

116TH CONGRESS
1ST SESSION

H. R. 3936

To establish in the States of North Carolina and South Carolina the Southern Campaign of the Revolution National Heritage Corridor, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2019

Mr. CLYBURN (for himself, Mr. CUNNINGHAM, Mr. WILSON of South Carolina, Mr. DUNCAN, Mr. TIMMONS, Mr. NORMAN, and Mr. RICE of South Carolina) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish in the States of North Carolina and South Carolina the Southern Campaign of the Revolution National Heritage Corridor, 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 “Southern Campaign
5 of the Revolution National Heritage Corridor Act of
6 2019”.

7 **SEC. 2. FINDINGS AND PURPOSE.**

8 (a) FINDINGS.—Congress finds that—

1 (1) in accordance with the Study, the Southern
2 Campaign of the Revolution National Heritage Cor-
3 ridor, an 8-mile-wide corridor, provides operational
4 efficiency in connecting the greatest concentration of
5 the Carolinas' Revolutionary War sites including
6 battlefields, historic communities, farmsteads, and
7 landscapes that reflect the cultural and natural envi-
8 ronments of North Carolina and South Carolina in
9 the latter half of the 18th century;

10 (2) there is a national interest in protecting,
11 conserving, restoring, promoting, and interpreting
12 the benefits of the Corridor for the residents of, and
13 visitors to, the Corridor;

14 (3) a primary responsibility for conserving, pre-
15 serving, protecting, and promoting the benefits re-
16 sides with the Managing Entity having jurisdiction
17 over the Corridor; and

18 (4) in view of the longstanding Federal practice
19 of assisting States in creating, protecting, con-
20 serving, preserving, and interpreting areas of signifi-
21 cant natural and cultural importance, and in view of
22 the national significance of the Corridor, the Federal
23 Government has an interest in assisting the States
24 and the Managing Entity in fulfilling the respon-
25 sibilities described in paragraph (3).

1 (b) PURPOSES.—The purposes of this Act are—

2 (1) to protect, preserve, conserve, restore, pro-
3 mote, interpret, and make available for the benefit
4 of the public the historic, cultural, and natural re-
5 sources of the Corridor;

6 (2) to encourage and support, through financial
7 and technical assistance, the Managing Entity in the
8 development of a Management Action Plan for the
9 Corridor to ensure coordinated public and private
10 action in the Corridor in a manner consistent with
11 subsection (a);

12 (3) to provide, during the development of an in-
13 tegrated Corridor Management Action Plan, Federal
14 financial and technical assistance for the protection,
15 preservation, and conservation of land and water
16 areas in the Corridor that are in danger of being ad-
17 versely affected or destroyed;

18 (4) to encourage and assist Managing Entity to
19 identify the full range of public and private technical
20 and financial assistance programs and services avail-
21 able to implement the Corridor Management Action
22 Plan; and

23 (5) to encourage adequate coordination of all
24 government programs affecting the historic, cultural,
25 and natural resources of the Corridor.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) CORRIDOR.—The term “Corridor” means
4 the Southern Campaign of the Revolution National
5 Heritage Corridor established by section 4(a).

6 (2) CORRIDOR MANAGEMENT ACTION PLAN.—
7 The term “Corridor Management Action Plan”
8 means the management action plan developed under
9 section 6.

10 (3) MANAGEMENT ENTITY.—The term “Man-
11 agement Entity” means the University of South
12 Carolina as established under section 4.

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

15 (5) STATES.—The term “States” mean the
16 States of North Carolina and South Carolina.

17 (6) STUDY.—The term “Study” means the De-
18 partment of the Interior, National Park Service
19 (NPS)’s July 2015 Southern Campaign of the Revo-
20 lution National Heritage Area Suitability/Feasibility
21 Study.

22 (7) MAP.—The term “map” means the map
23 provided in the Study: Appendix C: Corridor Maps,
24 page 93, “Map 1: Proposed National Heritage Area
25 Corridor”.

1 **SEC. 4. SOUTHERN CAMPAIGN OF THE REVOLUTION NA-**
2 **TIONAL HERITAGE CORRIDOR.**

3 (a) ESTABLISHMENT.—There is established in the
4 States the Southern Campaign of the Revolution National
5 Heritage Corridor.

6 (b) BOUNDARIES.—The Corridor shall consist of the
7 area depicted on the map. The Corridor shall be specified
8 in detail in the Corridor Management Action Plan.

9 (c) MAP.—A map of the Corridor shall be on file and
10 available for public inspection in the appropriate offices
11 of—

12 (1) the National Park Service; and

13 (2) the Management Entity.

14 (d) ADDITION.—Additional areas of the States out-
15 side the Corridor boundaries may be added to the Corridor
16 by the Secretary at the request of the Management Entity.

17 (e) MANAGEMENT ENTITY.—The Management Enti-
18 ty for the Corridor shall be The University of South Caro-
19 lina, a public research university.

20 **SEC. 5. ADMINISTRATION.**

21 (a) AUTHORITIES.—To carry out the management
22 plan, the Secretary, acting through the management enti-
23 ty, may use amounts made available under this section
24 to—

1 (1) make grants to the States or a political sub-
2 division of the States, nonprofit organizations, and
3 other persons;

4 (2) enter into cooperative agreements with, or
5 provide technical assistance to, the States or a polit-
6 ical subdivision of the States, nonprofit organiza-
7 tions, and other interested parties;

8 (3) 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) obtain money or services from any source
13 including any that are provided under any other
14 Federal law or program;

15 (5) contract for goods or services; and

16 (6) undertake to be a catalyst for any other ac-
17 tivity that furthers the Corridor and is consistent
18 with the approved Corridor Management Action
19 Plan.

20 (b) DUTIES.—The management entity shall—

21 (1) in accordance with section 6, prepare and
22 submit a Corridor Management Action Plan for the
23 Corridor to the Secretary;

1 (2) assist units of local government, regional
2 planning organizations, and nonprofit organizations
3 in carrying out the approved management plan by—

4 (A) carrying out programs and projects
5 that recognize, protect, and enhance important
6 resource values in the Corridor;

7 (B) establishing and maintaining interpre-
8 tive exhibits and programs in the Corridor;

9 (C) developing recreational and educational
10 opportunities in the Corridor;

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

14 (E) protecting and restoring historic sites
15 and buildings in the Corridor that are con-
16 sistent with Corridor themes;

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

21 (G) promoting a wide range of partner-
22 ships among governments, organizations, and
23 individuals to further the Corridor;

24 (3) consider the interests of diverse units of
25 government, businesses, organizations, and individ-

1 uals in the Corridor in the preparation and imple-
2 mentation of the Corridor Management Action Plan;

3 (4) conduct meetings open to the public at least
4 semiannually regarding the development and imple-
5 mentation of the Corridor Management Plan;

6 (5) for any year that Federal funds have been
7 received under this section—

8 (A) submit an annual report to the Sec-
9 retary that describes the activities, expenses,
10 and income of the management entity (includ-
11 ing grants to any other entities during the year
12 that the report is made);

13 (B) make available to the Secretary for
14 audit all records relating to the expenditure of
15 the funds and any matching funds; and

16 (C) require, with respect to all agreements
17 authorizing expenditure of Federal funds by
18 other organizations, that the organizations re-
19 ceiving the funds make available to the Sec-
20 retary for audit all records concerning the ex-
21 penditure of the funds; and

22 (6) encourage by appropriate means economic
23 viability that is consistent with the Corridor.

24 (c) PROHIBITION ON THE ACQUISITION OF REAL
25 PROPERTY.—The management entity shall not use Fed-

1 eral funds made available under this section to acquire
2 real property or any interest in real property.

3 **SEC. 6. CORRIDOR MANAGEMENT ACTION PLAN.**

4 (a) IN GENERAL.—Not later than 3 years after the
5 date of enactment of this Act, the Management Entity
6 shall submit to the Secretary for approval a proposed Cor-
7 ridor Management Action Plan for the Corridor.

8 (b) REQUIREMENTS.—The Corridor Management Ac-
9 tion Plan shall—

10 (1) determine the boundaries of the Corridor
11 adherent to section 4(b);

12 (2) incorporate an integrated and cooperative
13 approach for the protection, enhancement, and inter-
14 pretation of the natural, cultural, historic, scenic,
15 and recreational resources of the Corridor;

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

18 (4) include—

19 (A) an inventory of—

20 (i) the resources located in the Cor-
21 ridor; and

22 (ii) any other property in the Corridor
23 that—

24 (I) is related to the themes of the
25 Corridor; and

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

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

8 (C) a description of the actions that the
9 Federal Government, State, Tribal, and local
10 governments, private organizations, and individ-
11 uals have agreed to take to protect the natural,
12 historical, cultural, scenic, and recreational re-
13 sources of the Corridor;

14 (D) a program of implementation for the
15 Corridor Management Action Plan by the man-
16 agement entity that includes a description of—

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

21 (ii) specific commitments for imple-
22 mentation that have been made by the
23 management entity or any government, or-
24 ganization, or individual for the first 5
25 years of operation;

1 (E) the identification of sources of funding
2 for carrying out the management plan;

3 (F) analysis and recommendations for
4 means by which Federal, State, local, and Trib-
5 al programs, including the role of the National
6 Park Service in the Corridor, may best be co-
7 ordinated to carry out this subsection; and

8 (G) an interpretative plan for the Corridor;
9 and

10 (5) recommend policies and strategies for re-
11 source management that consider and detail the ap-
12 plication of appropriate land and water management
13 techniques, including the development of intergov-
14 ernmental and interagency cooperative agreements
15 to protect the natural, historical, cultural, edu-
16 cational, scenic, and recreational resources of the
17 Corridor.

18 (c) DEADLINE.—If a proposed management plan is
19 not submitted to the Secretary by the date that is 3 years
20 after the date of enactment of this Act, the management
21 entity shall be ineligible to receive additional funding
22 under this section until the date that the Secretary re-
23 ceives and approves the management plan.

24 (d) APPROVAL OR DISAPPROVAL OF MANAGEMENT
25 PLAN.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of receipt of the management plan the
3 Secretary, in consultation with State and Tribal gov-
4 ernments, shall approve or disapprove the manage-
5 ment plan.

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

9 (A) the management entity is representa-
10 tive of the diverse interests of the Corridor, in-
11 cluding Federal, State, Tribal, and local govern-
12 ments, natural and historic resources protection
13 organizations, educational institutions, busi-
14 nesses, recreational organizations;

15 (B) the management entity has afforded
16 adequate opportunity, including public hearings,
17 for public and governmental involvement in the
18 preparation of the management plan;

19 (C) the resource preservation and interpre-
20 tation strategies contained in the management
21 plan would adequately protect the natural, his-
22 torical, and cultural resources of the Corridor;
23 and

24 (D) the Secretary has received adequate
25 assurances from appropriate State and local of-

1 officials whose support is needed to ensure the ef-
2 fective implementation of the State and local
3 aspects of the plan.

4 (3) ACTION FOLLOWING DISAPPROVAL.—If the
5 Secretary disapproves the management plan, the
6 Secretary shall—

7 (A) advise the management entity in writ-
8 ing of the reasons for the disapproval;

9 (B) make recommendations for revisions to
10 the management plan; and

11 (C) not later than 180 days after the re-
12 ceipt of any proposed revision of the manage-
13 ment plan from the management entity, ap-
14 prove or disapprove the proposed revision.

15 (4) AMENDMENTS.—

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

21 (B) USE OF FUNDS.—The management
22 entity shall not use Federal funds authorized by
23 this subtitle to carry out any amendments to
24 the management plan until the Secretary has
25 approved the amendments.

1 **SEC. 7. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

2 (a) IN GENERAL.—Nothing in this section affects the
3 authority of a Federal agency to provide technical or fi-
4 nancial assistance under any other law.

5 (b) CONSULTATION AND COORDINATION.—The head
6 of any Federal agency planning to conduct activities that
7 may have an impact on the Heritage Area is encouraged
8 to consult and coordinate the activities with the Secretary
9 and the management entity to the maximum extent prac-
10 ticable.

11 (c) OTHER FEDERAL AGENCIES.—Nothing in this
12 section—

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

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

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

23 **SEC. 8. PRIVATE PROPERTY AND REGULATORY PROTEC-**
24 **TIONS.**

25 Nothing in this Act—

1 (1) abridges the rights of any property owner
2 (whether public or private), including the right to re-
3 frain from participating in any plan, project, pro-
4 gram, or activity conducted within the Heritage
5 Area;

6 (2) requires any property owner to permit pub-
7 lic access (including access by Federal, State, or
8 local agencies) to the property of the property
9 owner, or to modify public access or use of property
10 of the property owner under any other Federal,
11 State, or local law;

12 (3) alters any duly adopted land use regulation,
13 approved land use plan, or other regulatory author-
14 ity of any Federal, State, or local agency, or conveys
15 any land use or other regulatory authority to the
16 management entity;

17 (4) authorizes or implies the reservation or ap-
18 propriation of water or water rights;

19 (5) diminishes the authority of the State to
20 manage fish and wildlife, including the regulation of
21 fishing and hunting within the Heritage Area; or

22 (6) creates any liability, or affects any liability
23 under any other law, of any private property owner
24 with respect to any person injured on the private
25 property.

1 **SEC. 9. EVALUATION; REPORT.**

2 (a) IN GENERAL.—Not later than 3 years before the
3 date on which authority for Federal funding terminates
4 for the Corridor, the Secretary shall—

5 (1) conduct an evaluation of the accomplish-
6 ments of the Corridor; and

7 (2) prepare a report in accordance with sub-
8 section (c).

9 (b) EVALUATION.—An evaluation conducted under
10 subsection (a) shall—

11 (1) assess the progress of the management enti-
12 ty with respect to—

13 (A) accomplishing the purposes of this sec-
14 tion for the Corridor; and

15 (B) achieving the goals and objectives of
16 the approved management plan for the Cor-
17 ridor;

18 (2) analyze the Federal, State, Tribal, local,
19 and private investments in the Corridor to determine
20 the leverage and impact of the investments; and

21 (3) review the management structure, partner-
22 ship relationships, and funding of the Corridor for
23 purposes of identifying the critical components for
24 sustainability of the Corridor.

25 (c) REPORT.—

1 (1) IN GENERAL.—Based on the evaluation con-
2 ducted under subsection (b), the Secretary shall pre-
3 pare a report that includes recommendations for the
4 future role of the National Park Service, if any, with
5 respect to the Corridor.

6 (2) REQUIRED ANALYSIS.—If the report pre-
7 pared under subsection (a) recommends that Federal
8 funding for the Heritage Area be reauthorized, the
9 report shall include an analysis of—

10 (A) ways in which Federal funding for the
11 Corridor may be reduced or eliminated; and

12 (B) the appropriate time period necessary
13 to achieve the recommended reduction or elimi-
14 nation.

15 (3) SUBMISSION TO CONGRESS.—On completion
16 of the report, the Secretary shall submit the report
17 to—

18 (A) the Committee on Energy and Natural
19 Resources of the Senate; and

20 (B) the Committee on Natural Resources
21 of the House of Representatives.

22 **SEC. 10. FUNDING.**

23 There is authorized to be appropriated to carry out
24 this section \$10,000,000, of which not more than
25 \$1,000,000 may be made available in any fiscal year.

1 **SEC. 11. TERMINATION OF AUTHORITY.**

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

