

110TH CONGRESS
2D SESSION

S. 3383

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

JULY 31, 2008

Mr. CARDIN (for himself, Mrs. CLINTON, Ms. MIKULSKI, and Mr. SCHUMER) 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 Park and Harriet Tubman Underground
6 Railroad National Historical Park Act”.

1 **SEC. 2. FINDINGS; PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) Harriet Tubman (born Araminta “Minty”
4 Ross)—

5 (A) was born into slavery in Maryland
6 around 1822;

7 (B) married John Tubman at age 25;

8 (C) endured through her youth and young
9 adulthood the hardships of enslaved African-
10 Americans; and

11 (D) boldly emancipated herself from bond-
12 age in 1849;

13 (2) not satisfied with attaining her own free-
14 dom, Harriet Tubman—

15 (A) returned repeatedly for more than 10
16 years to the places of her enslavement in Dor-
17 chester and Caroline Counties, Maryland; and

18 (B) under the most adverse circumstances
19 led away many family members and acquaint-
20 ances to freedom in the northern region of the
21 United States and Canada;

22 (3) Harriet Tubman was—

23 (A) called “Moses” by African-Americans
24 and white abolitionists; and

25 (B) acknowledged as one of the most
26 prominent “conductors” of the resistance that

1 came to be known as the “Underground Rail-
2 road”;

3 (4) in 1868, Frederick Douglass wrote that,
4 with the exception of John Brown, Douglass knew of
5 “no one who has willingly encountered more perils
6 and hardships to serve our enslaved people” than
7 Harriet Tubman;

8 (5) during the Civil War, Harriet Tubman—

9 (A) was recruited to assist Union troops as
10 a nurse, a scout, and a spy; and

11 (B) served in Virginia, Florida, and South
12 Carolina, where she is credited with facilitating
13 the rescue of hundreds of enslaved people;

14 (6) Harriet Tubman established in Auburn,
15 New York, one of the first incorporated homes for
16 aged African-Americans in the United States, which,
17 10 years before her death, she bequeathed to the Af-
18 rican Methodist Episcopal Zion Church;

19 (7) there are nationally significant resources
20 comprised of relatively unchanged landscapes associ-
21 ated with the early life of Harriet Tubman in Caro-
22 line, Dorchester, and Talbot Counties, Maryland;

23 (8) there are nationally significant resources re-
24 lating to Harriet Tubman in Auburn, New York, in-
25 cluding—

1 (A) the residence of Harriet Tubman;

2 (B) the Tubman Home for the Aged;

3 (C) the Thompson Memorial AME Zion
4 Church; and

5 (D) the final resting place of Harriet Tub-
6 man in Fort Hill Cemetery;

7 (9) in developing interpretive programs, the Na-
8 tional Park Service would benefit from increased
9 scholarship of the African-American experience dur-
10 ing the decades preceding the Civil War and
11 throughout the remainder of the 19th century; and

12 (10) it is fitting and proper that the nationally
13 significant resources relating to Harriet Tubman be
14 preserved for future generations as units of the Na-
15 tional Park System so that people may understand
16 and appreciate the contributions of Harriet Tubman
17 to the history and culture of the United States.

18 (b) PURPOSES.—The purposes of this Act are—

19 (1) to preserve and promote stewardship of the
20 resources in Auburn, New York, and Caroline, Dor-
21 chester, and Talbot Counties, Maryland, relating to
22 the life and contributions of Harriet Tubman;

23 (2) to provide for partnerships with the African
24 Methodist Episcopal Zion Church, the States of New
25 York and Maryland, political subdivisions of the

1 States, the Federal Government, local governments,
2 nonprofit organizations, and private property owners
3 for resource protection, research, interpretation, edu-
4 cation, and public understanding and appreciation of
5 the life and contributions of Harriet Tubman;

6 (3) to sustain agricultural and forestry land
7 uses in Caroline, Dorchester, and Talbot Counties,
8 Maryland, that remain evocative of the landscape
9 during the life of Harriet Tubman; and

10 (4) to establish a competitive grants program
11 for scholars of African-American history relating to
12 Harriet Tubman and the Underground Railroad.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) CHURCH.—The term “Church” means the
16 Thompson Memorial AME Zion Church located in
17 Auburn, New York.

18 (2) HISTORICALLY BLACK COLLEGE OR UNI-
19 VERSITY.—The term “historically Black college or
20 university” has the meaning given the term “part B
21 institution” in section 322 of the Higher Education
22 Act of 1965 (20 U.S.C. 1061)).

23 (3) PREDOMINANTLY BLACK INSTITUTION.—
24 The term “Predominantly Black Institution” has the
25 meaning given the term in section 499A(c) of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1099e(c)).

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

5 (5) VISITOR CENTER.—The term “Visitor Cen-
6 ter” means the Harriet Tubman Underground Rail-
7 road State Park Visitor Center to be constructed
8 under section 5(d).

9 **SEC. 4. ESTABLISHMENT OF HARRIET TUBMAN NATIONAL**
10 **HISTORICAL PARK.**

11 (a) ESTABLISHMENT.—On the execution of ease-
12 ments with the Church, the Secretary shall—

13 (1) establish the Harriet Tubman National His-
14 torical Park (referred to in this section as the “His-
15 torical Park”) in the City of Auburn, New York, as
16 a unit of the National Park System; and

17 (2) publish notice of the establishment of the
18 Historical Park in the Federal Register.

19 (b) BOUNDARY.—

20 (1) IN GENERAL.—The Historical Park shall be
21 comprised of structures and properties associated
22 with the Harriet Tubman home, the Tubman Home
23 for the Aged, the Church, and the Rectory, as gen-
24 erally depicted on the map entitled “Harriet Tub-

1 man National Historical Park—Proposed Bound-
 2 ary”, numbered [____], and dated [____].

3 (2) AVAILABILITY OF MAP.—The map described
 4 in paragraph (1) shall be available for public inspec-
 5 tion in the appropriate offices of the National Park
 6 Service.

7 (c) ACQUISITION OF LAND.—The Secretary may ac-
 8 quire from willing sellers, by donation, purchase with do-
 9 nated or appropriated funds, or exchange, land or inter-
 10 ests in land within the boundary of the Historical Park.

11 (d) FINANCIAL ASSISTANCE.—The Secretary may
 12 provide grants to, and enter into cooperative agreements
 13 with—

14 (1) the Church for—

15 (A) historic preservation of, rehabilitation
 16 of, research on, and maintenance of properties
 17 within the boundary of the Historical Park; and

18 (B) interpretation of the Historical Park;

19 (2) the Fort Hill Cemetery Association for
 20 maintenance and interpretation of the gravesite of
 21 Harriet Tubman; and

22 (3) the State of New York, any political sub-
 23 divisions of the State, the City of Auburn, and non-
 24 profit organizations for—

(A) preservation and interpretation of resources relating to Harriet Tubman in the City of Auburn, New York;

(B) conducting research, including archaeological research; and

(C) providing for stewardship programs, education, public access, signage, and other interpretive devices at the Historical Park for interpretive purposes.

(e) INTERPRETATION.—The Secretary may provide interpretive tours to sites located outside the boundaries of the Historical Park in Auburn, New York, that include resources relating to Harriet Tubman.

(f) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary, in cooperation with the Church, shall complete a general management plan for the Historical Park in accordance with section 12(b) of Public Law 91–383 (16 U.S.C. 1a–7(b)).

(2) COORDINATION.—The Secretary shall coordinate the preparation and implementation of the general management plan for the Harriet Tubman National Historical Park with—

1 (A) the Harriet Tubman Underground
 2 Railroad National Historical Park in Maryland;
 3 and

4 (B) the National Underground Railroad:
 5 Network to Freedom.

6 **SEC. 5. ESTABLISHMENT OF THE HARRIET TUBMAN UN-**
 7 **DERGROUND RAILROAD NATIONAL HISTOR-**
 8 **ICAL PARK.**

9 (a) ESTABLISHMENT.—There is established as a unit
 10 of the National Park System the Harriet Tubman Under-
 11 ground Railroad National Historical Park (referred to in
 12 this section as the “Historical Park”) in Caroline, Dor-
 13 chester, and Talbot Counties, Maryland.

14 (b) BOUNDARY.—

15 (1) IN GENERAL.—The boundary of the Histor-
 16 ical Park shall consist of certain landscapes and as-
 17 sociated resources relating to the early life and en-
 18 slavement of Harriet Tubman and the Underground
 19 Railroad, as generally depicted on the map entitled
 20 “Harriet Tubman Underground Railroad National
 21 Historical Park—Proposed Boundary”, numbered
 22 **【_____】**, and dated **【_____】**.

23 (2) ADDITIONAL SITES.—The Secretary, after
 24 consultation with landowners, the State of Maryland,
 25 and units of local government, may modify the

1 boundary of the Historical Park to include addi-
2 tional resources relating to Harriet Tubman that—

3 (A) are located within the vicinity of the
4 Historical Park; and

5 (B) are identified in the general manage-
6 ment plan prepared under subsection (g) as ap-
7 propriate for interpreting the life of Harriet
8 Tubman.

9 (3) AVAILABILITY OF MAP.—On modification of
10 the boundary of the Historical Park under para-
11 graph (2), the Secretary shall make available for
12 public inspection in the appropriate offices of the
13 National Park Service a revised map of the Histor-
14 ical Park.

15 (c) ACQUISITION OF LAND.—The Secretary may ac-
16 quire from willing sellers, by donation, purchase with do-
17 nated or appropriated funds, or exchange, land or an in-
18 terest in land within the boundaries of the Historical
19 Park.

20 (d) GRANTS.—In accordance with section 7(b)(2), the
21 Secretary may provide grants—

22 (1) to the State of Maryland, political subdivi-
23 sions of the State, and nonprofit organizations for
24 the acquisition of less than fee title (including ease-
25 ments) or fee title to land in Caroline, Dorchester,

1 and Talbot Counties, Maryland, within the boundary
2 of the Historical Park; and

3 (2) on execution of a memorandum of under-
4 standing between the State of Maryland and the Di-
5 rector of the National Park Service, to the State of
6 Maryland for the construction of the Harriet Tub-
7 man Underground Railroad State Park Visitor Cen-
8 ter on land owned by the State of Maryland in Dor-
9 chester County, Maryland, subject to the condition
10 that the State of Maryland provide the Director of
11 the National Park Service, at no additional cost, suf-
12 ficient office space and exhibition areas in the Vis-
13 itor Center to carry out the purposes of the Histor-
14 ical Park.

15 (e) FINANCIAL ASSISTANCE.—The Secretary may
16 provide grants to, and enter into cooperative agreements
17 with, the State of Maryland, political subdivisions of the
18 State, nonprofit organizations, colleges and universities,
19 and private property owners for—

20 (1) the restoration or rehabilitation, public use,
21 and interpretation of sites and resources relating to
22 Harriet Tubman;

23 (2) the conduct of research, including archae-
24 ological research;

1 (3) providing stewardship programs, education,
2 signage, and other interpretive devices at the sites
3 and resources for interpretive purposes; and

4 (4)(A) the design and construction of the Vis-
5 itor Center; and

6 (B) the operation and maintenance of the Vis-
7 itor Center.

8 (f) INTERPRETATION.—The Secretary may provide
9 interpretive tours to sites and resources located outside
10 the boundary of the Historical Park in Caroline, Dor-
11 chester, and Talbot Counties, Maryland, relating to the
12 life of Harriet Tubman and the Underground Railroad.

13 (g) GENERAL MANAGEMENT PLAN.—

14 (1) IN GENERAL.—Not later than 3 years after
15 the date on which funds are made available to carry
16 out this subsection, the Secretary, in coordination
17 with the State of Maryland, political subdivisions of
18 the State, and the United States Fish and Wildlife
19 Service, shall complete a general management plan
20 for the Historical Park in accordance with section
21 12(b) of Public Law 91–383 (16 U.S. C. 1a–7(b)).

22 (2) COORDINATION.—The Secretary shall co-
23 ordinate the preparation and implementation of the
24 general management plan for the Historical Park
25 with—

1 (A) the Harriet Tubman National Histor-
2 ical Park in Auburn, New York;

3 (B) the National Underground Railroad:
4 Network to Freedom;

5 (C) the Maryland Harriet Tubman Under-
6 ground Railroad State Park; and

7 (D) the Harriet Tubman Underground
8 Railroad Byway in Dorchester and Caroline
9 Counties, Maryland.

10 (3) PRIORITY TREATMENT.—The general man-
11 agement plan for the Historical Park shall give pri-
12 ority to the adequate protection of, interpretation of,
13 public appreciation for, archaeological investigation
14 of, and research on Stewart’s Canal, the Jacob
15 Jackson home site, the Brodess Farm, the Ben Ross
16 and Anthony Thompson properties on Harrisville
17 Road, and the James Cook site, all of which are pri-
18 vately owned and located in the Blackwater National
19 Wildlife Refuge.

20 (h) BLACKWATER NATIONAL WILDLIFE REFUGE.—

21 (1) INTERAGENCY AGREEMENT.—The Secretary
22 shall ensure that, not later than 1 year after the
23 date of enactment of this Act, the National Park
24 Service and the United States Fish and Wildlife
25 Service enter into an interagency agreement that—

1 (A) promotes and mutually supports the
2 compatible stewardship and interpretation of
3 Harriet Tubman resources at the Blackwater
4 National Wildlife Refuge; and

5 (B) provides for the maximum level of co-
6 operation between those Federal agencies to
7 further the purposes of this Act.

8 (2) EFFECT OF ACT.—Nothing in this Act
9 modifies, alters, or amends the authorities of the
10 United States Fish and Wildlife Service in the ad-
11 ministration and management of the Blackwater Na-
12 tional Wildlife Refuge.

13 **SEC. 6. ADMINISTRATION.**

14 (a) IN GENERAL.—The Secretary shall administer
15 the Harriet Tubman National Historical Park and the
16 Harriet Tubman Underground Railroad National Histor-
17 ical Park in accordance with this Act and the laws gen-
18 erally applicable to units of the National Park System in-
19 cluding—

20 (1) the National Park Service Organic Act (16
21 U.S.C. 1 et seq.); and

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

24 (b) PARK REGULATIONS.—Notwithstanding sub-
25 section (a), regulations and policies applicable to units of

1 the National Park System shall apply only to Federal land
 2 administrated by the National Park Service that is located
 3 within the boundary of the Harriet Tubman Underground
 4 Railroad National Historical Park.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) IN GENERAL.—There are authorized to be appro-
 7 priated such sums as are necessary to carry out this Act
 8 (other than subsection (b)), including the provision of Na-
 9 tional Park Service personnel and National Park Service
 10 management funds for the Harriet Tubman National His-
 11 torical Park and the Harriet Tubman Underground Rail-
 12 road National Historical Park.

13 (b) GRANTS.—There are authorized to be appro-
 14 priated not more than—

15 (1) \$7,500,000 to provide grants to the Church
 16 for—

17 (A) historic preservation, rehabilitation,
 18 and restoration of resources within the bound-
 19 ary of the Harriet Tubman National Historical
 20 Park; and

21 (B) the costs of design, construction, in-
 22 stallation, and maintenance of exhibits and
 23 other interpretive devices authorized under sec-
 24 tion 4(d)(1)(B);

1 (2) \$11,000,000 for grants to the State of
2 Maryland for activities authorized under subsections
3 (d)(1) and (e)(4)(A) of section 5; and

4 (3) \$200,000 for fiscal year 2009 and each fis-
5 cal year thereafter for competitive grants to histori-
6 cally Black colleges and universities, Predominately
7 Black Institutions, and minority serving institutions
8 for research into the life of Harriet Tubman and the
9 African-American experience during the years that
10 coincide with the life of Harriet Tubman.

11 (c) COST-SHARING REQUIREMENT.—

12 (1) CHURCH AND VISITOR CENTER GRANTS.—

13 The Federal share of the cost of activities provided
14 grants under paragraph (1) or (2) of subsection (b)
15 and any maintenance, construction, or utility costs
16 incurred pursuant to a cooperative agreement en-
17 tered into under section 4(d)(1)(A) or section 5(e)
18 shall not be more than 50 percent.

19 (2) HISTORICALLY BLACK COLLEGES AND UNI-
20 VERSITIES.—The Federal share of the cost of activi-
21 ties provided assistance under subsection (b)(3) shall
22 be not more than 75 percent.

23 (3) FORM OF NON-FEDERAL SHARE.—The non-
24 Federal share required under this subsection may be

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

