

Par. (3). Pub. L. 117-123, §3(b)(4), redesignated par. (1) as (3).

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2022 AMENDMENT

Pub. L. 117-123, §1, May 12, 2022, 136 Stat. 1196, provided that: “This Act [enacting section 410iii-5 of this title, amending this section and sections 410iii-1 to 410iii-4 and 410iii-6 of this title, and enacting provisions set out as notes under this section] may be cited as the ‘Brown v. Board of Education National Historical Park Expansion and Redesignation Act’.”

REDESIGNATION OF THE BROWN V. BOARD OF EDUCATION NATIONAL HISTORICAL PARK; REFERENCES

Pub. L. 117-123, §2(a), (b), May 12, 2022, 136 Stat. 1196, provided that:

“(a) IN GENERAL.—The Brown v. Board of Education National Historic Site established by section 103(a) of Public Law 102-525 (106 Stat. 3439) [16 U.S.C. 410iii-2(a)] shall be known and designated as the ‘Brown v. Board of Education National Historical Park’.

“(b) REFERENCES.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the Brown v. Board of Education National Historic Site shall be considered to be a reference to the ‘Brown v. Board of Education National Historical Park’.”

PURPOSE FOR EXPANSION OF THE BROWN V. BOARD OF EDUCATION NATIONAL HISTORICAL PARK AND ESTABLISHMENT OF AFFILIATED AREAS

Pub. L. 117-123, §3(a), May 12, 2022, 136 Stat. 1196, provided that: “The purpose of this section [enacting section 410iii-5 of this title and amending this section and sections 410iii-1 to 410iii-4 and 410iii-6 of this title] is to honor the civil rights stories of struggle, perseverance, and activism in the pursuit of education equity.”

§ 410iii-1. Findings and purposes

(a) Findings

The Congress finds as follows:

(1) The Supreme Court, in 1954, ruled that the earlier 1896 Supreme Court decision in *Plessy v. Ferguson* that permitted segregation of races in elementary schools violated the fourteenth amendment to the United States Constitution, which guarantees all citizens equal protection under the law.

(2) In the 1954 proceedings, Oliver Brown and twelve other plaintiffs successfully challenged an 1879 Kansas law that had been patterned after the law in question in *Plessy v. Ferguson* after the Topeka, Kansas, Board of Education refused to enroll Mr. Brown’s daughter, Linda.

(3) The Brown case was joined by 4 other cases relating to school segregation pending before the Supreme Court (*Briggs v. Elliott*, filed in South Carolina, *Davis v. County School Board of Prince Edward County*, filed in Virginia, *Gebhart v. Belton*, filed in Delaware, and *Bolling v. Sharpe*, filed in the District of Columbia) that were consolidated into the case of *Brown v. Board of Education of Topeka*.

(4) A 1999 historic resources study examined the 5 cases included in *Brown v. Board of Education of Topeka* and found that each case—

(A) is nationally significant; and

(B) contributes unique stories to the case for educational equity.

(5) Sumner Elementary, the all-white school that refused to enroll Linda Brown, and Mon-

roe Elementary, the segregated school she was forced to attend, have subsequently been designated National Historic Landmarks in recognition of their national significance.

(6) Sumner Elementary, an active school, is administered by the Topeka Board of Education; Monroe Elementary, closed in 1975 due to declining enrollment, is privately owned and stands vacant.

(7) With respect to the case of *Briggs v. Elliott*—

(A) Summerton High School in Summerton, South Carolina, the all-White school that refused to admit the plaintiffs in the case—

(i) has been listed on the National Register of Historic Places in recognition of the national significance of the school; and

(ii) is used as administrative offices for Clarendon School District 1; and

(B) the former Scott’s Branch High School, an “equalization school” in Summerton, South Carolina constructed for African-American students in 1951 to provide facilities comparable to those of White students, is now the Community Resource Center owned by Clarendon School District 1.

(8) Robert Russa Moton High School, the all-Black school in Farmville, Virginia, which was the location of a student-led strike leading to *Davis v. County School Board of Prince Edward County*—

(A) has been designated as a National Historic Landmark in recognition of the national significance of the school; and

(B) is now the Robert Russa Moton Museum, which is administered by the Moton Museum, Inc., and affiliated with Longwood University.

(9) With respect to the case of *Belton v. Gebhart*—

(A) Howard High School in Wilmington, Delaware, an all-Black school to which the plaintiffs in the case were forced to travel—

(i) has been designated as a National Historic Landmark in recognition of the national significance of the school; and

(ii) is now the Howard High School of Technology, an active school administered by the New Castle County Vocational-Technical School District;

(B) the all-White Claymont High School, which denied admission to the plaintiffs, is now the Claymont Community Center administered by the Brandywine Community Resource Council, Inc.; and

(C) the Hockessin School #107C (Hockessin Colored School)—

(i) is the all-Black school in Hockessin, Delaware, that 1 of the plaintiffs in the case was required to attend with no public transportation provided; and

(ii) is now used as a community facility by Friends of Hockessin Colored School #107, Inc.

(10) John Philip Sousa Junior High School in the District of Columbia, the all-White school that refused to admit plaintiffs in *Bolling v. Sharpe*—

(A) has been designated as a National Historic Landmark in recognition of the national significance of the school;

(B) is now known as the “John Philip Sousa Middle School”; and

(C) is owned by the District of Columbia Department of General Services and administered by the District of Columbia Public Schools.

(b) Purposes

The purposes of this subchapter are—

(1) to preserve, protect, and interpret for the benefit and enjoyment of present and future generations, the places that contributed materially to the landmark United States Supreme Court decision that brought an end to segregation in public education; and¹

(2) to interpret the integral role of the *Brown v. Board of Education* case in the civil rights movement;²

(3) to assist in the preservation, protection, and interpretation of related resources within Topeka, Kansas, Summerton, South Carolina, Farmville, Virginia, Wilmington, Claymont, and Hockessin, Delaware, and the District of Columbia that further the understanding of the civil rights movement and the context of *Brown v. Board of Education*.

(Pub. L. 102-525, title I, §102, Oct. 26, 1992, 106 Stat. 3439; Pub. L. 117-123, §3(c), (d), May 12, 2022, 136 Stat. 1197, 1198.)

Editorial Notes

AMENDMENTS

2022—Subsec. (a)(3) to (10). Pub. L. 117-123, §3(c), added pars. (3), (4), and (7) to (10) and redesignated former pars. (3) and (4) as (5) and (6), respectively.

Subsec. (b)(3). Pub. L. 117-123, §3(d), inserted “, protection,” after “preservation” and “and the context of *Brown v. Board of Education*” after “civil rights movement” and substituted “Topeka, Kansas, Summerton, South Carolina, Farmville, Virginia, Wilmington, Claymont, and Hockessin, Delaware, and the District of Columbia” for “the city of Topeka”.

§ 410iii-2. Establishment of the Civil Rights in Education: Brown v. Board of Education National Historical Park

(a) In general

There is hereby established as a unit of the National Park System the *Brown v. Board of Education* National Historical Park in the State of Kansas.

(b) Description

The historical park shall consist of the Monroe Elementary School site in the city of Topeka, Shawnee County, Kansas, as generally depicted on a map entitled “*Brown v. Board of Education* National Historic Site,” numbered Appendix A and dated June 1992. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) Boundary adjustment

(1) Additions

In addition to the land described in subsection (b), the historical park shall include

the land and interests in land, as generally depicted on the map entitled “*Brown v. Board of Education* National Historical Park Boundary Additions and Affiliated Areas”, numbered 462/178,449, and dated February 2022, and more particularly described as—

(A) the Summerton High School site in Summerton, Clarendon County, South Carolina;

(B) the former Scott’s Branch High School site in Summerton, Clarendon County, South Carolina; and

(C) approximately 1 acre of land adjacent to Monroe Elementary School in Topeka, Shawnee County, Kansas.

(2) Map

The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(Pub. L. 102-525, title I, §103, Oct. 26, 1992, 106 Stat. 3439; Pub. L. 117-123, §§2(c)(2)–(4), 3(e), May 12, 2022, 136 Stat. 1196, 1198.)

Editorial Notes

AMENDMENTS

2022—Pub. L. 117-123, §2(c)(3), substituted “Historical Park” for “Historic Site” in section catchline.

Subsec. (a). Pub. L. 117-123, §2(c)(2), substituted “National Historical Park” for “National Historic Site”.

Subsec. (b). Pub. L. 117-123, §2(c)(4), substituted “historical park” for “historic site”.

Subsec. (c). Pub. L. 117-123, §3(e), added subsec. (c).

§ 410iii-3. Property acquisition

The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriated funds the real property described in subsections (b) and (c) of section 410iii-2 of this title. Any property owned by the State of Kansas or South Carolina or any political subdivision thereof may be acquired only by donation. The Secretary may also acquire by the same methods personal property associated with, and appropriate for, the interpretation of the historical park. The Secretary may not acquire such personal property without the consent of the owner or by condemnation of any land or interest in land within the boundaries of the historical park.

(Pub. L. 102-525, title I, §104, Oct. 26, 1992, 106 Stat. 3439; Pub. L. 117-123, §§2(c)(4), 3(f), May 12, 2022, 136 Stat. 1196, 1199.)

Editorial Notes

AMENDMENTS

2022—Pub. L. 117-123 substituted “subsections (b) and (c) of section 410iii-2” for “section 410iii-2(b)”, “State of Kansas or South Carolina” for “States of Kansas”, and “historical park. The Secretary” for “historic site: *Provided, however,* That the Secretary” and inserted “or by condemnation of any land or interest in land within the boundaries of the historical park” after “without the consent of the owner”.

§ 410iii-4. Administration of historical park

(a) In general

The Secretary shall administer the historical park in accordance with this subchapter and the

¹ So in original. The word “and” probably should not appear.

² So in original. The period probably should be “; and”.