

**16 USC 410ttt : Harriet Tubman National Historical Park, Auburn, New York**

Text contains those laws in effect on August 5, 2019

**From Title 16-CONSERVATION**

CHAPTER 1-NATIONAL PARKS, MILITARY PARKS, MONUMENTS, AND SEASHORES

SUBCHAPTER LIX-RR-HARRIET TUBMAN NATIONAL HISTORICAL PARK

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**§410ttt. Harriet Tubman National Historical Park, Auburn, New York**

**(a) Definitions**

In this section:

**(1) Historical park**

The term "historical park" means the Harriet Tubman National Historical Park established by subsection (b)(1)(A).

**(2) Home**

The term "Home" means The Harriet Tubman Home, Inc., located in Auburn, New York.

**(3) Map**

The term "map" means the map entitled "Harriet Tubman National Historical Park", numbered T18/80,000, and dated March 2009.

**(4) Secretary**

The term "Secretary" means the Secretary of the Interior.

**(5) State**

The term "State" means the State of New York.

**(b) Harriet Tubman National Historical Park**

**(1) Establishment**

**(A) In general**

Subject to subparagraph (B), there is established the Harriet Tubman National Historical Park in Auburn, New York, as a unit of the National Park System.

**(B) Determination by Secretary**

The historical park shall not be established until the date on which the Secretary determines that a sufficient quantity of land, or interests in land, has been acquired to constitute a manageable park unit.

**(C) Notice**

Not later than 30 days after the date on which the Secretary makes a determination under subparagraph (B), the Secretary shall publish in the Federal Register notice of the establishment of the historical park.

**(D) Map**

The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

**(2) Boundary**

The historical park shall include the Harriet Tubman Home, the Tubman Home for the Aged, the Thompson Memorial AME Zion Church and Rectory, and associated land, as identified in the area entitled "National Historical Park Proposed Boundary" on the map.

**(3) Purpose**

The purpose of the historical park is to preserve and interpret for the benefit of present and future generations the historical, cultural, and natural resources associated with the life of Harriet Tubman.

**(4) Land acquisition**

**(A) In general**

The Secretary may acquire land and interests in land within the areas depicted on the map by purchase from a willing seller, donation, or exchange.

**(B) No condemnation**

No land or interest in land within the areas depicted on the map may be acquired by condemnation.

**(c) Administration**

**(1) In general**

The Secretary shall administer the historical park in accordance with this section and the laws generally applicable to units of the National Park System, including-

- (A) the National Park System Organic Act (16 U.S.C. 1 et seq.); <sup>1</sup> and
- (B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).<sup>1</sup>

**(2) Interpretive tours**

The Secretary may provide interpretive tours to sites and resources located outside the boundary of the historical park in Auburn, New York, relating to the life of Harriet Tubman.

**(3) Agreements**

**(A) In general**

The Secretary may enter into an agreement with the owner of any land within the historical park to mark, interpret, or restore nationally significant historic or cultural resources relating to the life of Harriet Tubman, if the agreement provides 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 an 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 agreement under this paragraph involving religious property or property owned by a religious institution.

**(ii) Finding**

No agreement subject to review under this subparagraph shall take effect until the date on which the Attorney General issues a finding 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 general management plan for the historical park in accordance with section 100502 of title 54.

**(2) Coordination**

The Secretary shall coordinate the preparation and implementation of the management plan with-

(A) the Harriet Tubman Underground Railroad National Historical Park established by section 410sss of this title; and

(B) the National Underground Railroad Network to Freedom.

( Pub. L. 113–291, div. B, title XXX, §3036, Dec. 19, 2014, 128 Stat. 3780 ; Pub. L. 114–289, title VI, §601(d), Dec. 16, 2016, 130 Stat. 1491 .)

**REFERENCES IN TEXT**

The National Park System Organic Act (16 U.S.C. 1 et seq.), referred to in subsec. (c)(1)(A), probably means the National Park Service Organic Act, act [Aug. 25, 1916, ch. 408](#), 39 Stat. 535 , which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113–287, [§§3, 4\(a\)\(1\), 7, Dec. 19, 2014](#), 128 Stat. 3094 , [3260, 3272](#). For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Act of August 21, 1935 (16 U.S.C. 461 et seq.), referred to in subsec. (c)(1)(B), is act [Aug. 21, 1935, ch. 593](#), 49 Stat. 666 , known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, by Pub. L. 113–287, [§§3, 4\(a\)\(1\), 7, Dec. 19, 2014](#), 128 Stat. 3094 , [3260, 3272](#). For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

**CODIFICATION**

In subsec. (d)(1), "section 100502 of title 54" substituted for "section 12(b) of the National Park Service General Authorities Act (16 U.S.C. 1a–7(b))" on authority of Pub. L. 113–287, [§6\(e\), Dec. 19, 2014](#), 128 Stat. 3272 , which Act enacted Title 54, National Park Service and Related Programs.

Section is comprised of section 3036 of Pub. L. 113–291. Subsec. (e) of section 3036 of Pub. L. 113–291 amended section 101(b)(12) of Pub. L. 104–303, [title I, Oct. 12, 1996](#), 110 Stat. 3667 , which is not classified to the Code.

**AMENDMENTS**

**2016**-Subsec. (d)(2)(A). Pub. L. 114–289, which directed technical amendment to reference in subsec. (d)(4)(B) of original act which appears in text as reference to section 410sss of this title, was executed to subsec. (d)(2)(A) of this section, to reflect the probable intent of Congress.

<sup>1</sup> *See References in Text note below.*