) LOCAL COORDINATING ENTITY.—The term
11 “local coordinating entity” means the local coordi-
12 nating entity for the National Heritage Area.

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

16 (4) MAP.—The term “map” means the map en-
17 titled “Alabama Black Belt Proposed National Her-
18 itage Area”, numbered 258/177,272, and dated Sep-
19 tember 2021.

20 (5) SECRETARY.—The term “Secretary” means
21 the Secretary of the Interior.

22 (6) STATE.—The term “State” means the State
23 of Alabama.

1 **SEC. 3. ESTABLISHMENT OF ALABAMA BLACK BELT NA-**
2 **TIONAL HERITAGE AREA.**

3 (a) IN GENERAL.—There is established the Alabama
4 Black Belt National Heritage Area in the State of Ala-
5 bama, to consist of land in Bibb, Bullock, Butler, Choc-
6 taw, Clarke, Conecuh, Dallas, Greene, Hale, Lowndes,
7 Macon, Marengo, Monroe, Montgomery, Perry, Pickens,
8 Sumter, Washington, and Wilcox counties in the State, as
9 generally depicted on the map.

10 (b) LOCAL COORDINATING ENTITY.—The Center for
11 the Study of the Black Belt at the University of West Ala-
12 bama shall serve as the local coordinating entity for the
13 National Heritage Area.

14 **SEC. 4. ADMINISTRATION.**

15 (a) AUTHORITIES.—For purposes of carrying out the
16 management plan for the National Heritage Area, the Sec-
17 retary acting through the local coordinating entity may
18 use amounts made available under this Act—

19 (1) to make grants to the State or a political
20 subdivision of the State, Indian Tribes, nonprofit or-
21 ganizations, and other persons;

22 (2) to enter into cooperative agreements with,
23 or provide technical assistance to, the State or a po-
24 litical subdivision of the State, Indian Tribes, non-
25 profit organizations, and other interested parties;

1 (3) to hire and compensate staff, which shall in-
2 clude individuals with expertise in natural, cultural,
3 and historical resources protection and heritage pro-
4 gramming;

5 (4) to obtain money or services from any
6 source, including any money or services that are pro-
7 vided under any other Federal law or program, pro-
8 vided that any money specifically authorized for Na-
9 tional Heritage areas shall be subject to a 50 per-
10 cent cost-share requirement;

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

12 (6) to undertake or be a catalyst for any other
13 activity that furthers the purposes of the National
14 Heritage Area and is consistent with the approved
15 management plan.

16 (b) DUTIES.—The local coordinating entity for the
17 National Heritage Area shall—

18 (1) in accordance with section 5, prepare and
19 submit a management plan for the National Herit-
20 age Area to the Secretary;

21 (2) assist Federal agencies, the State or a polit-
22 ical subdivision of the State, Indian Tribes, regional
23 planning organizations, nonprofit organizations, and
24 other interested parties in carrying out the approved
25 management plan by—

1 (A) carrying out programs and projects
2 that recognize, protect, and enhance important
3 resource values in the National Heritage Area;

4 (B) establishing and maintaining interpre-
5 tive exhibits and programs in the National Her-
6 itage Area;

7 (C) developing recreational, interpretive,
8 and educational opportunities in the National
9 Heritage Area;

10 (D) increasing public awareness of, and
11 appreciation for, natural, historical, scenic, and
12 cultural resources of the National Heritage
13 Area;

14 (E) protecting and restoring historic sites
15 and buildings in the National Heritage Area
16 that are consistent with the themes of the Na-
17 tional Heritage Area;

18 (F) ensuring that clear, consistent, and ap-
19 propriate signs identifying points of public ac-
20 cess and sites of interest are posted throughout
21 the National Heritage Area; and

22 (G) promoting a wide range of partner-
23 ships among the Federal Government, State,
24 Tribal, and local governments, organizations,

1 and individuals to further the purposes of the
2 National Heritage Area;

3 (3) consider the interests of diverse units of
4 government, businesses, organizations, and individ-
5 uals in the National Heritage Area in the prepara-
6 tion and implementation of the management plan;

7 (4) conduct meetings open to the public not less
8 frequently than semiannually regarding the develop-
9 ment and implementation of the management plan;

10 (5) for any year that Federal funds have been
11 received under this Act—

12 (A) submit to the Secretary an annual re-
13 port that describes the activities, expenses, and
14 income of the local coordinating entity (includ-
15 ing grants to any other entities during the year
16 that the report is made);

17 (B) make available to the Secretary for
18 audit all records relating to the expenditure of
19 the funds and any matching funds; and

20 (C) encourage by appropriate means eco-
21 nomic viability that is consistent with the Na-
22 tional Heritage Area.

23 (c) PROHIBITION ON THE ACQUISITION OF REAL
24 PROPERTY.—The local coordinating entity shall not use

1 Federal funds to acquire real property or any interest in
2 real property.

3 **SEC. 5. MANAGEMENT PLAN.**

4 (a) IN GENERAL.—Not later than 3 years after the
5 date of enactment of this Act, the local coordinating entity
6 of the National Heritage Area shall submit to the Sec-
7 retary for approval a proposed management plan for the
8 National Heritage Area.

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

10 (1) incorporate an integrated and cooperative
11 approach for the protection, enhancement, and inter-
12 pretation of the natural, cultural, historic, scenic,
13 and recreational resources of the National Heritage
14 Area;

15 (2) take into consideration Federal, State, local,
16 and Tribal plans and treaty rights;

17 (3) include—

18 (A) an inventory of—

19 (i) the resources located in the Na-
20 tional Heritage Area; and

21 (ii) any other property in the National
22 Heritage Area that—

23 (I) is related to the themes of the
24 National Heritage Area; and

1 (II) should be preserved, re-
2 stored, managed, or maintained be-
3 cause of the significance of the prop-
4 erty;

5 (B) comprehensive policies, strategies, and
6 recommendations for the conservation, funding,
7 management, and development of the National
8 Heritage Area;

9 (C) a description of activities that the Fed-
10 eral Government, State, Tribal, and local gov-
11 ernments, private organizations, and individuals
12 have agreed to carry out to protect the natural,
13 historical, cultural, scenic, and recreational re-
14 sources of the National Heritage Area;

15 (D) a program of implementation for the
16 management plan by the local coordinating en-
17 tity that includes a description of—

18 (i) actions to facilitate ongoing col-
19 laboration among partners to promote
20 plans for resource protection, restoration,
21 and construction; and

22 (ii) specific commitments for imple-
23 mentation that have been made by the
24 local coordinating entity or any unit of

1 government, organization, or individual for
2 the first 5 years of operation;

3 (E) the identification of sources of funding
4 for carrying out the management plan;

5 (F) analysis and recommendations for
6 means by which Federal, State, local, and Trib-
7 al programs, including the role of the National
8 Park Service in the National Heritage Area,
9 may best be coordinated to carry out this Act;
10 and

11 (G) an interpretive plan for the National
12 Heritage Area; and

13 (4) recommend policies and strategies for re-
14 source management that consider and detail the ap-
15 plication of appropriate land and water management
16 techniques, including the development of intergov-
17 ernmental and interagency cooperative agreements
18 to protect the natural, historical, cultural, edu-
19 cational, scenic, and recreational resources of the
20 National Heritage Area.

21 (c) DEADLINE.—If a proposed management plan is
22 not submitted to the Secretary by the date that is 3 years
23 after the date of enactment of this Act, the local coordi-
24 nating entity shall be ineligible to receive additional fund-

1 ing under this Act until the date on which the Secretary
2 approves the management plan.

3 (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT
4 PLAN.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of receipt of the management plan
7 under this section, the Secretary, in consultation
8 with State and Tribal governments, shall approve or
9 disapprove the management plan.

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

13 (A) the local coordinating entity is rep-
14 resentative of the diverse interests of the Na-
15 tional Heritage Area, including the Federal,
16 State, Tribal, and local governments, natural
17 and historic resource protection organizations,
18 educational institutions, businesses, and rec-
19 reational organizations;

20 (B) the local coordinating entity has af-
21 forded adequate opportunity, including public
22 hearings, for public and governmental involve-
23 ment in the preparation of the management
24 plan; and

1 (C) the resource protection and interpreta-
2 tion strategies contained in the management
3 plan, if implemented, would adequately protect
4 the natural, historical, and cultural resources of
5 the National Heritage Area.

6 (3) ACTION FOLLOWING DISAPPROVAL.—If the
7 Secretary disapproves the management plan under
8 paragraph (1), the Secretary shall—

9 (A) advise the local coordinating entity in
10 writing the reasons for the disapproval;

11 (B) make recommendations for revisions to
12 the management plan; and

13 (C) not later than 180 days after the re-
14 ceipt of any proposed revision of the manage-
15 ment plan from the local coordinating entity,
16 approve or disapprove the proposed revision.

17 (4) AMENDMENTS.—

18 (A) IN GENERAL.—The Secretary shall ap-
19 prove or disapprove each amendment to the
20 management plan that the Secretary determines
21 make a substantial change to the management
22 plan.

23 (B) USE OF FUNDS.—The local coordi-
24 nating entity shall not use Federal funds to
25 carry out any amendment to the management

1 plan until the date on which the Secretary has
2 approved the amendment.

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

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

7 (b) CONSULTATION AND COORDINATION.—The head
8 of any Federal agency planning to conduct activities that
9 may have an impact on the National Heritage Area is en-
10 couraged to consult and coordinate the activities with the
11 Secretary and the local coordinating entity to the max-
12 imum extent practicable.

13 (c) OTHER FEDERAL AGENCIES.—Nothing in this
14 Act—

15 (1) modifies, alters, or amends any law or regu-
16 lations authorizing a Federal agency to manage Fed-
17 eral land under the jurisdiction of the Federal agen-
18 cy;

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

22 (3) modifies, alters, or amends any authorized
23 use of Federal land under the jurisdiction of a Fed-
24 eral agency.

1 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**
2 **TIONS.**

3 Nothing in this Act—

4 (1) abridges the rights of any property owner
5 (whether public or private), including the right to re-
6 frain from participating in any plan, project, pro-
7 gram, or activity conducted within the National Her-
8 itage Area;

9 (2) requires any property owner—

10 (A) to permit public access (including ac-
11 cess by Federal, State, or local agencies) to the
12 property of the property owner; or

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

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

19 (4) conveys any land use or other regulatory
20 authority to the local coordinating entity;

21 (5) authorizes or implies the reservation or ap-
22 propriation of water or water rights;

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

25 (7) diminishes—

1 (A) the authority of the State to manage
2 fish and wildlife, including the regulation of
3 fishing and hunting, within the National Herit-
4 age Area; or

5 (B) the authority of Indian Tribes to regu-
6 late members of Indian Tribes with respect to
7 fishing, hunting, and gathering in the exercise
8 of treaty rights; or

9 (8) creates any liability, or affects any liability
10 under any other law, of any private property owner
11 with respect to any person injured on the private
12 property.

13 **SEC. 8. EVALUATION AND REPORT.**

14 (a) IN GENERAL.—For the National Heritage Area,
15 not later than 3 years before the date specified under sec-
16 tion 9, the Secretary shall—

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

19 (2) prepare a report in accordance with sub-
20 section (c).

21 (b) EVALUATION.—An evaluation conducted under
22 subsection (a)(1) shall—

23 (1) assess the progress of the local coordinating
24 entity with respect to—

1 (A) accomplishing the purposes of the Na-
2 tional Heritage Area; and

3 (B) achieving the goals and objectives of
4 the approved management plan for the National
5 Heritage Area;

6 (2) analyze the investments of the Federal Gov-
7 ernment, State, Tribal, and local governments, and
8 private entities in the National Heritage Area to de-
9 termine the impact of the investments; and

10 (3) review the management structure, partner-
11 ship relationships, and funding of the National Her-
12 itage Area for purposes of identifying the critical
13 components for sustainability of the National Herit-
14 age Area.

15 (c) REPORT.—Based on the evaluation conducted
16 under subsection (a)(1), the Secretary shall submit to the
17 Committee on Energy and Natural Resources of the Sen-
18 ate and the Committee on Natural Resources of the House
19 of Representatives a report that includes recommendations
20 for the future role of the National Park Service, if any,
21 with respect to the National Heritage Area.

1 SEC. 9. TERMINATION OF AUTHORITY.

2 The authority of the Secretary to provide assistance
3 under this Act terminates on the date that is 15 years
4 after the date of enactment of this Act.

Passed the House of Representatives July 19, 2022.

Attest: **CHERYL L. JOHNSON,**
Clerk.