

108TH CONGRESS
2D SESSION

H. R. 4683

To enhance the preservation and interpretation of the Gullah/Geechee cultural heritage, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2004

Mr. CLYBURN (for himself, Mr. BROWN of South Carolina, and Mrs. CHRISTENSEN) introduced the following bill; which was referred to the Committee on Resources

A BILL

To enhance the preservation and interpretation of the Gullah/Geechee cultural heritage, 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 “Gullah/Geechee Cul-
5 tural Heritage Act”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are to—

8 (1) recognize the important contributions made
9 to American culture and history by African-Ameri-

1 cans known as the Gullah/Geechee who settled in the
2 coastal counties of South Carolina and Georgia;

3 (2) assist State and local governments and pub-
4 lic and private entities in South Carolina and Geor-
5 gia in interpreting the story of the Gullah/Geechee
6 and preserving Gullah/Geechee folklore, arts, crafts,
7 and music; and

8 (3) assist in identifying and preserving sites,
9 historical data, artifacts, and objects associated with
10 the Gullah/Geechee for the benefit and education of
11 the public.

12 **SEC. 3. DEFINITIONS.**

13 For the purposes of this Act, the following definitions
14 apply:

15 (1) COMMISSION.—The term “Commission”
16 means the Gullah/Geechee Cultural Heritage Cor-
17 ridor Commission established under this Act.

18 (2) HERITAGE CORRIDOR.—The term “Herit-
19 age Corridor” means the Gullah/Geechee Cultural
20 Heritage Corridor established by this Act.

21 (3) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

1 **SEC. 4. GULLAH/GEECHEE CULTURAL HERITAGE COR-**
2 **RIDOR.**

3 (a) **ESTABLISHMENT.**—There is established the
4 Gullah/Geechee Cultural Heritage Corridor.

5 (b) **BOUNDARIES.**—

6 (1) **IN GENERAL.**—The Heritage Corridor shall
7 be comprised of those lands and waters generally de-
8 picted on a map entitled “Gullah/Geechee Cultural
9 Heritage Corridor” numbered _____ and dated
10 _____. The map shall be on file and available for
11 public inspection in the appropriate offices of the
12 National Park Service and in an appropriate State
13 office in each of the States included in the Heritage
14 Corridor. The Secretary shall publish in the Federal
15 Register, as soon as practicable after the date of en-
16 actment of this Act, a detailed description and map
17 of the boundaries established under this subsection.

18 (2) **REVISIONS.**—The boundaries of the herit-
19 age corridor may be revised if the revision is—

20 (A) proposed in the management plan de-
21 veloped for the Heritage Area;

22 (B) approved by the Secretary in accord-
23 ance with this Act; and

24 (C) placed on file in accordance with para-
25 graph (1).

1 (c) ADMINISTRATION.—The Heritage Corridor shall
2 be administered in accordance with the provisions of this
3 Act.

4 **SEC. 5. GULLAH/GEECHEE CULTURAL HERITAGE COR-**
5 **RIDOR COMMISSION.**

6 (a) ESTABLISHMENT.—There is hereby established a
7 commission to be known as “Gullah/Geechee Cultural
8 Heritage Corridor Commission” whose purpose shall be to
9 assist Federal, State, and local authorities in the develop-
10 ment and implementation of a management plan for those
11 land and waters specified in section 4.

12 (b) MEMBERSHIP.—The Commission shall be com-
13 posed of 9 members appointed by the Secretary as follows:

14 (1) 4 individuals nominated by the State His-
15 toric Preservation Officer of South Carolina and 2
16 individuals nominated by the State Historic Preser-
17 vation Officer of Georgia and appointed by the Sec-
18 retary.

19 (2) 2 individuals from South Carolina and 1 in-
20 dividual from Georgia who are recognized experts in
21 historic preservation, anthropology, and folklore, ap-
22 pointed by the Secretary.

23 (c) TERMS.—Members of the Commission shall be
24 appointed to terms not to exceed 3 years. The Secretary
25 may stagger the terms of the initial appointments to the

1 Commission in order to assure continuity of operation.
2 Any member of the Commission may serve after the expi-
3 ration of their term until a successor is appointed. A va-
4 cancy shall be filled in the same manner in which the origi-
5 nal appointment was made.

6 (d) TERMINATION.—The Commission shall terminate
7 10 years after the date of enactment of this Act.

8 **SEC. 6. OPERATION OF THE COMMISSION.**

9 (a) DUTIES OF THE COMMISSION.—To further the
10 purposes of the Heritage Corridor, the Commission
11 shall—

12 (1) prepare and submit a management plan to
13 the Secretary in accordance with section 7;

14 (2) assist units of local government and other
15 persons in implementing the approved management
16 plan by—

17 (A) carry out programs and projects that
18 recognize, protect, and enhance important re-
19 source values within the Heritage Corridor;

20 (B) establishing and maintaining interpre-
21 tive exhibits and programs within the Heritage
22 Corridor;

23 (C) developing recreational and educational
24 opportunities in the Heritage Corridor;

1 (D) increasing public awareness of and ap-
2 preciation for the historical, cultural, natural,
3 and scenic resources of the Heritage Corridor;

4 (E) protecting and restoring historic sites
5 and buildings in the Heritage Corridor that are
6 consistent with heritage corridor themes;

7 (F) ensuring that clear, consistent, and ap-
8 propriate signs identifying points of public ac-
9 cess and sites of interest are posted throughout
10 the Heritage Corridor; and

11 (G) promoting a wide range of partner-
12 ships among governments, organizations, and
13 individuals to further the purposes of the Herit-
14 age Corridor;

15 (3) consider the interests of diverse units of
16 government, business, organizations, and individuals
17 in the Heritage Corridor in the preparation and im-
18 plementation of the management plan;

19 (4) conduct meetings open to the public at least
20 quarterly regarding the development and implemen-
21 tation of the management plan;

22 (5) submit an annual report to the Secretary
23 for any fiscal year in which the Commission receives
24 Federal funds under this Act, setting forth its ac-
25 complishments, expenses, and income, including

1 grants made to any other entities during the year
2 for which the report is made;

3 (6) make available for audit for any fiscal year
4 in which it receives Federal funds under this Act, all
5 information pertaining to the expenditure of such
6 funds and any matching funds, and require all
7 agreements authorizing expenditures of Federal
8 funds by other organizations, that the receiving or-
9 ganization make available for audit all records and
10 other information pertaining to the expenditure of
11 such funds; and

12 (7) encourage by appropriate means economic
13 viability that is consistent with the purposes of the
14 Heritage Corridor.

15 (b) AUTHORITIES.—The Commission may, for the
16 purposes of preparing and implementing the management
17 plan, use funds made available under this Act to—

18 (1) make grants to, and enter into cooperative
19 agreements with the States of South Carolina and
20 Georgia, political subdivisions of those States, a non-
21 profit organization, or any person;

22 (2) hire and compensate staff;

23 (3) obtain funds from any source including any
24 that are provided under any other Federal law or
25 program; and

1 (4) contract for goods and services.

2 **SEC. 7. MANAGEMENT PLAN.**

3 (a) IN GENERAL.—The management plan for the
4 Heritage Corridor shall—

5 (1) include comprehensive policies, strategies,
6 and recommendations for conservation, funding,
7 management, and development of the Heritage Cor-
8 ridor;

9 (2) take into consideration existing State, coun-
10 ty, and local plans in the development of the man-
11 agement plan and its implementation;

12 (3) include a description of actions that govern-
13 ments, private organizations, and individuals have
14 agreed to take to protect the historical, cultural, and
15 natural resources of the Heritage Corridor;

16 (4) specify the existing and potential sources of
17 funding to protect, manage, and develop the Herit-
18 age Corridor in the first 5 years of implementation;

19 (5) include an inventory of the historical, cul-
20 tural and natural resources of the Heritage Corridor
21 related to the themes of the Heritage Corridor that
22 should be preserved, restored, managed, developed,
23 or maintained;

24 (6) recommend policies and strategies for re-
25 source management that consider and detail the ap-

1 plication of appropriate land and water management
2 techniques, including the development of intergov-
3 ernmental and interagency cooperative agreements
4 to protect the Heritage Corridor's historical, cul-
5 tural, and natural resources;

6 (7) describe a program for implementation of
7 the management plan including plans for resources
8 protection, restoration, construction, and specific
9 commitments for implementation that have been
10 made by the Commission or any government, organi-
11 zation, or individual for the first 5 years of imple-
12 mentation;

13 (8) include an analysis and recommendations
14 for the ways in which Federal, State, or local pro-
15 grams may best be coordinated to further the pur-
16 poses of this Act; and

17 (9) include an interpretive plan for the Heritage
18 Corridor.

19 (b) SUBMITTAL OF MANAGEMENT PLAN.—The Com-
20 mission shall submit the management plan to the Sec-
21 retary for approval not later than 3 years after funds are
22 made available for this Act.

23 (c) FAILURE TO SUBMIT.—If the Commission fails
24 to submit the management plan to the Secretary in ac-
25 cordance with subsection (b), the Heritage Corridor shall

1 not qualify for Federal funding until the management plan
2 is submitted.

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

5 (1) IN GENERAL.—The Secretary shall approve
6 or disapprove the management plan not later than
7 90 days after receiving the management plan.

8 (2) CRITERIA.—In determining whether to ap-
9 prove the management plan, the Secretary shall con-
10 sider whether—

11 (A) the Commission has afforded adequate
12 opportunity, including public hearings, for pub-
13 lic and governmental involvement in the prepa-
14 ration of the management plan;

15 (B) the resource preservation and interpre-
16 tation strategies contained in the management
17 plan would adequately protect the cultural and
18 historic resources of the Heritage Corridor; and

19 (C) the Secretary has received adequate
20 assurances from appropriate State and local of-
21 ficials whose support is needed to ensure the ef-
22 fective implementation of the State and local
23 aspects of the plan.

24 (3) ACTION FOLLOWING DISAPPROVAL.—If the
25 Secretary disapproves the management plan, the

1 Secretary shall advise the Commission in writing of
2 the reasons therefore and shall make recommenda-
3 tions for revisions to the management plan. The Sec-
4 retary shall approve or disapprove a proposed revi-
5 sion not later than 60 days after the date it is sub-
6 mitted.

7 (4) APPROVAL OF AMENDMENTS.—Substantial
8 amendments to the management plan shall be re-
9 viewed and approved by the Secretary in the same
10 manner as provided in the original management
11 plan. The Commission shall not use Federal funds
12 authorized by this Act to implement any amend-
13 ments until the Secretary has approved the amend-
14 ments.

15 **SEC. 8. AUTHORITIES OF THE SECRETARY.**

16 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

17 (1) IN GENERAL.—Upon a request of the Com-
18 mission, the Secretary may provide technical and fi-
19 nancial assistance for the development and imple-
20 mentation of the management plan.

21 (2) PRIORITY FOR ASSISTANCE.—In providing
22 assistance under paragraph (1), the Secretary shall
23 give priority to actions that assist in—

1 (A) conserving the significant cultural, his-
2 torical, and natural resources of the Heritage
3 Corridor; and

4 (B) providing educational and interpretive
5 opportunities consistent with the purposes of
6 the Heritage Corridor.

7 (3) SPENDING FOR NON-FEDERAL PROPERTY.—

8 (A) IN GENERAL.—The Commission may
9 expend Federal funds made available under this
10 Act on nonfederally owned property that is—

11 (i) identified in the management plan;

12 or

13 (ii) listed or eligible for listing on the
14 National Register for Historic Places.

15 (B) AGREEMENTS.—Any payment of Fed-
16 eral funds made pursuant to this Act shall be
17 subject to an agreement that conversion, use, or
18 disposal of a project so assisted for purposes
19 contrary to the purposes of this Act, as deter-
20 mined by the Secretary, shall result in a right
21 of the United States to compensation of all
22 funds made available to that project or the pro-
23 portion of the increased value of the project at-
24 tributable to such funds as determined at the

1 time of such conversion, use, or disposal, which-
2 ever is greater.

3 **SEC. 9. DUTIES OF OTHER FEDERAL AGENCIES.**

4 Any Federal agency conducting or supporting activi-
5 ties directly affecting the Heritage Corridor shall—

6 (1) consult with the Secretary and the Commis-
7 sion with respect to such activities;

8 (2) cooperate with the Secretary and the Com-
9 mission in carrying out their duties under this Act
10 and, to the maximum extent practicable, coordinate
11 such activities with the carrying out of such duties;
12 and

13 (3) to the maximum extent practicable, conduct
14 or support such activities in a manner in which the
15 Commission determines will not have an adverse ef-
16 fect on the Heritage Corridor.

17 **SEC. 10. COASTAL HERITAGE CENTERS.**

18 In furtherance of the purposes of this Act and using
19 the authorities made available under this Act, the Com-
20 mission shall establish one or more Coastal Heritage Cen-
21 ters at appropriate locations within the Heritage Corridor.

22 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There is authorized to be appro-
24 priated for the purposes of this Act not more than
25 \$1,000,000 for any fiscal year. Not more than a total of

1 \$10,000,000 may be appropriated for the Heritage Cor-
2 ridor under this Act.

3 (b) COST SHARE.—Federal funding provided under
4 this Act may not exceed 50 percent of the total cost of
5 any activity for which assistance is provided under this
6 Act.

7 (c) IN-KIND CONTRIBUTIONS.—The Secretary may
8 accept in-kind contributions as part of the non-Federal
9 cost share of any activity for which assistance is provided
10 under this Act.

11 **SEC. 12. TERMINATION OF AUTHORITY.**

12 The authority of the Secretary to provide assistance
13 under this Act shall terminate on the day occurring 15
14 years after the date of the enactment of this Act.

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