

Calendar No. 107

113TH CONGRESS }
1st Session }

SENATE

{ REPORT
113-53

BUFFALO SOLDIERS IN THE NATIONAL PARKS STUDY

JUNE 27, 2013.—Ordered to be printed

Mr. WYDEN, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 225]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 225) to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 225 is to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks.

BACKGROUND AND NEED

In the late 19th and early 20th century, America's Buffalo Soldiers—segregated cavalry units of the U.S. Army—played an important, yet little known role in the history of our national parks. The African American soldiers of the 24th Infantry and 9th Cavalry were responsible for patrolling the 320-mile route between the Presidio in San Francisco to Sequoia and Yosemite National Parks. Their units built roads and trails along the route and they protected these new parks from poaching, logging, fire, and trespass grazing. Starting in 1903, the Buffalo Soldiers were led by Lt. Colonel Charles Young, only the third African American to graduate from West Point. Young was assigned as the Acting Superintendent of Sequoia National Park in California for the summer and is re-

garded as the driving force behind completion of a much needed wagon road through Sequoia National Park and the trail to the top of Mount Whitney. The road and trail are still in use today.

S. 225 would authorize the Secretary of the Interior to conduct a study to determine effective ways to commemorate the Buffalo Soldiers and their role in helping to protect, build, and preserve America's national parks, as well as to ascertain the suitability and feasibility of potential historic sites, national landmarks, and a national historic trail related to their work.

LEGISLATIVE HISTORY

Senators Feinstein and Boxer introduced S. 225 on February 4, 2013. The Subcommittee on National Parks held a hearing on S. 225 on April 23, 2013. At its business meeting on May 16, 2013, the Committee ordered S. 225 favorably reported.

In the 112th Congress, Senators Feinstein and Boxer introduced similar legislation, S. 544, on March 10, 2011. The Subcommittee on National Parks held a hearing on S. 544 on October 19, 2011 (S. Hrg. 112-224).

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on May 16, 2013, by a voice vote of a quorum present, recommends that the Senate pass S. 225.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title, the "Buffalo Soldiers in the National Parks Act".

Subsection (a) contains congressional findings.

Subsection (b) provides that the purpose of the act is to authorize a study of the role of the Buffalo Soldiers in the early years of the National Park Service.

Section 2(a) authorizes the Secretary of the Interior (Secretary) to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the National Parks.

Subsection (b) directs the Secretary to include within the study, identified in the previous section, a historical assessment of the Buffalo Soldiers who served in the National Park, evaluate the feasibility of establishing a national historic trail, and identify properties that could meet the criteria for listing in the National Register of Historic Places or designation as a National Historic Landmark. The Secretary is further directed to evaluate appropriate ways to enhance historical research, education, interpretation, and public awareness of the Buffalo Soldiers story including ways to link the story to the development of National Parks and the story of African-American service following the Civil War.

Subsection (c) requires that the Secretary submit a report containing the study's findings and recommendations to the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

S. 225—Buffalo Soldiers in the National Parks Study Act

S. 225 would require the National Park Service (NPS) to conduct a study of alternatives for honoring the Buffalo Soldiers (members of several African-American regiments within the U.S. Army established after the Civil War) in their role in the development of the National Park System. The U.S. Army, including regiments of Buffalo Soldiers, was responsible for protecting national parks before the National Park Service was established.

Based on information from the NPS and assuming the availability of appropriated funds, CBO estimates that conducting the study would cost about \$400,000 over the next three years. Enacting S. 225 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 225 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

On May 2, 2013, CBO transmitted a cost estimate for H.R. 520, the Buffalo Soldiers in the National Parks Study Act, as ordered to be reported by the House Committee on Natural Resources on April 24, 2013. The two pieces of legislation are nearly identical, and the CBO cost estimates are the same.

The CBO staff contact for this estimate is Martin von Gnechten. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 225.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 225, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 225, as reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the April 23, 2013, Subcommittee on National Parks hearing on S. 225 follows:

STATEMENT OF PEGGY O'DELL, DEPUTY DIRECTOR FOR OPERATIONS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 225,

to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the national parks, and for other purposes.

The Department supports S. 225. However, we feel that priority should be given to the 31 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic River System that have not yet been transmitted to Congress.

S. 225 would authorize a study to determine the most effective ways to increase understanding and public awareness of the critical role that the Buffalo Soldiers, segregated units composed of African-American cavalymen, played in the early years of the national parks. It would evaluate the suitability and feasibility of a National Historic Trail along the routes between their post at the Presidio of San Francisco and the parks they protected, notably Yosemite and Sequoia. The study would also identify properties that could meet the criteria for listing in the National Register of Historic Places or designation as National Historic Landmarks. We estimate that this study will cost approximately \$400,000.

President Obama recognized the legacy of the Buffalo Soldiers in issuing a proclamation on March 25, 2013, designating the Charles Young home in Wilberforce, Ohio, as a national monument. The Charles Young Buffalo Soldiers National Monument is now the 401st unit of the National Park System. The Presidential proclamation that established this national monument authorizes the NPS to complete a management plan that would include interpreting the struggles and achievements of the Buffalo Soldiers in their service to the United States. We note that, if S. 225 is enacted, there will be overlap with the Presidential proclamation, as this bill directs the NPS to complete a study to increase understanding and public awareness of the critical role that the Buffalo Soldiers played in the early years of the national parks. However, this bill goes beyond the direction in the Presidential proclamation by additionally authorizing a study of the suitability and feasibility of a national historic trail and identification of National Register of Historic Places National Historic Landmarks properties related to the Buffalo Soldiers. If enacted, the NPS will coordinate the completion of the study and the management plan.

African-American 19th and 20th century Buffalo Soldiers were an important, yet little known, part of the history of some of our first national parks. These cavalry troops rode hundreds of miles from their post at the Presidio of San Francisco to Sequoia and Yosemite National Parks in order to patrol and protect them. The journey across the state took sixteen days of serious horseback riding averaging over twenty miles a day. Once in the parks, they were assigned to patrol the backcountry, build

roads and trails, put a halt to poaching, suppress fires, stop trespass grazing by large herds of unregulated cattle and sheep, and otherwise establish roles later assumed by National Park rangers.

The U.S. Army administered Sequoia and Yosemite National Parks from 1891 to 1914, when it was replaced by civilian management. The National Park Service (NPS) was not created until 1916, 25 years after these parks were established. Commanding officers became acting military superintendents for these national parks with two troops of approximately 60 cavalry men assigned to each. The troops essentially created a roving economy—infusing money into parks and local businesses—and thus their presence was generally welcomed. The presence of these soldiers as official stewards of park lands prior to the NPS's establishment brought a sense of law and order to the mountain wilderness.

Lesser known, however, is the participation of African-American troops of the 24th Infantry and 9th Cavalry, the Buffalo Soldiers, who protected both Sequoia and Yosemite National Parks in 1899, 1903, and 1904. These troops and their contributions should be recognized and honored, and this bill does just that.

The most notable Buffalo Soldier was Colonel Charles Young, who served as a captain in the cavalry commanding a segregated black company at the Presidio of San Francisco. Born in Kentucky during the Civil War, Charles Young had already set himself a course that took him to places where a black man was not often welcome. He was the first black to graduate from the white high school in Ripley, Ohio, and through competitive examination he won an appointment to the U.S. Military Academy at West Point in 1884. He went on to graduate with his commission, only the third black man to do so. Colonel Young's story and leadership are emblematic of the experience of the Buffalo Soldiers during difficult and racially tense times. When the new military superintendent arrived in Sequoia National Park in the summer of 1903, he had already faced many challenges. Young and his troops arrived in Sequoia after a 16-day ride from the Presidio of San Francisco to find that one of their major assignments would be the extension of the wagon road. Hoping to break the sluggish pattern of previous military administrations, Young poured his considerable energies into the project. Young and his troops built as much road as the combined results of the three previous summers, as well as building a trail to the top of Mt. Whitney—the highest point in the contiguous United States.

The soldiers also protected the giant sequoias from illegal logging, wildlife from poaching, and the watershed and wilderness from unauthorized grazing by livestock. A difficult task under any circumstances, the intensity was undoubtedly compounded by societal prejudice common at the turn of the century. They also produced maps and assisted tourists in the area.

Although Colonel Charles Young only served one season as an acting superintendent of a national park, he and his men have not been forgotten. The energy and dignity they brought to this national park assignment left a strong imprint. The roads they built are still in use today, having served millions of park visitors for more than eighty years. The legacy they left extends far beyond Sequoia National Park, as they helped lay the foundation for the National Park System, which continues to inspire and connect people of all backgrounds to public lands and natural treasures to this day.

In recent years the NPS has made an effort to chronicle the achievements of these men. In the Presidio of San Francisco, Golden Gate National Recreation Area and the Presidio Trust have developed an education program using the historic stables that the Buffalo Soldiers actually used to house their horses. In Yosemite National Park, a park ranger portrays one of the U.S. Army's Buffalo Soldiers as part of his interpretation of Yosemite's history. Sequoia National Park has a giant sequoia named for Colonel Young in honor of his lasting legacy in that park. These isolated but important efforts to educate the public on the important role of the Buffalo Soldiers could be heightened by this consolidated study.

There is a growing concern that youth are becoming increasingly disconnected with wild places and our national heritage. Additionally, many people of color are not necessarily aware of national parks and the role their ancestors may have played in shaping the national park system. The NPS can help foster a stronger sense of awareness and knowledge about the critical roles of African-American Buffalo Soldiers in the protection and development of some of our nation's natural treasures. As the 2016 centennial of the NPS approaches, it is an especially appropriate time to conduct research and increase public awareness of the stewardship role the Buffalo Soldiers played in the early years of the national parks.

Mr. Chairman, this concludes my testimony. I would be glad to answer any questions that you or other members of the subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 225, as ordered reported.