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1st Session }

SENATE

{ REPORT
108-20

CÉSAR ESTRADA CHÁVEZ STUDY ACT

MARCH 19, 2003.—Ordered to be printed

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

R E P O R T

[To accompany S. 164]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 164) 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “César Estrada Chávez Study Act”.

SEC. 2. RESOURCE STUDY.

(a) IN GENERAL.—Not later than 3 years after funds are made available to implement this Act, the Secretary of the Interior (referred to in this section as the “Secretary”) shall complete a resource study of sites in the State of Arizona, the State of California, and other States that are significant to the life of César E. Chávez and the farm labor movement in the western United States to determine appropriate methods for preserving and interpreting the sites; and to determine whether any of the sites meets the criteria for listing in the National Register of Historic Places or designation as a national historic landmark under the Act of August 21, 1935 (16 U.S.C. 461 et seq.); and the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(b) REQUIREMENTS.—In conducting the study the Secretary shall consider the criteria for the study of areas of potential inclusion in the National Park System under section 8(b)(2) of Public Law 91–383 (16 U.S.C. 1a–5(b)(2)).

(c) CONSULTATION.—In conducting the study the Secretary shall consult with—

(1) the César E. Chávez Foundation;

(2) the United Farm Workers Union; and

(3) State and local historical associations and societies, including State Historic Preservation Offices in the State where a site is located.

(d) REPORT.—On completion of the study the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy

and Natural Resources of the Senate a report on the findings of the study and any recommendations.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

PURPOSE OF THE MEASURE

The purpose of S. 164 is to direct 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

S. 164 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.

This legislation 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

S. 164 was introduced by Senator McCain on January 15, 2003. Similar legislation, S. 3019, was introduced by Senator McCain during the 107th Congress on October 1, 2002. The Subcommittee on National Parks held a hearing on S. 164 on March 4, 2003. At the business meeting on March 12, 2003, the Committee on Energy and Natural Resources ordered S. 164 favorably reported with an amendment.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on March 12, 2003, by a unanimous vote of a quorum present, recommends that the Senate pass S. 164, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 164, the Committee adopted an amendment in the nature of a substitute. The amendment deletes section 2 from the bill, which contained congressional findings, and makes other minor clarifying changes. The amendment is explained in detail in the section-by-section analysis, below.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the Act the "César Estrada Chávez Study Act."

Section 2(a) directs the Secretary of the Interior (the Secretary) to complete, not later than 3 years after the availability of funds, a study of sites in the State of Arizona, the State of California, and other States that are significant to the life of César Estrada Chávez and the farm labor movement in the Western United States.

Subsection (b) lists the requirements the Secretary is to follow in conducting the study.

Subsection (c) directs the Secretary to consult with the César E. Chávez Foundation, the United Farm Workers Union and State and local historical associations and societies, including State Historic Preservation Offices in the State where a site is located.

Subsection (d) provides for the submission of the study to Congress.

Section 3 authorizes the appropriation of funds.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 13, 2003.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 164, the Cesar Estrada Chavez Study Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

S. 164—Cesar Estrada Chavez Study Act

S. 164 would direct the Department of the Interior to conduct a study of sites in Arizona, California, and other western states that might be suitably preserved and used to interpret the life of Cesar Chavez and the farm labor movement. The study would also determine whether any of the sites meet the criteria for listing in the National Register of Historic Places or designating as a national historic landmark. The bill 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 bill would not affect revenues or direct spending.

S. 164 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.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director of the Budget Analysis Division.

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. 164. 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. 164, as ordered reported.

EXECUTIVE COMMUNICATIONS

On February 26, 2003, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 164. These reports had not been received at the time the report on S. 164 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF DETEEL PATTERSON TILLER, ACTING ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, 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. 164, a bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement.

The Department supports S. 164, with a minor amendment described later in the testimony. We believe that this study will provide a good opportunity to work with the Cesar E. Chavez Foundation and others to identify valuable resources associated with the story of Chavez's life and the movement he led and ways to protect those resources.

The National Park Service is in various stages of progress with 40 studies previously authorized by Congress. At least 17 of those studies are scheduled to be completed in Fiscal Year 2003. Seven additional studies are expected to be completed early in Fiscal 2004. Our highest priority is to complete the studies previously authorized by Congress, but we expect to begin work on newly authorized studies as soon as funds are available.

Ask historians to name one person who had the greatest impact on farm labor, and the name of Cesar Estrada Chavez leaps to mind. Between the 1950's and the 1980's Chavez 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, Chavez 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.

Chavez'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 Cesar Chavez 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 Cesar E. Chavez Foundation first discussed the possibility of conducting a national historic landmark study of sites related to the work of Chavez 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 Chavez 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 Chavez 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. 164.

S. 164 would authorize a study of sites in Arizona, California, and other States that are significant to the life of Cesar Chavez 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 for designations 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 Cesar E. Cha-

vez 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.

The Department recommends one minor amendment to S. 164, which is on the page attached to this testimony. This amendment would provide for the study to be completed within three years after funding is made available for that purpose, rather than three years after enactment of this legislation.

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

Amendments to S. 164 Proposed by the National Park Service:
Page 3, line 23: Strike “of enactment of this Act” and insert “funds are made available for this purpose”.

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 bill S. 164, as ordered reported.

