

111TH CONGRESS
1ST SESSION

S. 227

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

JANUARY 13, 2009

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

1 (B) acknowledged as 1 of the most promi-
2 nent “conductors” of the resistance that came
3 to be known as the “Underground Railroad”;

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

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

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

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

15 (6) Harriet Tubman established in Auburn,
16 New York, 1 of the first incorporated homes for
17 aged African-Americans in the United States, which,
18 10 years before her death, she bequeathed to the Af-
19 rican Methodist Episcopal Zion Church;

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

1 (8) there are nationally significant resources re-
2 relating to Harriet Tubman in Auburn, New York, in-
3 cluding—

4 (A) the residence of Harriet Tubman;

5 (B) the Tubman Home for the Aged;

6 (C) the Thompson Memorial AME Zion
7 Church; and

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

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

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

21 (11) in addition to the properties and resources
22 within the boundary of the Harriet Tubman Under-
23 ground Railroad National Historical Park, other as-
24 sociated land within the Blackwater National Wild-

1 life Refuge and proposed additions to the Refuge
2 are—

3 (A) components of the nationally signifi-
4 cant Harriet Tubman landscape; and

5 (B) essential to the visual, historical, and
6 cultural experiences of the Historical Park.

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

8 (1) to preserve and promote stewardship of the
9 resources in Auburn, New York, and Caroline, Dor-
10 chester, and Talbot Counties, Maryland, relating to
11 the life and contributions of Harriet Tubman;

12 (2) to provide for partnerships with the African
13 Methodist Episcopal Zion Church, the States of New
14 York and Maryland, political subdivisions of the
15 States, the Federal Government, local governments,
16 nonprofit organizations, and private property owners
17 for resource protection, research, interpretation, edu-
18 cation, and public understanding and appreciation of
19 the life and contributions of Harriet Tubman;

20 (3) to sustain agricultural and forestry land
21 uses in Caroline, Dorchester, and Talbot Counties,
22 Maryland, that remain evocative of the landscape
23 during the life of Harriet Tubman; and

24 (4) to establish a competitive grants program
25 for scholars of African-American history relating to

1 Harriet Tubman, the Harriet Tubman historic land-
2 scape, and the Underground Railroad.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) CHURCH.—The term “Church” means the
6 Harriet Tubman Home, Inc., of the AME Zion
7 Church located in Auburn, New York, which owns
8 and manages—

9 (A) the Thompson Memorial AME Zion
10 Church;

11 (B) the Harriet Tubman home;

12 (C) the Tubman Home for the Aged; and

13 (D) the land on which those facilities are
14 located.

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

20 (3) PREDOMINANTLY BLACK INSTITUTION.—
21 The term “Predominantly Black Institution” has the
22 meaning given the term in section 499A(c) of the
23 Higher Education Act of 1965 (20 U.S.C.
24 1099e(c)).

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

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

7 **SEC. 4. ESTABLISHMENT OF HARRIET TUBMAN NATIONAL**
8 **HISTORICAL PARK.**

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

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

15 (2) publish notice of the establishment of the
16 Historical Park in the Federal Register.

17 (b) BOUNDARY.—

18 (1) IN GENERAL.—The Historical Park shall be
19 comprised of structures and properties associated
20 with the Harriet Tubman home, the Tubman Home
21 for the Aged, the Church, and the Rectory, as gen-
22 erally depicted on the map entitled “Harriet Tub-
23 man National Historical Park—Proposed Bound-
24 ary”, numbered [____], and dated [____].

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

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

9 (d) FINANCIAL ASSISTANCE AND COOPERATIVE
 10 AGREEMENTS.—The Secretary may provide grants to, and
 11 enter into cooperative agreements with—

12 (1) the Church for—

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

16 (B) interpretation of the Historical Park;

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

20 (3) the State of New York, any political sub-
 21 divisions of the State, the City of Auburn, the
 22 Church, colleges and universities, and nonprofit or-
 23 ganizations for—

1 (A) preservation and interpretation of re-
2 sources relating to Harriet Tubman in the City
3 of Auburn, New York;

4 (B) conducting research, including archae-
5 ological research; and

6 (C) providing for stewardship programs,
7 education, public access, signage, and other in-
8 terpretive devices at the Historical Park for in-
9 terpretive purposes.

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

14 (f) GENERAL MANAGEMENT PLAN.—

15 (1) IN GENERAL.—Not later than 3 years after
16 the date on which funds are made available to carry
17 out this subsection, the Secretary, in cooperation
18 with the Church, shall complete a general manage-
19 ment plan for the Historical Park in accordance
20 with section 12(b) of Public Law 91–383 (16 U.S.C.
21 1a–7(b)).

22 (2) COORDINATION.—The Secretary shall co-
23 ordinate the preparation and implementation of the
24 general management plan for the Harriet Tubman
25 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 AND COOPERATIVE
16 AGREEMENTS.—The Secretary may provide grants to, and
17 enter into cooperative agreements with, the State of Mary-
18 land, political subdivisions of the State, nonprofit organi-
19 zations, colleges and universities, and private property
20 owners for—

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

24 (2) the conduct of research, including archae-
25 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, with the concurrence of the owner of the
13 property, the adequate protection of, interpretation
14 of, public appreciation for, archaeological investiga-
15 tion of, and research on Stewart’s Canal, the Jacob
16 Jackson home site, the Brodess Farm, the Ben Ross
17 and Anthony Thompson properties on Harrisville
18 Road, and the James Cook site, all of which are pri-
19 vately owned and located in the area identified as
20 the “Harriet Tubman Historic Area” on the map
21 described in subsection (b)(1).

22 (h) BLACKWATER NATIONAL WILDLIFE REFUGE.—

23 (1) INTERAGENCY AGREEMENT.—The Secretary
24 shall ensure that, not later than 1 year after the
25 date of enactment of this Act, the National Park

1 Service and the United States Fish and Wildlife
2 Service enter into an interagency agreement that—

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

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

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

15 (i) DUTIES OF OTHER FEDERAL ENTITIES.—Any
16 Federal entity conducting, supporting, permitting, or li-
17 censing activities directly affecting nationally significant
18 land within the area identified as the “Harriet Tubman
19 Historic Area” on the map described in subsection (b)(1)
20 shall—

21 (1) consult and cooperate with the Secretary
22 with respect to the activities;

23 (2) identify any alternatives with regard to the
24 proposed activity affecting the Harriet Tubman His-
25 toric Area; and

1 (3) to the maximum extent practicable, conduct,
2 support, permit, or license the activities in a manner
3 that the Secretary determines would not have an ad-
4 verse effect on the Harriet Tubman Historic Area.

5 **SEC. 6. ADMINISTRATION.**

6 (a) IN GENERAL.—The Secretary shall administer
7 the Harriet Tubman National Historical Park and the
8 Harriet Tubman Underground Railroad National Histor-
9 ical Park in accordance with this Act and the laws gen-
10 erally applicable to units of the National Park System in-
11 cluding—

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

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

16 (b) PARK REGULATIONS.—Notwithstanding sub-
17 section (a), regulations and policies applicable to units of
18 the National Park System shall apply only to Federal land
19 administered by the National Park Service that is located
20 within the boundary of the Harriet Tubman Underground
21 Railroad National Historical Park.

22 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There are authorized to be appro-
24 priated such sums as are necessary to carry out this Act
25 (other than subsection (b)), including the provision of Na-

1 tional Park Service personnel and National Park Service
 2 management funds for the Harriet Tubman National His-
 3 torical Park and the Harriet Tubman Underground Rail-
 4 road National Historical Park.

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

7 (1) \$11,000,000 to provide grants to the
 8 Church for—

9 (A) historic preservation, rehabilitation,
 10 and restoration of resources within the bound-
 11 ary of the Harriet Tubman National Historical
 12 Park; and

13 (B) the costs of design, construction, in-
 14 stallation, and maintenance of exhibits and
 15 other interpretive devices authorized under sec-
 16 tion 4(d)(1)(B);

17 (2) \$11,000,000 for grants to the State of
 18 Maryland, political subdivisions of the State of
 19 Maryland, and nonprofit organizations for activities
 20 authorized under subsections (d)(1) and (e)(4)(A) of
 21 section 5; and

22 (3) \$200,000 for fiscal year 2010 and each fis-
 23 cal year thereafter for competitive grants to histori-
 24 cally Black colleges and universities, Predominately
 25 Black Institutions, and minority serving institutions

1 for research into the life of Harriet Tubman and the
 2 African-American experience during the years that
 3 coincide with the life of Harriet Tubman.

4 (c) COST-SHARING REQUIREMENT.—

5 (1) CHURCH AND VISITOR CENTER GRANTS.—

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

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

16 (3) FORM OF NON-FEDERAL SHARE.—The non-
 17 Federal share required under this subsection may be
 18 in the form of in-kind contributions of goods or serv-
 19 ices fairly valued.

○