

113TH CONGRESS
1ST SESSION

S. 247

To establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2013

Mr. CARDIN (for himself, Mr. SCHUMER, Ms. MIKULSKI, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, 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 “Harriet Tubman Na-
5 tional Historical Parks Act”.

1 **SEC. 2. HARRIET TUBMAN UNDERGROUND RAILROAD NA-**
 2 **TIONAL HISTORICAL PARK, MARYLAND.**

3 (a) DEFINITIONS.—In this section:

4 (1) HISTORICAL PARK.—The term “historical
 5 park” means the Harriet Tubman Underground
 6 Railroad National Historical Park established by
 7 subsection (b)(1)(A).

8 (2) MAP.—The term “map” means the map en-
 9 titled “Authorized Acquisition Area for the Proposed
 10 Harriet Tubman Underground Railroad National
 11 Historical Park”, numbered T20/80,001, and dated
 12 July 2010.

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

15 (4) STATE.—The term “State” means the State
 16 of Maryland.

17 (b) HARRIET TUBMAN UNDERGROUND RAILROAD
 18 NATIONAL HISTORICAL PARK.—

19 (1) ESTABLISHMENT.—

20 (A) IN GENERAL.—Subject to subpara-
 21 graph (B), there is established the Harriet Tub-
 22 man Underground Railroad National Historical
 23 Park in Caroline, Dorchester, and Talbot Coun-
 24 ties, Maryland, as a unit of the National Park
 25 System.

1 (B) DETERMINATION BY SECRETARY.—

2 The historical park shall not be established
3 until the date on which the Secretary deter-
4 mines that a sufficient quantity of land, or in-
5 terests in land, has been acquired to constitute
6 a manageable park unit.

7 (C) NOTICE.—Not later than 30 days after
8 the date on which the Secretary makes a deter-
9 mination under subparagraph (B), the Sec-
10 retary shall publish in the Federal Register no-
11 tice of the establishment of the historical park,
12 including an official boundary map for the his-
13 torical park.

14 (D) AVAILABILITY OF MAP.—The official
15 boundary map published under subparagraph
16 (C) shall be on file and available for public in-
17 spection in appropriate offices of the National
18 Park Service.

19 (2) PURPOSE.—The purpose of the historical
20 park is to preserve and interpret for the benefit of
21 present and future generations the historical, cul-
22 tural, and natural resources associated with the life
23 of Harriet Tubman and the Underground Railroad.

24 (3) LAND ACQUISITION.—

1 (A) IN GENERAL.—The Secretary may ac-
 2 quire land and interests in land within the
 3 areas depicted on the map as “Authorized Ac-
 4 quisition Areas” by purchase from willing sell-
 5 ers, donation, or exchange.

6 (B) BOUNDARY ADJUSTMENT.—On acqui-
 7 sition of land or an interest in land under sub-
 8 paragraph (A), the boundary of the historical
 9 park shall be adjusted to reflect the acquisition.

10 (c) ADMINISTRATION.—

11 (1) IN GENERAL.—The Secretary shall admin-
 12 ister the historical park in accordance with this sec-
 13 tion and the laws generally applicable to units of the
 14 National Park System, including—

15 (A) the National Park System Organic Act
 16 (16 U.S.C. 1 et seq.); and

17 (B) the Act of August 21, 1935 (16 U.S.C.
 18 461 et seq.).

19 (2) INTERAGENCY AGREEMENT.—Not later
 20 than 1 year after the date on which the historical
 21 park is established, the Director of the National
 22 Park Service and the Director of the United States
 23 Fish and Wildlife Service shall enter into an agree-
 24 ment to allow the National Park Service to provide
 25 for public interpretation of historic resources located

1 within the boundary of the Blackwater National
2 Wildlife Refuge that are associated with the life of
3 Harriet Tubman, consistent with the management
4 requirements of the Refuge.

5 (3) INTERPRETIVE TOURS.—The Secretary may
6 provide interpretive tours to sites and resources lo-
7 cated outside the boundary of the historical park in
8 Caroline, Dorchester, and Talbot Counties, Mary-
9 land, relating to the life of Harriet Tubman and the
10 Underground Railroad.

11 (4) COOPERATIVE AGREEMENTS.—

12 (A) IN GENERAL.—The Secretary may
13 enter into a cooperative agreement with the
14 State, political subdivisions of the State, col-
15 leges and universities, non-profit organizations,
16 and individuals—

17 (i) to mark, interpret, and restore na-
18 tionally significant historic or cultural re-
19 sources relating to the life of Harriet Tub-
20 man or the Underground Railroad within
21 the boundaries of the historical park, if the
22 agreement provides for reasonable public
23 access; or

1 (ii) to conduct research relating to the
2 life of Harriet Tubman and the Under-
3 ground Railroad.

4 (B) VISITOR CENTER.—The Secretary may
5 enter into a cooperative agreement with the
6 State to design, construct, operate, and main-
7 tain a joint visitor center on land owned by the
8 State—

9 (i) to provide for National Park Serv-
10 ice visitor and interpretive facilities for the
11 historical park; and

12 (ii) to provide to the Secretary, at no
13 additional cost, sufficient office space to
14 administer the historical park.

15 (C) COST-SHARING REQUIREMENT.—

16 (i) FEDERAL SHARE.—The Federal
17 share of the total cost of any activity car-
18 ried out under this paragraph shall not ex-
19 ceed 50 percent.

20 (ii) FORM OF NON-FEDERAL
21 SHARE.—The non-Federal share of the
22 cost of carrying out an activity under this
23 paragraph may be in the form of in-kind
24 contributions or goods or services fairly
25 valued.

1 (d) GENERAL MANAGEMENT PLAN.—

2 (1) IN GENERAL.—Not later than 3 years after
 3 the date on which funds are made available to carry
 4 out this section, the Secretary shall prepare a gen-
 5 eral management plan for the historical park in ac-
 6 cordance with section 12(b) of the National Park
 7 Service General Authorities Act (16 U.S.C. 1a-
 8 7(b)).

9 (2) CONSULTATION.—The general management
 10 plan shall be prepared in consultation with the State
 11 (including political subdivisions of the State).

12 (3) COORDINATION.—The Secretary shall co-
 13 ordinate the preparation and implementation of the
 14 management plan with—

15 (A) the Blackwater National Wildlife Ref-
 16 uge;

17 (B) the Harriet Tubman National Histor-
 18 ical Park established by section 3(b)(1)(A); and

19 (C) the National Underground Railroad
 20 Network to Freedom.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—There
 22 are authorized to be appropriated such sums as are nec-
 23 essary to carry out this section.

1 **SEC. 3. HARRIET TUBMAN NATIONAL HISTORICAL PARK,**
 2 **AUBURN, NEW YORK.**

3 (a) DEFINITIONS.—In this section:

4 (1) HISTORICAL PARK.—The term “historical
 5 park” means the Harriet Tubman National Histor-
 6 ical Park established by subsection (b)(1)(A).

7 (2) HOME.—The term “Home” means The
 8 Harriet Tubman Home, Inc., located in Auburn,
 9 New York.

10 (3) MAP.—The term “map” means the map en-
 11 titled “Harriet Tubman National Historical Park”,
 12 numbered T18/80,000, and dated March 2009.

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

15 (5) STATE.—The term “State” means the State
 16 of New York.

17 (b) HARRIET TUBMAN NATIONAL HISTORICAL
 18 PARK.—

19 (1) ESTABLISHMENT.—

20 (A) IN GENERAL.—Subject to subpara-
 21 graph (B), there is established the Harriet Tub-
 22 man National Historical Park in Auburn, New
 23 York, as a unit of the National Park System.

24 (B) DETERMINATION BY SECRETARY.—
 25 The historical park shall not be established
 26 until the date on which the Secretary deter-

1 mines that a sufficient quantity of land, or in-
2 terests in land, has been acquired to constitute
3 a manageable park unit.

4 (C) NOTICE.—Not later than 30 days after
5 the date on which the Secretary makes a deter-
6 mination under subparagraph (B), the Sec-
7 retary shall publish in the Federal Register no-
8 tice of the establishment of the historical park.

9 (D) MAP.—The map shall be on file and
10 available for public inspection in appropriate of-
11 fices of the National Park Service.

12 (2) BOUNDARY.—The historical park shall in-
13 clude the Harriet Tubman Home, the Tubman
14 Home for the Aged, the Thompson Memorial AME
15 Zion Church and Rectory, and associated land, as
16 identified in the area entitled “National Historical
17 Park Proposed Boundary” on the map.

18 (3) PURPOSE.—The purpose of the historical
19 park is to preserve and interpret for the benefit of
20 present and future generations the historical, cul-
21 tural, and natural resources associated with the life
22 of Harriet Tubman.

23 (4) LAND ACQUISITION.—The Secretary may
24 acquire land and interests in land within the areas

1 depicted on the map by purchase from a willing sell-
2 er, donation, or exchange.

3 (c) ADMINISTRATION.—

4 (1) IN GENERAL.—The Secretary shall admin-
5 ister the historical park in accordance with this sec-
6 tion and the laws generally applicable to units of the
7 National Park System, including—

8 (A) the National Park System Organic Act
9 (16 U.S.C. 1 et seq.); and

10 (B) the Act of August 21, 1935 (16 U.S.C.
11 461 et seq.).

12 (2) INTERPRETIVE TOURS.—The Secretary may
13 provide interpretive tours to sites and resources lo-
14 cated outside the boundary of the historical park in
15 Auburn, New York, relating to the life of Harriet
16 Tubman.

17 (3) COOPERATIVE AGREEMENTS.—

18 (A) IN GENERAL.—The Secretary may
19 enter into a cooperative agreement with the
20 owner of any land within the historical park to
21 mark, interpret, or restore nationally significant
22 historic or cultural resources relating to the life
23 of Harriet Tubman, if the agreement provides
24 that—

(i) the Secretary shall have the right of access to any public portions of the land covered by the agreement to allow for—

(I) access at reasonable times by historical park visitors to the land; and

(II) interpretation of the land for the public; and

(ii) no changes or alterations shall be made to the land except by mutual agreement of the Secretary and the owner of the land.

(B) RESEARCH.—The Secretary may enter into a cooperative agreement with the State, political subdivisions of the State, institutions of higher education, the Home and other nonprofit organizations, and individuals to conduct research relating to the life of Harriet Tubman.

(C) COST-SHARING REQUIREMENT.—

(i) FEDERAL SHARE.—The Federal share of the total cost of any activity carried out under this paragraph shall not exceed 50 percent.

(ii) FORM OF NON-FEDERAL SHARE.—The non-Federal share may be in

the form of in-kind contributions or goods
or services fairly valued.

(D) ATTORNEY GENERAL.—

(i) IN GENERAL.—The Secretary shall
submit to the Attorney General for review
any cooperative agreement under this
paragraph involving religious property or
property owned by a religious institution.

(ii) FINDING.—No cooperative agree-
ment subject to review under this subpara-
graph shall take effect until the date on
which the Attorney General issues a find-
ing that the proposed agreement does not
violate the Establishment Clause of the
first amendment to the Constitution.

(d) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after
the date on which funds are made available to carry
out this section, the Secretary shall prepare a gen-
eral management plan for the historical park in ac-
cordance with section 12(b) of the National Park
Service General Authorities Act (16 U.S.C. 1a-
7(b)).

1 (2) COORDINATION.—The Secretary shall co-
2 ordinate the preparation and implementation of the
3 management plan with—

4 (A) the Harriet Tubman Underground
5 Railroad National Historical Park established
6 by section 2(b)(1); and

7 (B) the National Underground Railroad
8 Network to Freedom.

9 (e) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated such sums as are nec-
11 essary to carry out this Act, except that not more than
12 \$7,500,000 shall be available to provide financial assist-
13 ance under subsection (c)(3).

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