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SENATE

{ REPORT
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CÉSAR ESTRADA CHÁVEZ STUDY ACT

APRIL 10, 2008.—Ordered to be printed

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

R E P O R T

[To accompany H.R. 359]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 359) to authorize the Secretary of the Interior to conduct a special study of sites associated with the life of César Estrada Chávez and the farm labor movement, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE

The purpose of H.R. 359 is to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of César Estrada Chávez and the farm labor movement.

BACKGROUND AND NEED

H.R. 359 directs the Secretary of the Interior to conduct a special resource study of sites associated with the life of César Estrada Chávez. Chávez was born on March 31, 1927 on a small farm in Yuma, Arizona. At age 10, Chávez and his family became migrant farm workers, laboring in fields across the Southwest, enduring the hardships and injustices of farm worker life.

In 1952, Chávez left the fields and became a community activist working for civil rights and social justice. In 1962, he founded the National Farm Workers Association, which later became the United Farm Workers of America, working for the rights and protections of farm workers. Chávez died on April 22, 1993.

H.R. 359 would authorize the Secretary of the Interior to conduct a study to determine whether any of the sites associated with Chávez's life meets the criteria for being listed on the National

Register of Historic Places or possible designation as national historic landmarks.

LEGISLATIVE HISTORY

H.R. 359, sponsored by Representative Solis, passed the House of Representatives by a voice vote on July 10, 2007. Companion legislation, S. 327, was introduced by Senators McCain and Salazar on July 10, 2007. The Subcommittee on National Parks held a hearing on both bills on September 11, 2007. (S. Hrg. 110–213.)

During the 109th Congress, the Committee held a hearing on similar legislation (S. 670; S. Hrg. 109–74) although no further action was taken.

During the 108th Congress, similar legislation (S. 164) was reported by the Committee on March 19, 2003 (S. Rpt. 108–20) and passed the Senate by unanimous consent on April 7, 2003. No further action was taken in the House of Representatives.

At its business meeting on January 30, 2008, the Committee on Energy and Natural Resources ordered H.R. 359 favorably reported, without amendment.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in an open business session on January 30, 2008, by a voice vote of a quorum present, recommends that the Senate pass H.R. 359.

SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title the “César Estrada Chávez Study Act.”

Section 2 authorizes the Secretary of the Interior to complete a special resource study of sites in the State of Arizona, the State of California, and other States significant to the life of César E. Chávez to determine appropriate methods for preserving and interpreting the sites and to determine whether any of the sites meets the criteria for listing on the National Register of Historic Places or designation as a National Historic Landmark. The Secretary is directed to consult with relevant parties and provide a completed report of the study to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate no later than 3 years after the date on which funds are made available.

Section 3 authorizes the appropriations of such sums as are necessary to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

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

H.R. 359—César Estrada Chávez Study Act

H.R. 359 would direct the Department of the Interior to conduct a study of sites in Arizona, California, and other states that might be suitably preserved and used to commemorate the life of César Chávez and the farm labor movement. The study also would determine whether any of the sites meet the criteria for being listed in the National Register of Historic Places or designated as a national

historic landmark. The act would authorize the appropriation of whatever amounts are necessary for the study and would require the department to report on its findings and recommendations within three years of receiving funds.

Assuming the availability of appropriated funds, CBO estimates that it would cost \$250,000 over the next three years to complete the required study and report. Enacting the legislation would not affect revenues or direct spending.

H.R. 359 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

On May 7, 2007, CBO transmitted a cost estimate for H.R. 359 as ordered reported by the House Committee on Natural Resources on May 2, 2007. The two versions of the legislation are identical, as are the estimated costs.

The CBO staff contact for this estimate is Deborah Reis. 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 H.R. 359. The act 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 H.R. 359, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

H.R. 359, 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 September 11, 2007 subcommittee hearing follows:

STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 327 and H.R. 359, bills to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of César Estrada Chávez and the farm labor movement.

The Department supports both bills, which are virtually identical to each other and to legislation that we supported during the 108th and 109th Congresses. While the Department supports the authorization of this study, we also believe that any funding requested should be directed first toward completing previously authorized studies. We rec-

commend a technical amendment to S. 327, described later in this statement.

This study will provide a good opportunity to work with the César E. Chávez Foundation and others to identify valuable resources associated with the story of Chávez's life and the movement he led and ways to protect those resources. Ask historians to name one person who had the greatest impact on farm labor, and the name of César Estrada Chávez leaps to mind. Between the 1950s and the 1980s Chávez cultivated a life-long commitment to bringing respect, dignity, and democracy to the nation's farmworkers, many of whom were Hispanic. After an initial career as a community organizer, Chávez focused his organizing skills on the farmworkers, inspiring them to look their employers in the eyes, stand up for their rights and take active roles in creating their union and wielding its power. As a result of his efforts, he continues to serve as a symbol not only for Hispanic-Americans, but for all Americans, of what can be accomplished in this country through unified, courageous, and nonviolent action.

Chávez's death on April 22, 1993, brought a resurgence of interest in his life and work and a new wave of assessments recognizing his national and, indeed, international significance. He has taken his place among other national labor leaders in the Department of Labor's Hall of Fame and been recognized by an ever-increasing number of states and communities with special holidays, events, and place names. Because of the tremendous impact he had, we believe it is appropriate to study sites associated with César Chávez and the farm labor movement he led in order to consider ways to preserve and interpret this story of enormous social change.

The National Park Service and the César E. Chávez Foundation first discussed the possibility of conducting a national historic landmark study of sites related to the work of Chávez and the farmworkers' movement several years ago, as a way of identifying sites important to the history of the man as well as the migrant worker. The Foundation represents and fosters the ongoing legacy of Chávez and has a strong interest in seeing that heritage preserved. In 2002, the National Park Service collaborated with the Foundation and scholars at universities in Washington State and California in preparing a preliminary assessment and scope for future research on sites associated with Chávez and the farmworkers' movement. The information gathered through that assessment would give the National Park Service a head start on the study authorized by S. 327 and H.R. 359.

The legislation would authorize a study of sites in Arizona, California, and other States that are significant to the life of César Chávez and the farm labor movement in the western United States to determine appropriate methods for preserving and interpreting sites. Through this study, the National Park Service could examine whether certain sites are suitable and feasible for addition to the

National Park System. The study would be conducted in accordance with the criteria for new area studies contained in Title III of the National Parks Omnibus Management Act of 1998.

The study also would consider whether any sites meet the criteria for listing on the National Register of Historic Places or for designation as a National Historic Landmark. This would enable the National Park Service to complete the work that was begun with the preliminary assessment described earlier. The legislation specifically requires that the National Park Service consult with the César E. Chávez Foundation, the United Farm Workers Union, and other entities involved in historic preservation on this study. The study is estimated to cost approximately \$250,000.

If the committee acts on S. 327, we recommend amending it on page 1, line 6 and on page 2, line 1 by inserting “special” before “resource study” to use the term for the proposed study that is normally used for such studies and to make it consistent with the title of the bill. H.R. 359 as passed by the House includes this change, which the Department recommended in testimony before the House Subcommittee on National Parks, Forests, and Public Lands on March 29, 2007.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions you or the 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 the Act H.R. 359, as ordered reported.

