

Calendar No. 267112TH CONGRESS
2^D SESSION**S. 247****[Report No. 112-105]**

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 1, 2011

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

JANUARY 13, 2012

Reported under authority of the order of the Senate of December 17, 2011,
by Mr. BINGAMAN, with amendments

[Omit the part struck through and 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,*

3 **SECTION 1. SHORT TITLE.**

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

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

8 (a) DEFINITIONS.—In this section:

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

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

18 (3) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior.

20 (4) STATE.—The term “State” means the State
21 of Maryland.

22 (b) HARRIET TUBMAN UNDERGROUND RAILROAD
23 NATIONAL HISTORICAL PARK.—

24 (1) ESTABLISHMENT.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), there is established the Harriet Tub-
3 man Underground Railroad National Historical
4 Park in Caroline, Dorchester, and Talbot Coun-
5 ties, Maryland, as a unit of the National Park
6 System.

7 (B) DETERMINATION BY SECRETARY.—
8 The historical park shall not be established
9 until the date on which the Secretary deter-
10 mines that a sufficient quantity of land, or in-
11 terests in land, has been acquired to constitute
12 a manageable park unit.

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

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

1 (2) PURPOSE.—The purpose of the historical
2 park is to preserve and interpret for the benefit of
3 present and future generations the historical, cul-
4 tural, and natural resources associated with the life
5 of Harriet Tubman and the Underground Railroad.

6 (3) LAND ACQUISITION.—

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

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

16 (c) ADMINISTRATION.—

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

21 (A) the National Park System Organic Act
22 (16 U.S.C. 1 et seq.); and

23 (B) the Act of August 21, 1935 (16 U.S.C.
24 461 et seq.).

1 (2) INTERAGENCY AGREEMENT.—Not later
2 than 1 year after the date on which the historical
3 park is established, the Director of the National
4 Park Service and the Director of the United States
5 Fish and Wildlife Service shall enter into an agree-
6 ment to allow the National Park Service to provide
7 for public interpretation of historic resources located
8 within the boundary of the Blackwater National
9 Wildlife Refuge that are associated with the life of
10 Harriet Tubman, consistent with the management
11 requirements of the Refuge.

12 (3) 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 Caroline, Dorchester, and Talbot Counties, Mary-
16 land, relating to the life of Harriet Tubman and the
17 Underground Railroad.

18 (4) COOPERATIVE AGREEMENTS.—

19 (A) IN GENERAL.—The Secretary may
20 enter into a cooperative agreement with the
21 State, political subdivisions of the State, col-
22 leges and universities, non-profit organizations,
23 and individuals—

24 (i) to mark, interpret, and restore na-
25 tionally significant historic or cultural re-

1 sources relating to the life of Harriet Tub-
2 man or the Underground Railroad within
3 the boundaries of the historical park, if the
4 agreement provides for reasonable public
5 access; or

6 (ii) to conduct research relating to the
7 life of Harriet Tubman and the Under-
8 ground Railroad.

9 (B) VISITOR CENTER.—The Secretary may
10 enter into a cooperative agreement with the
11 State to design, construct, operate, and main-
12 tain a joint visitor center on land owned by the
13 State—

14 (i) to provide for National Park Serv-
15 ice visitor and interpretive facilities for the
16 historical park; and

17 (ii) to provide to the Secretary, at no
18 additional cost, sufficient office space to
19 administer the historical park.

20 (C) COST-SHARING REQUIREMENT.—

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

1 (ii) FORM OF NON-FEDERAL
2 SHARE.—The non-Federal share of the
3 cost of carrying out an activity under this
4 paragraph may be in the form of in-kind
5 contributions or goods or services fairly
6 valued.

7 (d) GENERAL MANAGEMENT PLAN.—

8 (1) IN GENERAL.—Not later than 3 years after
9 the date on which funds are made available to carry
10 out this section, the Secretary shall prepare a gen-
11 eral management plan for the historical park in ac-
12 cordance with section 12(b) of ~~Public Law 91-383~~
13 (commonly known as the “National Park Service
14 General Authorities Act”) *the National Park Service*
15 *General Authorities Act* (16 U.S.C. 1a-7(b)).

16 (2) CONSULTATION.—The general management
17 plan shall be prepared in consultation with the State
18 (including political subdivisions of the State).

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

22 (A) the Blackwater National Wildlife Ref-
23 uge;

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

1 (C) the National Underground Railroad
2 Network to Freedom.

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

6 **SEC. 3. HARRIET TUBMAN NATIONAL HISTORICAL PARK,**
7 **AUBURN, NEW YORK.**

8 (a) DEFINITIONS.—In this section:

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

12 (2) HOME.—The term “Home” means The
13 Harriet Tubman Home, Inc., located in Auburn,
14 New York.

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

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior.

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

22 (b) HARRIET TUBMAN NATIONAL HISTORICAL
23 PARK.—

24 (1) ESTABLISHMENT.—

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

5 (B) DETERMINATION BY SECRETARY.—
6 The historical park shall not be established
7 until the date on which the Secretary deter-
8 mines that a sufficient quantity of land, or in-
9 terests in land, has been acquired to constitute
10 a manageable park unit.

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

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

19 (2) BOUNDARY.—The historical park shall in-
20 clude the Harriet Tubman Home, the Tubman
21 Home for the Aged, the Thompson Memorial AME
22 Zion Church and Rectory, and associated land, as
23 identified in the area entitled “National Historical
24 Park Proposed Boundary” on the map.

1 (3) PURPOSE.—The purpose of the historical
2 park is to preserve and interpret for the benefit of
3 present and future generations the historical, cul-
4 tural, and natural resources associated with the life
5 of Harriet Tubman.

6 (4) LAND ACQUISITION.—The Secretary may
7 acquire land and interests in land within the areas
8 depicted on the map by purchase from a willing sell-
9 er, donation, or exchange.

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) INTERPRETIVE TOURS.—The Secretary may
20 provide interpretive tours to sites and resources lo-
21 cated outside the boundary of the historical park in
22 Auburn, New York, relating to the life of Harriet
23 Tubman.

24 (3) COOPERATIVE AGREEMENTS.—

1 (A) IN GENERAL.—The Secretary may
2 enter into a cooperative agreement with the
3 owner of any land within the historical park to
4 mark, interpret, or restore nationally significant
5 historic or cultural resources relating to the life
6 of Harriet Tubman, if the agreement provides
7 that—

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

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

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

16 (ii) no changes or alterations shall be
17 made to the land except by mutual agree-
18 ment of the Secretary and the owner of the
19 land.

20 (B) RESEARCH.—The Secretary may enter
21 into a cooperative agreement with the State, po-
22 litical subdivisions of the State, institutions of
23 higher education, the Home and other nonprofit
24 organizations, and individuals to conduct re-
25 search relating to the life of Harriet Tubman.

1 (C) COST-SHARING REQUIREMENT.—

2 (i) FEDERAL SHARE.—The Federal
3 share of the total cost of any activity car-
4 ried out under this paragraph shall not ex-
5 ceed 50 percent.

6 (ii) FORM OF NON-FEDERAL
7 SHARE.—The non-Federal share may be in
8 the form of in-kind contributions or goods
9 or services fairly valued.

10 (D) ATTORNEY GENERAL.—

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

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

23 (d) GENERAL MANAGEMENT PLAN.—

24 (1) IN GENERAL.—Not later than 3 years after
25 the date on which funds are made available to carry

1 out this section, the Secretary shall prepare a gen-
2 eral management plan for the historical park in ac-
3 cordance with section 12(b) of ~~Public Law 91-383~~
4 ~~(commonly known as the “National Park Service~~
5 ~~General Authorities Act”)~~ *the National Park Service*
6 *General Authorities Act* (16 U.S.C. 1a-7(b)).

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

10 (A) the Harriet Tubman Underground
11 Railroad National Historical Park established
12 by section 2(b)(1); and

13 (B) the National Underground Railroad
14 Network to Freedom.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated such sums as are nec-
17 essary to carry out this Act, except that not more than
18 \$7,500,000 shall be available to provide financial assist-
19 ance under subsection (c)(3).

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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.

JANUARY 13, 2012

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