

111TH CONGRESS  
1ST SESSION

# S. 1801

To establish the First State National Historical Park in the State of Delaware, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 20, 2009

Mr. CARPER (for himself and Mr. KAUFMAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To establish the First State National Historical Park in the State of Delaware, 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 “First State National  
5 Historical Park Act”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) the State of Delaware contains a collection  
9 of nationally significant resources relating to—

1 (A) the early succession of the Dutch,  
2 Swedish, and English settlement of the United  
3 States; and

4 (B) the period leading up to the role of  
5 Delaware as the first State to ratify the Con-  
6 stitution on December 7, 1787;

7 (2) among the resources relating to the early  
8 settlement of the United States are—

9 (A) National Historic Landmarks in Wil-  
10 mington, Delaware, including—

11 (i) the site of Fort Christina, which  
12 was—

13 (I) constructed in 1638 by colo-  
14 nists led by Peter Minuet to be the  
15 focal point of New Sweden; and

16 (II) the first Swedish settlement  
17 in North America; and

18 (ii) Old Swedes Church, which is the  
19 oldest church building still standing as  
20 originally built;

21 (B) historic sites in New Castle, Delaware,  
22 including—

23 (i) Fort Casimir, which was con-  
24 structed by the Dutch in 1651; and

1 (ii) the New Castle Historic District,  
2 which is the location of an assemblage of  
3 resources associated with Dutch, Swedish,  
4 and English settlement of the State; and

5 (C) the Lewes Historic District in Lewes,  
6 Delaware, which—

7 (i) is listed on the National Register  
8 of Historic Places;

9 (ii) was a significant location for early  
10 Dutch settlement and early nationhood;

11 (iii) is the oldest town formed in Dela-  
12 ware; and

13 (iv) contains Ryves Holt House,  
14 which—

15 (I) was built in 1665; and

16 (II) is the oldest building still  
17 standing in the State;

18 (3) among the nationally significant resources  
19 relating to the period of English settlement and the  
20 birth of the United States are a collection of re-  
21 sources in New Castle, Delaware, including—

22 (A) the Old New Castle Courthouse, which  
23 served as the capitol of the colony until 1777;  
24 and

1 (B) other National Historic Landmarks,  
2 including—

3 (i) the home of John Dickinson, who  
4 is known as the “Penman of the Revolu-  
5 tion”;

6 (ii) the Jacob Broom House, which  
7 was the home of Jacob Broom, delegate to  
8 the Constitutional Convention;

9 (iii) Lombardy Hall, which was the  
10 home of Gunning Bedford, Jr., delegate to  
11 the Constitutional Convention; and

12 (iv) Stonum, which was the home of  
13 George Read, who was—

14 (I) a delegate to the Constitu-  
15 tional Convention; and

16 (II) an advocate of the early rati-  
17 fication of the Constitution by the  
18 State of Delaware;

19 (4) Dover Green, laid out in 1717 in accordance  
20 with the 1683 orders of William Penn, was the site  
21 at which Delaware—

22 (A) voted to ratify the Constitution;

23 (B) mustered a Continental Regiment dur-  
24 ing the Revolution; and

1 (C) celebrated the reading of the Declara-  
2 tion of Independence in 1776;

3 (5) the State Archives in Dover, Delaware, con-  
4 tains records and documents of persons and events  
5 that contribute to public knowledge and under-  
6 standing of—

7 (A) the period of the early settlement of  
8 Delaware; and

9 (B) the role of Delaware as the First  
10 State;

11 (6) the Zwaanendael Museum in Lewes, Dela-  
12 ware—

13 (A) commemorates the founding of the  
14 first European settlement in the State by the  
15 Dutch in 1631; and

16 (B) provides exhibits and information on  
17 the maritime, social, and military history of the  
18 Lewes area; and

19 (7) it is fitting and proper that the resources  
20 described in this subsection be recognized through  
21 the establishment of the first unit of the National  
22 Park System in the State of Delaware so that the  
23 public may better understand and appreciate the  
24 contributions of those resources to the history of the  
25 United States.

1 (b) PURPOSE.—The purpose of this Act is to estab-  
2 lish the First State National Historical Park to preserve,  
3 protect, and promote public understanding and apprecia-  
4 tion of—

5 (1) the cultural and historic resources associ-  
6 ated with early Dutch, Swedish, and English settle-  
7 ment in Delaware; and

8 (2) the events, places, and persons associated  
9 with the role of Delaware as the “First State”.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) MAP.—The term “map” means the map en-  
13 titled “First State National Historical Park–Pro-  
14 posed Boundary”, numbered **[\_\_\_\_\_]**, and dated  
15 **[\_\_\_\_\_]**.

16 (2) PARK.—The term “Park” means the First  
17 State National Historical Park established by sec-  
18 tion 4(a).

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

21 (4) STATE.—The term “State” means the State  
22 of Delaware.

1 **SEC. 4. ESTABLISHMENT OF THE FIRST STATE NATIONAL**  
 2 **HISTORICAL PARK.**

3 (a) ESTABLISHMENT.—There is established in the  
 4 State a unit of the National Park System to be known  
 5 as the “First State National Historical Park”.

6 (b) PURPOSE.—The purpose of the Park is to pre-  
 7 serve, protect, and interpret—

8 (1) the historic and cultural resources associ-  
 9 ated with Dutch, Swedish, and English settlement in  
 10 the State; and

11 (2) the resources associated with the role of the  
 12 State as the first State to ratify the Constitution.

13 (c) BOUNDARIES.—

14 (1) IN GENERAL.—The Park shall be comprised  
 15 of the following, as generally depicted on the map:

16 (A) The New Castle Historic District.

17 (B) Fort Christina.

18 (C) The Old Swedes Church.

19 (D) The John Dickinson Plantation.

20 (E) Lombardy Hall.

21 (F) Stonum.

22 (G) The Lewes Historic District.

23 (H) The Dover Green.

24 (2) AVAILABILITY OF MAP.—The map shall be  
 25 available for public inspection in the appropriate of-  
 26 fices of the National Park Service.

1           (3) HEADQUARTERS.—The headquarters for  
2           the Park shall be in the City of New Castle, Dela-  
3           ware.

4           (d) ACQUISITION OF LAND.—The Secretary may ac-  
5           quire land or interests in land within the boundaries of  
6           the Park by—

7           (1) donation;

8           (2) purchase from willing sellers with donated  
9           or appropriated funds; or

10          (3) exchange.

11          (e) ADMINISTRATION.—The Secretary shall admin-  
12          ister the Park in accordance with—

13          (1) this Act; and

14          (2) the laws generally applicable to units of the  
15          National Park System, including—

16                  (A) the National Park Service 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          (f) GRANTS AND COOPERATIVE AGREEMENTS.—Sub-  
21          ject to the availability of funds under section 6(a), the Sec-  
22          retary may provide grants and technical assistance to, and  
23          to enter into cooperative agreements with—

24                  (1) the State, political subdivisions of the State  
25                  (including the cities of Wilmington, New Castle,



1 Dover, and Lewes, Delaware), nonprofit organiza-  
2 tions, and private property owners for—

3 (A) the development, management, and op-  
4 eration of visitor service facilities, subject to the  
5 non-Federal entity agreeing to provide the Na-  
6 tional Park Service, at no extra cost, with suffi-  
7 cient office space and exhibition areas to carry  
8 out the purposes of the Park within the facili-  
9 ties;

10 (B) historic preservation of, research on,  
11 and interpretation of properties within the  
12 boundary of the Park, including research on the  
13 archaeology of the Park;

14 (C) public access;

15 (D) educational programs; and

16 (E) signage and interpretive devices on  
17 properties and sites within the Park for inter-  
18 pretive purposes; and

19 (2) the State Archives located in Dover, Dela-  
20 ware, and the Zwaanandael Museum located in  
21 Lewes, Delaware, for research and exhibits relating  
22 to the purposes of the Park.

23 (g) INTERPRETATION.—The Secretary may provide  
24 interpretive tours to historic sites within the State located

1 outside the boundaries of the Park that include resources  
2 relating to—

3 (1) early Dutch, Swedish, and English settle-  
4 ment; and

5 (2) the period leading up to the role of the  
6 State as the first State to ratify the Constitution.

7 (h) GENERAL MANAGEMENT PLAN.—Not later than  
8 3 years after the date on which funds are made available  
9 to carry out this subsection, the Secretary, in coordination  
10 with the State and in consultation with owners of prop-  
11 erties within the boundaries of the Park, shall prepare a  
12 general management plan for the Park in accordance with  
13 section 12(b) of Public Law 91–383 (16 U.S.C. 1a–7(b)).

14 **SEC. 5. STUDY OF ADDITIONAL PROPERTIES.**

15 (a) IN GENERAL.—Not later than 3 years after the  
16 date on which funds are made available under section 6(a),  
17 the Secretary shall complete a study regarding the preser-  
18 vation and interpretation of additional properties in the  
19 State that relate to the purposes described in section 4(b).

20 (b) INCLUSIONS.—The study shall include an assess-  
21 ment of—

22 (1) the potential for designating the properties  
23 as National Historic Landmarks; and

24 (2) options for maintaining the historic integ-  
25 rity of the properties.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-  
3 priated such sums as are necessary to carry out this Act,  
4 including—

5 (1) \$3,000,000 for grants to the State, political  
6 subdivisions of the State, and nonprofit organiza-  
7 tions for the rehabilitation of existing structures to  
8 serve as administrative and visitor services facilities  
9 for the Park; and

10 (2) \$2,500,000 for grants to the State, political  
11 subdivisions of the State, private property owners,  
12 and nonprofit organizations for—

13 (A) the historic preservation and restora-  
14 tion of resources within the boundary of the  
15 Park; and

16 (B) the costs of design, construction, in-  
17 stallation, and maintenance of any exhibits re-  
18 lating to the Park.

19 (b) NON-FEDERAL SHARE.—

20 (1) IN GENERAL.—The Federal share of the  
21 cost of activities under paragraphs (1) and (2) of  
22 subsection (a) shall be not more than 50 percent.

23 (2) FORM.—The non-Federal share required  
24 under paragraph (1) may be in the form of in-kind  
25 contributions of goods or services fairly valued.

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