

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3222
OFFERED BY MR. GRIJALVA OF ARIZONA**

Strike all after the enacting clause and insert the following:

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-

1 itage Area”, numbered 258/177,272, and dated Sep-
2 tember 2021.

3 (5) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

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

7 **SEC. 3. ESTABLISHMENT OF ALABAMA BLACK BELT NA-**
8 **TIONAL HERITAGE AREA.**

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

16 (b) LOCAL COORDINATING ENTITY.—The Center for
17 the Study of the Black Belt at the University of West Ala-
18 bama shall serve as the local coordinating entity for the
19 National Heritage Area.

20 **SEC. 4. ADMINISTRATION.**

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

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

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

8 (3) to hire and compensate staff, which shall in-
9 clude individuals with expertise in natural, cultural,
10 and historical resources protection and heritage pro-
11 gramming;

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

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

16 (6) to undertake or be a catalyst for any other
17 activity that furthers the purposes of the National
18 Heritage Area and is consistent with the approved
19 management plan.

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

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

1 (2) assist Federal agencies, the State or a polit-
2 ical subdivision of the State, Indian Tribes, regional
3 planning organizations, nonprofit organizations, and
4 other interested parties in carrying out the approved
5 management plan by—

6 (A) carrying out programs and projects
7 that recognize, protect, and enhance important
8 resource values in the National Heritage Area;

9 (B) establishing and maintaining interpre-
10 tive exhibits and programs in the National Her-
11 itage Area;

12 (C) developing recreational, interpretive,
13 and educational opportunities in the National
14 Heritage Area;

15 (D) increasing public awareness of, and
16 appreciation for, natural, historical, scenic, and
17 cultural resources of the National Heritage
18 Area;

19 (E) protecting and restoring historic sites
20 and buildings in the National Heritage Area
21 that are consistent with the themes of the Na-
22 tional Heritage Area;

23 (F) ensuring that clear, consistent, and ap-
24 propriate signs identifying points of public ac-

1 cess and sites of interest are posted throughout
2 the National Heritage Area; and

3 (G) promoting a wide range of partner-
4 ships among the Federal Government, State,
5 Tribal, and local governments, organizations,
6 and individuals to further the purposes of the
7 National Heritage Area;

8 (3) consider the interests of diverse units of
9 government, businesses, organizations, and individ-
10 uals in the National Heritage Area in the prepara-
11 tion and implementation of the management plan;

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

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

17 (A) submit to the Secretary an annual re-
18 port that describes the activities, expenses, and
19 income of the local coordinating entity (includ-
20 ing grants to any other entities during the year
21 that the report is made);

22 (B) make available to the Secretary for
23 audit all records relating to the expenditure of
24 the funds and any matching funds; and

1 (C) encourage by appropriate means eco-
2 nomic viability that is consistent with the Na-
3 tional Heritage Area.

4 (c) PROHIBITION ON THE ACQUISITION OF REAL
5 PROPERTY.—The local coordinating entity shall not use
6 Federal funds to acquire real property or any interest in
7 real property.

8 **SEC. 5. MANAGEMENT PLAN.**

9 (a) IN GENERAL.—Not later than 3 years after the
10 date of enactment of this Act, the local coordinating entity
11 of the National Heritage Area shall submit to the Sec-
12 retary for approval a proposed management plan for the
13 National Heritage Area.

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

15 (1) incorporate an integrated and cooperative
16 approach for the protection, enhancement, and inter-
17 pretation of the natural, cultural, historic, scenic,
18 and recreational resources of the National Heritage
19 Area;

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

22 (3) include—

23 (A) an inventory of—

24 (i) the resources located in the Na-
25 tional Heritage Area; and

1 (ii) any other property in the National
2 Heritage Area that—

3 (I) is related to the themes of the
4 National Heritage Area; and

5 (II) should be preserved, re-
6 stored, managed, or maintained be-
7 cause of the significance of the prop-
8 erty;

9 (B) comprehensive policies, strategies, and
10 recommendations for the conservation, funding,
11 management, and development of the National
12 Heritage Area;

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

19 (D) a program of implementation for the
20 management plan by the local coordinating en-
21 tity that includes a description of—

22 (i) actions to facilitate ongoing col-
23 laboration among partners to promote
24 plans for resource protection, restoration,
25 and construction; and

1 (ii) specific commitments for imple-
2 mentation that have been made by the
3 local coordinating entity or any unit of
4 government, organization, or individual for
5 the first 5 years of operation;

6 (E) the identification of sources of funding
7 for carrying out the management plan;

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

14 (G) an interpretive plan for the National
15 Heritage Area; and

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

24 (c) DEADLINE.—If a proposed management plan is
25 not submitted to the Secretary by the date that is 3 years

1 after the date of enactment of this Act, the local coordi-
2 nating entity shall be ineligible to receive additional fund-
3 ing under this Act until the date on which the Secretary
4 approves the management plan.

5 (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT
6 PLAN.—

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

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

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

22 (B) the local coordinating entity has af-
23 farded adequate opportunity, including public
24 hearings, for public and governmental involve-

1 ment in the preparation of the management
2 plan; and

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

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

11 (A) advise the local coordinating entity in
12 writing the reasons for the disapproval;

13 (B) make recommendations for revisions to
14 the management plan; and

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

19 (4) AMENDMENTS.—

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

1 (B) USE OF FUNDS.—The local coordi-
2 nating entity shall not use Federal funds carry
3 out any amendment to the management plan
4 until the date on which the Secretary has ap-
5 proved the amendment.

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

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

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

16 (c) OTHER FEDERAL AGENCIES.—Nothing in this
17 Act—

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

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

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

4 **SEC. 7. PRIVATE PROPERTY AND REGULATORY PROTEC-**
5 **TIONS.**

6 Nothing in this Act—

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

12 (2) requires any property owner—

13 (A) to permit public access (including ac-
14 cess by Federal, State, or local agencies) to the
15 property of the property owner; or

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

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

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

24 (5) authorizes or implies the reservation or ap-
25 propriation of water or water rights;

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

3 (7) diminishes—

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

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

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

16 **SEC. 8. EVALUATION AND REPORT.**

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

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

22 (2) prepare a report in accordance with sub-
23 section (c).

24 (b) EVALUATION.—An evaluation conducted under
25 subsection (a)(1) shall—

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

3 (A) accomplishing the purposes of the Na-
4 tional Heritage Area; and

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

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

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

17 (c) REPORT.—Based on the evaluation conducted
18 under subsection (a)(1), the Secretary shall submit to the
19 Committee on Energy and Natural Resources of the Sen-
20 ate and the Committee on Natural Resources of the House
21 of Representatives a report that includes recommendations
22 for the future role of the National Park Service, if any,
23 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.

