

Calendar No. 54113TH CONGRESS
1ST SESSION**S. 247****[Report No. 113-23]**

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

APRIL 22, 2013

Reported by Mr. WYDEN, with an amendment

[Insert the part printed in *italic*]**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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Harriet Tubman Na-
3 tional Historical Parks Act”.

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

6 (a) DEFINITIONS.—In this section:

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

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

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 (4) STATE.—The term “State” means the State
19 of Maryland.

20 (b) HARRIET TUBMAN UNDERGROUND RAILROAD
21 NATIONAL HISTORICAL PARK.—

22 (1) ESTABLISHMENT.—

23 (A) IN GENERAL.—Subject to subpara-
24 graph (B), there is established the Harriet Tub-
25 man Underground Railroad National Historical
26 Park in Caroline, Dorchester, and Talbot Coun-

1 ties, Maryland, as a unit of the National Park
2 System.

3 (B) DETERMINATION BY SECRETARY.—

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

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

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

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

1 (3) LAND ACQUISITION.—

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

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

11 (c) ADMINISTRATION.—

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

16 (A) the National Park System Organic Act
17 (16 U.S.C. 1 et seq.); and

18 (B) the Act of August 21, 1935 (16 U.S.C.
19 461 et seq.).

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

1 for public interpretation of historic resources located
2 within the boundary of the Blackwater National
3 Wildlife Refuge that are associated with the life of
4 Harriet Tubman, consistent with the management
5 requirements of the Refuge.

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

12 (4) COOPERATIVE AGREEMENTS.—

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

18 (i) to mark, interpret, and restore na-
19 tionally significant historic or cultural re-
20 sources relating to the life of Harriet Tub-
21 man or the Underground Railroad within
22 the boundaries of the historical park, if the
23 agreement provides for reasonable public
24 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—

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

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

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

9 (ii) no changes or alterations shall be
10 made to the land except by mutual agree-
11 ment of the Secretary and the owner of the
12 land.

13 (B) RESEARCH.—The Secretary may enter
14 into a cooperative agreement with the State, po-
15 litical subdivisions of the State, institutions of
16 higher education, the Home and other nonprofit
17 organizations, and individuals to conduct re-
18 search relating to the life of Harriet Tubman.

19 (C) COST-SHARING REQUIREMENT.—

20 (i) FEDERAL SHARE.—The Federal
21 share of the total cost of any activity car-
22 ried out under this paragraph shall not ex-
23 ceed 50 percent.

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

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

3 (D) ATTORNEY GENERAL.—

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

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

16 (d) GENERAL MANAGEMENT PLAN.—

17 (1) IN GENERAL.—Not later than 3 years after
18 the date on which funds are made available to carry
19 out this section, the Secretary shall prepare a gen-
20 eral management plan for the historical park in ac-
21 cordance with section 12(b) of the National Park
22 Service General Authorities Act (16 U.S.C. 1a-
23 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).

14 **SEC. 4. OFFSET.**

15 *Section 101(b)(12) of the Water Resources Develop-*
16 *ment Act of 1996 (Public Law 104–303; 110 Stat. 3667)*
17 *is amended by striking “\$53,852,000” and inserting*
18 *“\$29,852,000”.*

Calendar No. 54

113TH CONGRESS
1ST Session

S. 247

[Report No. 113-23]

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.

APRIL 22, 2013

Reported with an amendment