

116TH CONGRESS
1ST SESSION

H. R. 1179

To amend title 54, United States Code, to establish within the National Park Service the African-American Burial Grounds Network, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2019

Ms. ADAMS (for herself and Mr. McEACHIN) introduced the following bill;
which was referred to the Committee on Natural Resources

A BILL

To amend title 54, United States Code, to establish within the National Park Service the African-American Burial Grounds Network, 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 “African-American Bur-

5 ial Grounds Network Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

1 (1) From 1619 until 1865, millions of African
2 Americans throughout the United States were
3 enslaved.

4 (2) Slaveholders often controlled where and how
5 the dead were buried, and prohibited burials on valu-
6 able land. As a result, slave burial grounds were
7 often confined to remote areas or marginal property.

8 (3) Such burial grounds were rarely docu-
9 mented, and they infrequently appear on historical
10 maps. A lack of accurate information is typical of
11 African-American cemeteries from before the Civil
12 War.

13 (4) Following the end of slavery, many African-
14 American families continued to face restrictions on
15 where they could bury their dead. Across much of
16 the United States, local laws segregated burial sites
17 by race. African-American burial grounds often
18 failed to receive the type of maintenance and record-
19 keeping that predominantly White burial grounds
20 enjoyed.

21 (5) Many African-American burial grounds
22 from both before and after the Civil War are in a
23 state of disrepair or inaccessibility due to overgrowth
24 of vegetation, crumbling physical structures, and
25 other challenges.

1 (6) There is no official national record or data-
2 base for African-American burial ground locations,
3 and the location of many sites is unknown. As a re-
4 sult, the family members and descendants of those
5 interred are unable to visit these sites to honor and
6 remember their ancestors.

7 (7) Abandoned African-American burial
8 grounds are often discovered when construction
9 projects inadvertently disturb human remains, slow-
10 ing or halting completion of those projects.

11 (8) The presence and location of historic Afri-
12 can-American burial grounds should be recorded,
13 and there should be coordinated national, State,
14 local, and Tribal efforts to preserve and restore
15 these sites.

16 (9) African-American burial grounds are an in-
17 tegral component of the heritage of the United
18 States.

19 (10) Creating and maintaining a network of
20 previously abandoned, underserved, and other Afri-
21 can-American burial grounds will help communities
22 identify and record burial grounds and preserve local
23 history while better informing development decisions
24 and community planning.

1 **SEC. 3. PURPOSES.**

2 The purposes of this Act are to authorize the Na-
 3 tional Park Service to coordinate and facilitate Federal
 4 and non-Federal activities to identify, interpret, preserve,
 5 and record unmarked, previously abandoned, underserved,
 6 and other African-American burial grounds.

7 **SEC. 4. U.S. AFRICAN-AMERICAN BURIAL GROUNDS NET-**
 8 **WORK PROGRAM.**

9 (a) IN GENERAL.—Subdivision 1 of division B of sub-
 10 title III of title 54, United States Code, is amended by
 11 inserting after chapter 3085 the following:

12 **“CHAPTER 3086—U.S. AFRICAN-AMERICAN**
 13 **BURIAL GROUNDS NETWORK**

14 **“§ 308601. Definitions**

15 “In this chapter:

16 “(1) NETWORK.—The term ‘Network’ means
 17 the African-American Burial Grounds Network es-
 18 tablished under section 308602(a).

19 “(2) BURIAL GROUND(S).—The term ‘burial
 20 ground’ means any natural or prepared physical lo-
 21 cation, whether originally below, on, or above the
 22 surface of the earth, into which as a part of the
 23 death rite or ceremony of a culture, human remains
 24 are deposited.

1 “(3) HISTORIC.—The term ‘historic’ means
2 properties that can reasonably be considered to date
3 back at least 50 years.

4 **“§ 308602. U.S. African-American Burial Grounds Net-**
5 **work**

6 “(a) IN GENERAL.—The Secretary, in consultation
7 with the National Parks Service, shall establish, within the
8 Service, a program in accordance with this chapter to be
9 known as the ‘U.S. African-American Burial Grounds
10 Network’. The Network shall include burial grounds deter-
11 mined by the Secretary to relate to the historic African-
12 American experience from among applications for inclu-
13 sion submitted by an individual, private or non-profit or-
14 ganization, State, local, or Tribal government, or other en-
15 tity.

16 “(b) DUTIES OF SECRETARY.—In carrying out the
17 Network, the Secretary shall have the following duties:

18 “(1) Review existing and new studies and re-
19 ports to inform consideration of sites for the Net-
20 work.

21 “(2) Provide technical assistance to and work in
22 partnership with the public, Federal, State, local,
23 and Tribal governments, other public entities, edu-
24 cational institutions, and private nonprofit organiza-
25 tions in identifying, documenting, preserving, re-

1 searching, evaluating, and interpreting African-
2 American burial grounds.

3 “(3) Engage in consultation and public engage-
4 ment with descendant, local, and other communities
5 historically associated with identified burial grounds
6 by geography, genetics, or culture.

7 “(4) In accordance with section 304, provide
8 technical assistance and support to ensure that the
9 locations of unmarked and unrecorded African-
10 American burial grounds are documented. The Sec-
11 retary is directed to make this information available
12 in a public database, except in such circumstances in
13 which the Secretary determines that the privacy and
14 safety of the burial ground warrants the information
15 being protected.

16 “(5) Develop a program to train States, units
17 of local government, regional governmental bodies,
18 organizations, educational institutions, and private
19 entities to carry out the purposes of this Act.

20 “(6) Produce and disseminate appropriate edu-
21 cational and training materials relating to African-
22 American burial ground identification methods and
23 best practices for caring for artifacts, developing in-
24 terpretive tours and exhibits, preserving burial
25 ground landscapes, heritage tourism initiatives and

1 sources for grants, such as handbooks, maps, inter-
 2 pretive guides, or electronic information.

3 “(7) Produce and disseminate appropriate edu-
 4 cational materials about African-American burial
 5 grounds through curriculum-based experiences, les-
 6 son plans, and primary materials.

7 “(8)(A) Create and adopt an official, uniform
 8 symbol or device for the Network; and

9 “(B) issue regulations for the use of the symbol
 10 or device adopted under subparagraph (A).

11 “(c) DONATIONS.—The Secretary may accept mone-
 12 tary donations to further the purposes of this chapter.

13 “(d) CONSENT OF PRIVATE PROPERTY OWNER RE-
 14 QUIRED.—Burial grounds shall only be considered for ad-
 15 dition to the Network with—

16 “(1) the consent of the property owner; and

17 “(2) at the request of an individual, landowner,
 18 private or nonprofit organization, State, or local gov-
 19 ernment, or another entity.

20 **“§ 308603. Authority to make grants**

21 “The Secretary may make grants to public, Federal,
 22 State, local, and Tribal governments, other public entities,
 23 educational institutions, and private non-profit organiza-
 24 tions in accordance with this section for—

1 “(1) the identification of African-American bur-
2 ial grounds that may qualify for the Network;

3 “(2) the preservation and restoration of Afri-
4 can-American burial grounds that have been in-
5 cluded in the Network;

6 “(3) interpretation of African-American burial
7 grounds; and

8 “(4) related research and documentation for
9 sites that have been included in the Network.

10 **“§ 308604. Cooperative agreements and memoranda**
11 **of understanding**

12 “The Secretary may enter into cooperative agree-
13 ments and memoranda of understanding with, and provide
14 technical assistance to, the heads of other Federal agen-
15 cies, States, units of local government, Tribal govern-
16 ments, regional governmental bodies, organizations, edu-
17 cational institutions, and private entities to achieve the
18 purposes of this chapter and ensure effective coordination
19 of the Federal and non-Federal elements of the Network
20 described in section 308602 with System units and pro-
21 grams of the Service.

22 **“§ 308605. Private property protection**

23 “Nothing in this chapter shall be construed—

24 “(1) to authorize the Secretary to require or af-
25 fect management or use of private property without

1 the written consent of the owners of the affected pri-
 2 vate property; or

3 “(2) to prohibit the Secretary from providing
 4 land management guidance or requirements related
 5 to private property as a condition of grants or other
 6 assistance provided to the owners of that private
 7 property under this chapter.”.

8 (b) CLERICAL AMENDMENT.—The table of chapters
 9 for title 54, United States Code, is amended by inserting
 10 after the item relating to chapter 3085 the following:

“3086 U.S. African-American Burial Ground Network 30861”.

