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### COLONEL CHARLES YOUNG HOME STUDY ACT

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AUGUST 5, 2010.—Ordered to be printed

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

### R E P O R T

[To accompany S. 2933]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2933) to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Parks System, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Beginning on page 1, strike line 6 and all that follows through page 3, line 19, and insert the following:

#### **SEC. 2. SPECIAL RESOURCE STUDY.**

##### PURPOSE

The purpose of S. 2933 is to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of adding the Colonel Charles Young Home, in the State of Ohio, as a unit of the National Park System.

##### BACKGROUND AND NEED

In 1974, the Colonel Charles Young house in Wilberforce, Ohio, was designated a National Historic Landmark. Charles Young (1864–1922) is recognized because he was the third African American to graduate from the U.S. Military Academy at West Point, the highest-ranking black officer in World War I, and the first black military attaché in American history. In addition to his military achievements, he was an accomplished musician and linguist.

Young lived in this house while teaching at Wilberforce University from 1894 to 1898. During his service as a professor of science and military tactics at the university, he met with such men as poet Paul Laurence Dunbar and W.E.B. DuBois.

Colonel Young commanded the legendary “Buffalo Soldiers” in combat in the Spanish-American War and the Mexican expedition against Pancho Via. In 1902, Young commanded Troop 1 at the San Francisco Presidio and then was appointed acting superintendent of the Sequoia and General Grant National Parks, California (which at the time was administered by the War Department). Following his service in the West, Young was appointed U.S. military attaché to Haiti by President Theodore Roosevelt. Colonel Young’s experiences in the Army between 1884 and 1922 illustrate the changing nature of race relations in the United States during a period spanning from the end of the Civil War to the beginning of the Civil Rights movement. Colonel Young was nationally known at the time of his death.

Today, the home remains a meeting place for the local Omega Psi Phi Fraternity. In a 2008 review as part of the National Historic Landmarks Program of the National Park Service, the unoccupied structure was listed in “threatened” status due to the condition of the home.

#### LEGISLATIVE HISTORY

S. 2933 was introduced by Senators Voinovich and Brown on January 20, 2010. The Subcommittee on National Parks held a hearing on the bill on March 21, 2010. The Committee on Energy and Natural Resources considered the bill and adopted an amendment at its business meeting on June 16, 2010. The Committee ordered S. 2933 favorably reported with an amendment at its business meeting on June 21, 2010.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on June 21, 2010, by a voice vote of a quorum present, recommends that the Senate pass S. 2933, if amended as described herein.

#### COMMITTEE AMENDMENT

During the consideration of S. 2933, the Committee adopted an amendment that struck the Congressional findings section and renumbered the subsequent sections. The amendment is explained in detail in the section-by-section analysis, below.

#### SECTION-BY-SECTION ANALYSIS

*Section 1* provides the short title as the “Colonel Charles Young Home Study Act”.

*Section 2(a)* authorizes the Secretary of the Interior to conduct a special resource study.

Subsection (b) directs the Secretary, in conducting the study, to evaluate the Colonel Charles Young home to determine the suitability and feasibility of adding the site as a unit of the National Park System, including consideration of alternatives for the preservation, protection, and interpretation of the home by Federal,

State, or local government entities or any other interested individuals, and to identify the costs estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the range of management alternatives.

Subsection (c) directs the study to be conducted in accordance with section 8 of Public Law 91–383, which sets forth requirements for National Park Service studies.

Subsection (d) requires the Secretary to prepare and submit for review the results, conclusions, and recommendations of the study.

#### COST AND BUDGETARY CONSIDERATIONS

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

##### *S. 2933—Colonel Charles Young Home Study Act*

S. 2933 would require the National Park Service (NPS) to conduct a special resource study of the Colonel Charles Young Home in Xenia, Ohio. Colonel Young was an African-American who served in the U.S. Army between 1884 and 1922. In the study, the NPS would evaluate the resources of the site and determine the suitability and feasibility of designating it as a unit of the National Park System. The NPS would have three years to complete the study and report to the Congress on its results.

Based on information provided by the NPS and assuming the availability of appropriated funds, CBO estimates that carrying out the study required by S. 2933 would cost about \$250,000 over the next three years. Enacting S. 2933 would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

S. 2933 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 June 21, 2010, CBO transmitted a cost estimate for H.R. 4514, the Colonel Charles Young Home Study Act, as ordered reported by the House Committee on Natural Resources on June 16, 2010. H.R. 4514 and S. 2933 are very similar, and the CBO cost estimates are the same.

The CBO staff contacts for this estimate are Alan Eder and Deborah Reis. The estimate was approved by Peter H. Fontaine, 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. 2933.

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. 2933, as ordered reported.

## CONGRESSIONALLY DIRECTED SPENDING

S. 2933, as ordered 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 March 17, 2010 Subcommittee hearing on S. 2933 follows:

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

Mr. Chairman, thank you for the opportunity to appear before you to provide the Department of the Interior's views on S. 2933, a bill to authorize a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System.

The Department supports enactment of S. 2933. However, we believe that priority should be given to the 47 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 the Congress.

S. 2933 authorizes a special resource study, in consultation with the Secretary of the Army, to determine the suitability and feasibility of designating the Colonel Charles Young Home as a unit of the National Park System, and to consider other alternatives for preservation and protection of the home and interpretation of the life and accomplishments of Colonel Young for future appreciation by the public. The bill also authorizes consultation and collaboration with the Ohio Historical Society, Central State University, Wilberforce University and other interested Federal, State or local governmental entities, private and non-profit organizations or individuals in accomplishing the resource study. The home is a National Historic Landmark. We estimate the cost of this study to range from \$200,000 to \$250,000, based on similar types of studies conducted in recent years.

Colonel Charles Young was the third African-American to graduate from West Point, and a distinguished African-American officer in the United States Army, commanding troops in combat in the Spanish-American War and the Mexican expedition against Pancho Villa. Colonel Young was one of the first military attachés in the United States, serving in Haiti and Liberia, and a pioneer of techniques in military intelligence. The experience of Colonel Young in the Army between 1884 and 1922 illustrates the changing nature of race relations in the United States during a period spanning from the end of the Civil War to the beginning of the Civil Rights movement.

Colonel Young was a friend and associate of other distinguished African-Americans of the period, including poet Paul Laurence Dunbar from nearby Dayton, Ohio; and as the commander of an Army unit assigned to protect and develop Sequoia National Park and General Grant National Park in the State of California, Colonel Young is recognized as the first African-American to be the superintendent of a National Park.

Mr. Chairman, this concludes my prepared statement. I would be happy to answer any questions that you or other Committee members may have regarding this bill.

#### 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. 2933, as ordered reported.

