

MISCELLANEOUS NATIONAL PARKS BILLS

HEARING
BEFORE THE
SUBCOMMITTEE ON NATIONAL PARKS
OF THE
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
ONE HUNDRED NINTH CONGRESS
FIRST SESSION
ON

S. 431 **S. 505**
S. 748 **S. 1288**
S. 1544 **S. Con. Res. 60**
H.R. 1084 **H.R. 2107**

NOVEMBER 15, 2005



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MISCELLANEOUS NATIONAL PARKS BILLS

TUESDAY, NOVEMBER 15, 2005

U.S. SENATE,
SUBCOMMITTEE ON NATIONAL PARKS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:33 p.m. in room SD-366, Dirksen Senate Office Building, Hon. Craig Thomas presiding.

OPENING STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM WYOMING

Senator THOMAS. Good afternoon. I welcome you to the committee. I want to welcome Deputy Director Don Murphy and other witnesses for today's subcommittee. Our purpose for this hearing is to receive testimony on five Senate bills, one concurrent resolution, and two House bills: S. 431, a bill to establish a program to award grants to improve and maintain sites honoring Presidents of the United States; S. 505, a bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundaries of the Yuma Crossing National Heritage Area; S. 1288, a bill to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park Service through collaborative efforts on land inside and outside of units of the Park Service; S. 1544, a bill to establish the Northern Plains National Heritage Area in the State of North Dakota; Senate Concurrent Resolution 60, a concurrent resolution designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as the Nation's National Negro Leagues Baseball Museum; S. 748 and H.R. 1084, to authorize the establishment at the Antietam National Battlefield of a memorial to officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments; and H.R. 2107, a bill to amend Public Law 104-329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, and other long titles such as that.

So, Senator, do you have any comment?

[The prepared statements of Senators Kyl and Gregg follow:]

PREPARED STATEMENT OF HON. JON KYL, U.S. SENATOR FROM ARIZONA, ON S. 505

Mr. Chairman, thank you for holding this hearing and allowing me to say a few words about S. 505, a bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area.

The Yuma Crossing Heritage Area and the improvements it has sparked along the Colorado River and in downtown Yuma enjoy overwhelming support from its citi-

zens. This is largely the result of the community-based heritage area planning process that developed the National Park Service approved management plan in 2002. That plan sharpened the focus of the heritage area on seven riverfront and downtown districts.

The current boundary of the heritage area that was set in the 2000 authorizing legislation, however, does not reflect the more restricted boundaries set in management plan developed by the community. That is why I introduced this bill, to conform the heritage area to the boundaries set in the management plan. No purpose is served by continuing the original boundaries.

This is a non-controversial, straightforward correction that enjoys the support of the citizens of Yuma. I hope my colleagues will work with me to pass it quickly this year.

PREPARED STATEMENT OF HON. JUDD GREGG, U.S. SENATOR FROM NEW HAMPSHIRE,
ON H.R. 1084

Thank you Mr. Chairman. I would like to express my support for H.R. 1084, a bill to authorize a memorial at Antietam National Battle field. H.R. 1084 was introduced by my colleagues Representative Jeb Bradley and Charlie Bass in the House with companion legislation (S. 748) introduced in the Senate by myself and Senator Sununu. Having recently celebrated Veterans Day, we are once again reminded of the tremendous service and sacrifices made by our men and women in uniform. Throughout history, Americans from all over our great land have, and continue to, answer our nation's call. Many have made the ultimate sacrifice. For this, no thank you will ever suffice, but as a nation it is our duty to try.

This bill is a way for our country and our state to attempt to say thank you to brave men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam, the bloodiest single-day battle in American history. Among this group, the 5th New Hampshire holds the distinction of having the highest casualty rate of any Union unit during the Civil War, one-third of them occurring at Antietam. These men were also responsible for constructing the famous Grapevine Bridge over the Chockahominy River in May 1862, saving many lives during the Seven Days Battles around Richmond, Virginia.

The valor and success of these and the other men of the Army of the Potomac at Antietam provided a solid base for President Abraham Lincoln to proclaim the Emancipation Proclamation. It is my hope that this subcommittee will report out favorably H.R. 1084 so that we may memorialize these Granite State soldiers in a manner which they have earned.

**STATEMENT OF HON. DANIEL K. AKAKA, U.S. SENATOR
FROM HAWAII**

Senator AKAKA. Yes. Thank you very much, Mr. Chairman. I would like to make a few remarks on S. 1288, Senator Wyden's bill to authorize the National Park Service to enter into collaborative efforts on lands outside of park boundaries. I am pleased to be an original co-sponsor of this bill. Last August you were kind enough, Mr. Chairman, to allow this subcommittee to hold a hearing at Hawaii Volcanoes National Park to look at the issue of managing invasive species in and around national parks.

Although invasive species are a major management problem throughout the country, the situation is especially acute in Hawaii. Invasive species are the primary cause of the declining native habitat in national parks, including Hawaii's threatened and endangered species. It is an unfortunate fact that over the past 30 years, of the 114 species that have become extinct over that time, almost half were native to Hawaii. In addition, invasives cause millions of dollars of damage to agriculture and private property owners in Hawaii.

The management and control of invasive species is one of the major challenges facing Hawaii's national parks, whether it is the

spread of miconia, a dense, fast-growing tree threatening Haleakala National Park, or eliminating invasive weeds and other plants at Hawaii's volcanoes. A consistent theme from the August field hearing was that the key to successfully managing invasive species in parks is being able to take proactive measures for prevention, authority that the Park Service currently does not have.

I believe S. 1288 will provide an important new tool for park managers in Hawaii and throughout the country to develop local partnerships to address this vital management issue. I commend Senator Wyden for introducing this bill and I look forward to working with both of you to move this legislation quickly through committee and the Senate.

Thank you very much, Mr. Chairman.

Senator THOMAS. Thank you.

Senator DeWine, welcome to the committee.

**STATEMENT OF HON. MIKE DeWINE, U.S. SENATOR
FROM OHIO**

Senator DEWINE. Thank you, Mr. Chairman.

Mr. Chairman, I am here to talk about S. 431, which is a bill that I have introduced along with Senator Allen as well as Senator Gordon Smith. Mr. Chairman, I would ask permission to have my prepared statement be made a part of the record, if I could. Mr. Chairman, if I could ask permission to have my statement as part of the record.

Senator THOMAS. Without objection.

Senator DEWINE. Mr. Chairman, I will be very brief. I know you have a lot of witnesses here today.

Our bill is a very simple bill. There are currently 88 sites in the United States that are connected with a former President of the United States—these are birthplaces, homes, tombs—88 sites that are not owned by the Federal Government. Let me repeat, they are not owned by the Federal Government.

What our bill does is authorize \$5 million per year to help in the maintenance and upkeep of these particular sites. I want to make it very clear, we do not intend to have the Federal Government take control of these sites. We do not intend to have the Federal Park Service take ownership or to have any of the upkeep of these sites. I know that is always a concern of this subcommittee, that the Government would be taking on more responsibility.

But the fact is that these 88 sites that are associated with different Presidents, many of them are birthplaces, many of them are homes, are owned by local historic societies. Some are owned by States, some of them are owned by local organizations. Many times they simply do not have the resources to adequately keep these wonderful historic sites up.

What our bill does is provide \$5 million, authorizes \$5 million per year. It provides for a board that is appointed by the Secretary of the Interior, a five-person board, that would determine every year how this money would be allocated. 65 percent of the money would go to small sites. These would be sites that have an operating budget of under \$700,000 a year. 20 percent would go to larger sites and 15 percent would go for emergency funds.

That is really what the bill does. It would preserve these wonderful sites, places like for example Senator Alexander's—I wish he was here, but Senator Alexander's home State of Tennessee, the Hermitage, the President Johnson Museum and Library, Abraham Lincoln Library, James Polk Ancestral Home. Senator Allen in Virginia has 18 different sites. Senator Burr in North Carolina has two different sites. Senator Martinez from Florida, Harry S Truman, the Little White House in the Keys.

They are just wonderful historic sites. They need assistance. They need help, and we really need to authorize this money and then of course later on the appropriators will have to decide of course where that money will come from and how much of that \$5 million would be appropriated each year.

So I thank the chair and we appreciate your listening to me.
[The prepared statement of Senator DeWine follows:]

PREPARED STATEMENT OF HON. MIKE DEWINE, U.S. SENATOR FROM OHIO

Mr. Chairman, thank you for including S. 431, the Presidential Sites Improvement Act, in this afternoon's hearing. This legislation, which I introduced along with Senator Durbin, is an effort to honor the great men who have served as our former Chief Executives and have influenced the development of our Nation. This Act would create a new and innovative partnership with public and private entities to preserve and maintain Presidential sites, such as birthplaces, homes, memorials, and tombs.

Mr. Chairman, hands-on learning takes place when a child boards a bus for a field trip to visit historic sites. By touring the birthplace or home of the same individuals they have read about in the classroom, children gain a comprehensive appreciation of history.

This type of learning can continue only through the preservation of the birthplaces, homes, memorials, and tombs of our former Presidents.

Family foundations, colleges and universities, libraries, historical societies, historic preservation organizations, and other non-profit organizations own the majority of these sites. These entities often have little funding and are unable to meet the demands of maintaining such important landmarks. Operating costs must be met before maintenance needs, and when these payments cannot be made, the sites slowly deteriorate.

I have visited many of the Presidential historic sites throughout my home state of Ohio—a state that has been home to eight Presidents. During one such visit at the Ulysses S. Grant house, I found it disturbing to see the discoloration and falling plaster due to water damage. At the home of President Warren Harding, I noticed that the famous front porch where then-candidate Harding gave his campaign speeches was actually detached from the house.

Fortunately, we were able to obtain the funding to prevent these two historic treasures from deteriorating further. By providing federal assistance for maintenance projects today, we can help prevent larger problems tomorrow.

Mr. Chairman, these Presidential sites are far too important to let them silently decay. Our legislation would authorize grants, administered by the National Park Service, for maintenance and improvement projects on Presidential sites that are not federally owned or managed. A portion of the funds would be set aside for sites that are in need of emergency assistance. To administer the new program, this legislation would establish a five-member committee, including the Director of the National Park Service, a member of the National Trust for Historic Preservation, and a state historic preservation officer. This committee would make grant recommendations to the Secretary of the Interior. Each grant would require a fifty percent non-federal dollar match. Up to \$5 million would be made available annually.

Mr. Chairman, once again I would like to thank you for holding this hearing and I would like to thank Ms. Emily Wadhams, Vice President of Public Policy for the National Trust for Historic Preservation, for agreeing to testify on the importance of this legislation. I look forward to continuing to work with the Committee to pass this bill.

Senator AKAKA [presiding]. Thank you very much, Senator DeWine. I thank you for your statement and thank you for trying

to bring forth these sites and to make them available for the general public. I want to wish you well in your work.

Senator DEWINE. Thank you very much.

Senator AKAKA. And I have no questions for you. Senator Thomas does not have any questions for you. Thank you so much for coming.

Our first panel today, I would like to welcome Mr. Donald Murphy, who is the Deputy Director of National Park Service. I thank you for being here and look forward to your statements. I know you will be speaking on each of the bills that are being proposed here and I look forward to your statement. You may begin.

**STATEMENT OF DONALD W. MURPHY, DEPUTY DIRECTOR,
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR**

Mr. MURPHY. Thank you very much, Mr. Chairman. I would like to enter my written testimony into the record. I believe the committee has that. I will go through each bill in turn and then take questions afterwards.

Senator AKAKA. Your complete statement will be included in the record.

Mr. MURPHY. Thank you, sir.

S. 431, a bill to establish a program to award grants to improve and maintain sites honoring Presidents of the United States. The NPS is opposed to this bill. However, the Department supports efforts to protect Presidential sites which honor our country's former Presidents and they are an important historical part of our national heritage. The birthplaces, the museums, the memorials and tombs do provide excellent resources to study and learn about our past Presidents' lives, leadership, and values.

However, because of the financial implications of this bill, the National Park Service is opposed to this particular bill.

Moving on to the next bill, S. 1288, the National Park Service is very much in support of S. 1288, the bill to authorize the Secretary of the Interior to enter into cooperative agreements to protect park natural resources through collaborative efforts on land inside and outside of the units of the National Park Service. Senator, you spoke very eloquently on the need for this and the National Park Service has worked very hard over the last several years, both with the administration and with you, on this bill. I think it is going to go a long way toward providing for better management of our natural resources, particularly there in Hawaii where the threats are so dire.

The next bill, S. 1544, the National Park Service does not support this particular bill unless it is amended. If it is amended to authorize a feasibility study to determine whether the Northern Plains National Heritage Area in the State of North Dakota meets the criteria to be designated as a national heritage area, the National Park Service could support the bill if that bill is so amended.

The next bill is Senate Concurrent Resolution 60, designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum. As you know, the National Park Service, Department of the Interior, does not take official positions on resolutions. However, we certainly support the concept. The museum is of particular interest to the National

Park Service because it is an important part of the American heritage, it is an important story to be told. It is part of what we often call the soul of America, and it is an important aspect of life in this country.

The National Park Service has provided quite a bit of background information for the committee on the museum and on the Negro Leagues in the United States of America, and we certainly support the concept and look forward to the passage of this particular resolution.

The next bill, they are identical bills, S. 748 and H.R. 1084. The Department opposes enactment of this legislation because of the potential impacts and permanent alteration that would be made to the historical landscape and hallowed grounds of the Antietam Battlefield.

Several years ago the general management plan for the park authorized a moratorium and we have been working with States and various regiments to offer alternatives to placing new memorials in the park. Having stated that, we recognize that this is a fairly well-crafted bill and if it were to pass I know the National Park Service looks forward to working with the State of New Hampshire on the proper way to memorialize those regiments that fought at Antietam.

The next bill is H.R. 2107. H.R. 2107 would amend section 201 of the public law and it would authorize the Secretary of the Interior to enter into cooperative agreements, of course, with the Law Enforcement Officers Memorial Fund, Inc., which is a nonprofit corporation, to maintain and repair the National Law Enforcement Officers Memorial in Washington, D.C. The National Park Service is very much in support of this legislation.

I am not sure about my adeptness here, but I need to go to S. 505. That is what happens when you have seven bills at one time. S. 505 is a boundary adjustment and the Department supports the proposed boundary change, which is based on the findings of the 2002 management plan for the national heritage area. We recommend, however, that the bill be amended to include an official map reference similar to the maps used for other national heritage areas. The reason for this is that the bill goes through a fairly lengthy, page after page legal description of the boundary adjustment and it is our normal practice to simply include a map that shows the boundary adjustments. It is a much more efficient way to show what the changes are, and we simply ask that the bill be amended in that way.

Mr. Chairman, that concludes my testimony and I am willing to answer any questions that the committee might have.

[The prepared statements of Mr. Murphy follow:]

PREPARED STATEMENT OF DONALD W. MURPHY, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

ON S. 431

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 431, a bill to establish a program to award grants to improve and maintain sites honoring Presidents of the United States.

The Department supports efforts to protect Presidential sites, which honor our country's former presidents and are an important historical part of our national heritage. The birthplaces, museums, memorials, and tombs provide excellent resources

to study and learn about our past presidents' lives, leadership, and values. The value and educational benefit of visiting first hand the birthplace or other memorial site of a person one has read or studied about can leave a very indelible impression that cannot be acquired in any other way. Being involved in history and in the lives of those who have contributed to our American legacy through physical, mental, and emotional contact with the things that helped shape their lives or the places that store their remains can bring a deeper appreciation of our country's struggles and the heritage we enjoy today.

However, because of the financial implications of this bill on national parks and park programs, the Department opposes the enactment of S. 431 at this time. We believe funds are more appropriately directed at this time to reducing the long list of necessary but deferred construction projects that have been identified in our national parks.

Our opposition does not detract from the significance and importance of creating partnerships with public and private entities to preserve and maintain the non-Federal Presidential sites of our nation's past presidents. Rather, our opposition is due to our belief that it is inappropriate to use limited National Park Service appropriations to fund maintenance and improvement projects for institutions and sites that are not part of the National Park System.

We encourage the family foundations, historical societies, historic preservation organizations, and other non-profit organizations that own the majority of these sites to continue to seek funding for the maintenance and improvement projects necessary to prevent further deterioration and continued interpretation of these sites and structures. We believe that there are other sources of funding available for the restoration and maintenance needs of these Presidential sites. One national example is the Save America's Treasures program that awards grants for preservation and conservation work on nationally significant intellectual and cultural artifacts and nationally significant historic structures and sites. These Presidential Sites are "national class properties" and would, we believe, compete favorably in the Save America's Treasures program as well as in any other fundraising campaign. The Department would be more than happy to assist with developing Save America's Treasures applications to accomplish this important work.

S. 431 authorizes the Secretary of the Interior to establish a grant program to help pay for major repairs, modifications, and capital and interpretive improvements to non-Federal Presidential sites. The legislation would establish the Federal share of the cost to be 50 percent or less of the total cost of a project. Appropriated funds of \$5 million would be authorized for fiscal years 2006 through 2010, with funds available until expended. The bill states that 15 percent of the grant money would be used for emergency projects; 65 percent for Presidential sites with a 3-year annual operating budget of less than \$700,000, with an endowment less than 3 times the annual operating budget; and 20 percent for sites with an annual operating budget of \$700,000 or more, with an endowment equal to or more than 3 times the annual operating budget. It also states that unexpended funds may be used for another category of projects described in the Act.

S. 431 also outlines the application and award procedures and authorizes the establishment of the Presidential Site Grant Commission (Commission). The operators and owners would submit applications to the Secretary who would then forward them to the Commission. The Commission would review the applications and make recommendations to the Secretary for grant assistance. Of the five members on the Commission, two of the four members appointed by the Secretary would represent the Presidential sites eligible for grant awards. The term for an appointed member is two years. The bill states that during the two-year period in which a representative of a particular site serves on the Commission that site would be ineligible for grant money under this Act.

Presidential sites honor our country's former presidents and are an important historical part of our national heritage. While we recognize that these sites provide a valuable link to understanding our country's history and government, we believe that National Park Service funds should not be authorized for this purpose.

Mr. Chairman, this concludes my prepared testimony. I would be happy to answer any questions you or your committee may have.

ON S. 505

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 505, a bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area.

The Department supports the proposed boundary change which is based on the findings of the 2002 management plan for the National Heritage Area (NHA). We recommend that the bill be amended to include an official map reference similar to the maps used for other National Heritage Areas.

S. 505 would amend Section 3(b) of the Yuma Crossing National Heritage Area Act of 2000, Public Law 106-319, to adjust the boundary of the National Heritage Area to reflect the boundaries outlined and approved in the management plan for the heritage area. On September 29, 2005, at a House Subcommittee on National Parks hearing, the Department testified in support of an identical boundary adjustment for this heritage area that was included in H.R. 326, a similar bill.

Yuma Crossing National Heritage Area was authorized by P.L. 106-319, signed on October 19, 2000. The Department supported the legislation to establish the NHA at hearings in both the House and Senate during the 106th Congress. Since establishment, the National Park Service (NPS) has worked with the Yuma Crossing NHA staff and the community to develop the management plan required in the legislation. That plan was completed in July 2002 and approved by the Secretary in December 2003.

Yuma has been a home to Native Americans for nearly 1,500 years, prior to becoming a city at the junction of the Colorado and Gila Rivers. The Spanish "discovered" the area seventy years before the Pilgrims landed at Plymouth Rock. As Americans moved west, Yuma became one of the stopping points for those following gold and fortune as well as a key military post. Yuma also prospered as a port city, then a railroad town, and finally as a link on the first southern transcontinental highway. By the 20th century Yuma continued to rely on water, this time with major government dam and diversion projects on the Colorado River that brought the ability of year-round agricultural production.

The authorizing legislation established a boundary for the heritage area of approximately 22 square miles based upon early studies that showed great potential for natural, cultural and recreational resources within that area. Once the NHA was authorized, work began on the management plan. The plan refined and further developed the concepts outlined in the feasibility study, dividing the NHA into seven districts that feature natural, cultural and recreational resources consistent with the authorizing legislation, incorporating opportunities for economic development, and acknowledging the importance of maintaining residential areas.

At the same time, Yuma Crossing NHA was also aware of the need to ensure that the goals of the management plan could be achieved financially and were acceptable to the entire community. Taking these elements into consideration, the NHA board developed the management plan which included a proposal for a new boundary. The management plan received extensive public involvement and the NHA board used NPS planning models in addition to National Environmental Policy Act and National Historic Preservation Act Section 106 guidelines to develop and analyze their options.

Three alternatives were developed for public involvement and review. S. 505 includes the preferred alternative for the new boundary which would continue to meet the intent and goals for which the heritage area was established. We recommend that the bill be amended to remove the written description of the boundary adjustment currently in S. 505 and to replace it with a map reference that shows the new boundary. NPS produced a map similar to boundary maps for other heritage areas that was used when H.R. 326 was amended. We would be happy to provide the subcommittee with this map. The written description of the boundary adjustment found in the bill, as well as a reference to the map included on page 40 of the "Yuma Crossing National Heritage Area Management Plan", could be included in the report language for the bill.

We commend the NHA board, members, and partners, as well as the citizens in and around Yuma, Arizona, for their time and commitment to this project. We look forward to continuing to work with them to achieve the goals of the Yuma Crossing National Heritage Area.

That concludes my prepared remarks. I would be pleased to answer any questions you or other members of the subcommittee may have.

ON S. 748 AND H.R. 1084

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. 748 and H.R. 1084, identical bills to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hamp-

shire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862.

The Department opposes enactment of this legislation because of the potential impacts and permanent alterations that would be made to the historical landscape and hallowed grounds of Antietam Battlefield.

S. 748 and H.R. 1084 would authorize the Secretary of the Interior to establish a memorial within the boundary of the Antietam National Battlefield. The Secretary would select the persons to establish the memorial, and approve the size, design, and inscriptions of the memorial. An annual report would be prepared on the progress of the operations and fundraising efforts related to the establishment of the memorial. No Federal funds would be used to establish the memorial. Upon completion of the memorial, the Secretary would assume the responsibility for its maintenance.

Established by an Act of Congress on August 30, 1890, this Civil War site marks the end of General Robert E. Lee's first invasion of the North in September 1862. Over 600 military units fought in the battle at Antietam that claimed more than 23,000 men who were killed, wounded, and/or missing in 12 hours of fighting on September 17. It also led to President Abraham Lincoln's issuance of the Emancipation Proclamation. Antietam National Battlefield is one of 28 sites managed by the National Park Service (NPS) to preserve and interpret Civil War military history. Last year alone nearly 237,000 visitors came to participate in the unique historical perspective that this landscape offers. That number swelled to over 313,000 in 2002, the 140th anniversary of the Battle of Antietam.

Antietam National Battlefield is known as one of the most well-preserved Civil War battlefields in the United States. Veterans of the battle placed the majority of the 104 monuments on this site between 1890 and 1915. The monuments are in commemoration of their sacrifices and are typically located where the troops fought during the battle. There are regimental monuments, state monuments, and monuments to individuals. A mortuary cannon—an inverted cannon barrel in a block of stone—marks the location where each of the six generals fell who were either killed or mortally wounded. There is also a monument to war correspondents. These monuments are small in size and do not impact the historic landscape, which allows battlefield visitors to fully understand the soldiers' efforts on that day. New Hampshire is one of 17 states that sent troops to Antietam. The New Hampshire troops fought at Burnside Bridge along with regiments from Pennsylvania and New York.

A moratorium has been in place since 1991 at the battlefield, which precludes the construction of new monuments or memorials. The need for a moratorium was identified as necessary during the development of the General Management Plan (GMP). The GMP is a long-term planning document that provides NPS managers with guidelines and objectives in the preservation of these historic grounds. The study of the battlefield, which culminated in this GMP, was undertaken with substantial input from the public and civil war historians nationwide. The findings concluded that the continued addition of memorials would result in an unacceptable permanent alteration of the historic landscape. The NPS conducts an active year-round program to educate visitors about the Battle of Antietam and to pay tribute to the valor and sacrifice of all those who shared in the pivotal history of this battle.

The role of the New Hampshire Volunteer Infantry and Light Artillery Battery is widely recognized in the annals of Civil War history. However, we believe the protection of the historic character of the battlefield, the purpose for which this land was set aside by Congress in 1890, requires us to seek other alternatives and better means to commemorate this contribution and that of nearly 500 military units which are not represented by the traditional sculptures and statuary today. We believe there are exciting and honorable opportunities open for the commemoration of these New Hampshire regiments without permanently altering the landscape, which we seek to protect in their honor. We have a duty to protect the history of all who fought in the Battle of Antietam.

The Battle of Antietam is the bloodiest one-day battle in American history. This battle site is indeed hallowed ground. We understand and appreciate the desires of the people of New Hampshire to erect a monument to honor their ancestors who fought here, but we feel that the preservation of the landscape, the ground where these men stood firm, fought, and died, is our utmost priority. We will continue to explore other ways to honor the New Hampshire volunteers and others who participated in the battle.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 1288, a bill to authorize the Secretary of the Interior to enter into cooperative agreements to protect park natural resources through collaborative efforts on land inside and outside of units of the National Park System.

The Department supports enactment of this bill with amendments to make it consistent with the language contained in the Administration proposal transmitted to Congress on August 5, 2005.

S. 1288 would authorize the Secretary to enter into cooperative agreements with willing State, local, or tribal governments, other public entities, educational institutions, private nonprofit organizations, and private landowners to protect natural resources of units of the National Park System. These cooperative agreements would benefit the partners and enhance science-based natural resource stewardship through such projects as preservation and restoration of coastal and riparian watersheds, prevention and control of invasive species, and restoration of natural systems including wildlife habitat. The scope of the cooperative agreements would cover projects that include management of the natural resources, as well as inventory, monitoring, and restoration activities for preserving park natural resources.

The bill would prohibit the use of appropriated funds for land acquisition, regulatory activity, or the development, maintenance, or operation of infrastructure, except for ancillary support facilities that the Secretary determines to be necessary for the completion of projects or activities identified in the cooperative agreements. All cooperative agreements authorized by this bill would be voluntary.

According to a General Accounting Office (GAO) report from February 2005, the National Park Service is the only major Federal land management agency that does not have authority to expend resources outside its boundaries when there is a benefit to the natural resources within the boundaries of these lands. This lack of consistency among Federal agencies was cited by GAO as a barrier to effective control of invasive species on Federal and non-Federal lands. This bill would provide authority to the National Park Service (NPS), similar to that already held by the Bureau of Land Management and the U.S. Forest Service, to use appropriated funds to enter into cooperative agreements with various partners when such activities provide clear and direct benefits to park natural resources through collaborative efforts on lands inside and outside of National Park System units. For example, at the Grand Canyon National Park, if NPS had this authority, resource managers could work with the Hualapai Indian Tribe to control tamarisk, an invasive tree, to mutually protect the reservation and the park from further infestation.

Of the 83 million acres managed by NPS, 2.6 million acres are infested by invasive plants such as mile-a-minute, kudzu, and knapweed, reducing the natural diversity of these areas. When populations of native plants are decreased, the animals that depend upon them lack the food and shelter needed for survival. This is especially a concern for threatened and endangered species found on parklands. In the case of plants, these single species stands are also more vulnerable to disease and can serve as fuel for wildfires. Because invasive plants and animals cross geographic and jurisdictional boundaries, it is more efficient to control these invasive species through collaborative efforts both inside and outside of park boundaries. If the NPS can rapidly respond and prevent invasive species from entering our parks instead of trying to control and eradicate them once they are within our borders, we can better protect our park natural resources and in many cases, avoid the problem altogether. In addition, by partnering with willing private landowners, local entities, universities and nonprofit organizations, we can recognize a cost savings through shared inventory, monitoring and control activities.

The authority in S. 1288 would also benefit the NPS in areas beyond invasive species. For example, at Cape Cod National Seashore in Massachusetts, three large wetlands within the park have been impaired from salt marsh levees on adjacent lands causing a restricted tidal flow to these systems; some of these impairments date back 100 years. With no fresh water entering the wetlands, the water quality has been degraded resulting in large fish kills and the production of nuisance insects, as well as the loss of storm surge protection. Using this authority, the NPS would be able to assist local towns in improving water control structures outside the park, which in turn would help improve the park's wetlands.

The GAO report also found that collaboration and coordination among Federal agencies, and between Federal and non-Federal entities, is critical to battling invasive species. Treating invasive plants in one area, but not on neighboring lands, can limit its effectiveness. Because the NPS does not have the authority to work outside of its boundaries, the NPS is often perceived as unwilling to be a partner

in grassroots efforts to address shared natural resource management issues at the local or regional level. In many of our parks, the NPS manages only the downstream portion of a river. By working with upstream communities to improve water quality and to decrease sedimentation and runoff, the entire watershed can benefit from these partnerships. For example, at Morristown National Historical Park, Primrose Brook contains a genetically pure strain of brook trout. Ninety five percent of the watershed outside the park is protected. Through cooperative agreements with private landowners, best management practices could be implemented to protect the entire watershed.

An informal survey conducted by NPS of our parks indicates that the natural resources in at least 63 parks in 28 states would benefit as a result of having this authority. Potential projects would include working with the Montana Fish, Wildlife and Parks and the U.S. Forest Service to put up fencing along the border of Glacier National Park to restore white and limber pine and conduct wetlands surveys; at Hagerman Fossil Beds National Monument in Idaho, the NPS could work with adjacent private landowners to prevent irrigation canal seepage that negatively impacts the Snake River; at Yellowstone National Park, the NPS could partner with the State of Wyoming to initiate groundwater studies in the larger Yellowstone groundwater area that is located north of the park; and at the Ozark National Scenic Riverways in Missouri, the NPS could undertake an educational program on the importance and protection of the karst environment.

Although the bill focuses on the benefits to natural resources within parks from collaborative efforts, there are also economic benefits that could be realized through this authority. Many of our recreation, lakeshore and seashore parks attract visitors for water-based activities such as boating, canoeing, and fishing. If NPS can improve the water quality in these parks by working with nearby landowners and communities to protect the larger watersheds, then visitors will have a more positive experience that includes a variety of recreational activities. Other visitors enjoy the diverse plant and animal species living in our parklands and spend their time watching and photographing wildlife in their native habitat. With this authority, the NPS can restore riparian areas, replant native grasses, shrubs and trees, and eliminate invasive species that compete and replace native wildlife. In addition, communities surrounding our parks depend upon the dollars that visitors pump into the local economies while visiting these areas. Having a diverse natural system of resources within parks draws larger numbers of tourists to these communities.

Currently, there are some narrowly defined activities for which the Secretary has the authority to expend NPS resources beyond those lands owned by the NPS. These limited authorities include cooperative agreements for work on national trails; work with state and local parks that either adjoin or are in the vicinity of units of the National Park System; or assistance to nearby law enforcement and fire prevention agencies for emergency situations related to law enforcement, fire fighting and rescue.

In the short time since this bill was introduced, the North American Weed Management Association, a network of public and private professional weed managers who are involved in implementing county, municipal, district, state, provincial or Federal noxious weed laws, has voiced their support for this authority. Other organizations are currently reviewing the legislation, and we anticipate similar support from these groups.

Finally, we propose amendments, mostly of a technical nature only, to ensure that S. 1288 is consistent with the language contained in our Administration proposal.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.

Proposed Amendment to S. 1288

On p. 2, line 12, strike “shall—” insert “shall provide clear and direct benefits to park natural resources and—”.

On p. 2, lines 14-15, strike subparagraph (A) and renumber subsequent paragraphs accordingly.

On p. 4, line 6, strike “(b)” and insert “(a)”.

On p. 4, lines 12-14, strike “There are authorized to be appropriated such sums as are necessary to carry out this Act” and insert “Funds available to carry out the provisions of this Act shall be limited to programs and amounts specified in statute for such use in the annual appropriation act for the National Park Service.”.

ON S. 1544

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.

1544, a bill to establish the Northern Plains National Heritage Area in the state of North Dakota.

While the Department appreciates the historic, cultural and natural features of the area, the Department does not support S. 1544 unless it is amended to authorize a feasibility study to determine whether the Northern Plains National Heritage Area in the state of North Dakota meets the criteria to be designated as a National Heritage Area. We caution that our support of an amendment authorizing a study does not necessarily mean that the Department will support designation of this national heritage area. We generally have asked that the Subcommittee defer action on new designations of National Heritage Areas until program legislation discussed further in this testimony is enacted.

Requiring a feasibility study prior to designation is consistent with steps and criteria for the National Heritage Area program that have been informally implemented for many years, identified in testimony by the Department, generally set forth in an Administration legislative proposal sent to Congress last year, and included in S. 243 and H.R. 760, the National Heritage Area Partnership Act.

The steps and criteria have been developed with input from Congress, existing National Heritage Areas, and other experts and are designed to ensure that an area has the resources, local interest, and other qualities that are critical in establishing a successful National Heritage Area. This year, the Administration is working on a similar legislative proposal, and we look forward to continuing to work with Congress on program legislation. We would like to thank you, Mr. Chairman, for your leadership on this issue.

The four critical steps that need to be completed before Congress establishes a National Heritage Area are:

1. completion of a feasibility study;
2. public involvement in the feasibility study;
3. demonstration of widespread public support among heritage area residents for the proposed designation; and
4. commitment to the proposal from the appropriate players which may include governments, industry, and private, non-profit organizations, in addition to the local citizenry.

The interim criteria to be considered in conducting the feasibility study include:

- (1) An area—
 - (A) has an assemblage of natural, historic, cultural, educational, scenic, or recreational resources that together are nationally important to the heritage of the United States;
 - (B) represents distinctive aspects of the heritage of the United States worthy of recognition, conservation, interpretation, and continuing use;
 - (C) is best managed as such an assemblage through partnerships among public and private entities at the local or regional level;
 - (D) reflects traditions, customs, beliefs, and folklife that are a valuable part of the heritage of the United States;
 - (E) provides outstanding opportunities to conserve natural, historical, cultural, or scenic features;
 - (F) provides outstanding recreational or educational opportunities; and
 - (G) has resources and traditional uses that have national importance.
- (2) Residents, business interests, nonprofit organizations, and governments (including relevant Federal land management agencies) within the proposed area are involved in the planning and have demonstrated significant support through letters and other means for National Heritage Area designation and management.
- (3) The local coordinating entity responsible for preparing and implementing the management plan is identified.
- (4) The proposed local coordinating entity and units of government supporting the designation are willing and have documented a significant commitment to work in partnership to protect, enhance, interpret, fund, manage, and develop resources within the National Heritage Area.
- (5) The proposed local coordinating entity has developed a conceptual financial plan that outlines the roles of all participants (including the Federal Government) in the management of the National Heritage Area.
- (6) The proposal is consistent with continued economic activity within the area.
- (7) A conceptual boundary map has been developed and is supported by the public and participating Federal agencies.

S. 1544 would establish the Northern Plains National Heritage Area. The core area is approximately 80 miles long, anchored at each end by nationally designated landmarks. Huff Indian Village National Historic Landmark, an ancient Mandan In-

dian Village is the southern anchor and Big Hidatsa Village National Historic Landmark, an ancient Hidatsa village located within the Knife River Indian Villages National Historic site at Stanton, North Dakota, is the northern anchor. Huff and Menoken National Historic Landmarks are also state historic sites preserved and managed by the State Historical Society of North Dakota. This area encompasses the ancient homeland of the Mandan and Hidatsa American Indian nations as well as the Menoken Indian Village, an early Indian village site just east of Bismarck, North Dakota, which also bears national historic landmark status.

The bill designates the Northern Plains Heritage Foundation, a non-profit corporation established under the laws of the State of North Dakota, as the management entity for the Heritage Area and outlines its duties. It also authorizes the development of a management plan and authorizes the use of Federal funds to develop and implement that plan. Additionally, the Secretary may, at the request of the management entity, provide technical assistance and enter into cooperative agreements with other public and private entities to carry out this purpose.

S. 1544 would protect private property rights by requiring that owners provide, in writing, consent to be included in any request before they are eligible to receive Federal funds from the area. The private property owner in the Heritage Area would not be required to permit public access (including Federal, State, or local government access) to his or her property, or to participate in or be associated with the Heritage Area.

The Northern Plains area is a unique cultural and historic landscape, shaped and influenced by centuries of agricultural tradition. The climate and geography of the Northern Plains shaped and impacted the agricultural life of the first settlers of the Missouri River Valley. In the same way, the first people who settled along the river shaped the cultural and historic landscape.

Long before the Europeans came to the area, Mandan and Hidatsa cultures flourished along the river in North Dakota. These early people thrived for centuries in heavily populated agricultural communities along the fertile floodplains. They also depended on the abundance of fish, game, and other wildlife throughout the prairies. They were later followed by pioneers and homesteaders—generations of farmers and ranchers who continue to cultivate the land and reap the harvest provided by the abundance of the Northern Plains environment.

The villages of these early settlers served as a central hub in a trade network that spanned the continent. The Heart River segment of the Missouri River was the center of the universe for the first people, the Mandans, who constructed their permanent earthlodge villages along the Missouri River and its tributaries. The Lewis and Clark Expedition even benefited from the hospitality and friendship of the Mandan and Hidatsa when they spent the winter along the Garrison Reach near present-day Washburn.

Today, the Mandan language is in danger of extinction with only two conversational speakers able to participate in a preservation project. Therefore, as part of their preservation initiatives within the Northern Plains area, the Northern Plains Heritage Foundation's language initiative is focusing on preserving and archiving language vocabularies, beginning with the recording of Mandan language materials. It also is supporting the development of instructional materials for Mandan, Hidatsa, Arikara, Lakota, French and German language teachers. Language has always been a key element that characterizes and underpins the cultural integrity and unique identity of a people or an ethnic group.

The Department believes that a feasibility study would further examine and define the unique geographical, cultural, and historical resources of the Northern Plains area, ensure widespread public involvement, determine local interest and commitment, and provide other valuable information as to whether the area qualifies for designation as a National Heritage Area.

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

ON S. CON. RES. 60

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. Con. Res. 60, designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum. Since the concurrent resolution involves a statement expressing the sentiment of both the Senate and the House and would not become law, our comments are limited to providing background information for the consideration of the committee.

African-Americans began to play baseball in the late 1800s on military teams, college teams, and company teams. They eventually found their way to professional

teams with white players. Because of racism and segregation, laws forced them from these teams by 1900. These black players then formed their own units, “barnstorming” around the country to play anyone who would challenge them.

In 1920, an organized league structure was formed under the guidance of Andrew “Rube” Foster—a former player, manager, and owner for the Chicago American Giants. In a meeting held at the Paso YMCA, the center for black culture and life in Kansas City, Missouri, he and a few other Midwestern team owners joined to form the Negro National League. The Kansas City Monarchs were charter members of that league. Rival leagues were soon formed in eastern and southern states, bringing the thrills and innovative play of black baseball to major urban centers and rural countryside in the United States, Canada, and Latin America.

The leagues maintained a high level of professional skill and became centerpieces for economic development in many black communities. The Kansas City Monarchs introduced night baseball five years before the major leagues did and won their first Negro Leagues World Series title in 1924. In 1947, Major League Baseball’s Brooklyn Dodgers recruited Jackie Robinson from the Kansas City Monarchs. When he left the Monarchs to move to New York, Robinson became the first African-American in the modern era to play on a Major League roster. While this historic event was a key moment in baseball and civil rights history, it prompted the decline of the Negro Leagues. The best black players were now recruited for the Major Leagues, and black fans followed. The last Negro Leagues folded in the early 1960s, but their legacy lives on through the surviving players and the Negro Leagues Baseball Museum (NLBM).

Through the inspiration of Horace M. Peterson III (1945-1992), founder of the Black Archives of Mid-America, a group of local historians, business leaders, and former baseball players came together to create the Negro Leagues Baseball Museum in the early 1990s. It functioned out of a small, one-room office in the Lincoln Building, located in the Historic 18th & Vine Jazz District of Kansas City. The museum opened in 1991 as a tribute to some of baseball’s best unknown players. In 1994, it expanded to a 2,000 square-foot space in the Lincoln Building.

During the late 1990s, plans were underway by city officials to create a new home to showcase Kansas City’s jazz heritage and to revitalize the Historic District. A new facility was built to host the new American Jazz Museum and a new, permanent, expanded home for the Negro Leagues Baseball Museum. This new 50,000 square-foot building opened in September 1997 and the Baseball Museum opened in November. It has welcomed several thousand visitors, including school groups and dignitaries. The NLBM also has developed a traveling exhibit to help bring the history of black baseball to people outside Kansas City.

The NLBM was created to remember the often-forgotten stories of legendary athletes who built a baseball league in the midst of segregation and helped make baseball one of America’s national pastimes. It was conceived as a museum to preserve and interpret the legacy of Negro Leagues Baseball, telling the complete story of the average players to the superstars. It tells the story of a vibrant and compelling center of American history that has not been told before. The National Baseball Hall of Fame, in Cooperstown, New York, recognizes baseball’s greatest players. However, the NLBM provides special recognition to those Negro Leaguers who have been honored in Cooperstown.

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

ON H.R. 2107

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 H.R. 2107, a bill to amend Public Law 104-329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund. The Department supports enactment of this legislation.

H.R. 2107 would amend Section 201 of Public Law 104-329, dated October 20, 1996. It would authorize the Secretary of the Interior to enter into a cooperative agreement with the Law Enforcement Officers Memorial Fund, Inc., a nonprofit corporation, to maintain and repair the National Law Enforcement Officers Memorial in Washington, D.C., to periodically add names of officers who have died in the line of duty to the memorial, to provide security for the memorial site, and to disseminate information regarding the memorial to the general public. It also would transfer all amounts in the National Law Enforcement Officers Memorial Maintenance Fund (Maintenance Fund) to the corporation.

Public Law 98-534 authorized the National Law Enforcement Officers Memorial Fund, Inc. to establish the National Law Enforcement Officers Memorial. The me-

memorial recognizes the sacrifice of law enforcement officers and their families in preserving public safety and was dedicated on October 15, 2001. Section 201 of the Commemorative Coin Act of 1996 (Act) established the Maintenance Fund, a revolving fund to be administered by the Secretary of the Interior, to deposit the surcharges from the sale of 500,000 commemorative silver dollars. Approximately \$1.428 million was raised from the sale of these coins. These funds were to be used for adding names to the memorial wall, educating the public via the dissemination of information about the memorial and law enforcement, maintaining and repairing the memorial, and other memorial programs developed by the National Law Enforcement Officers Memorial Fund, Inc.

The administration of the Maintenance Fund and other provisions of the Act were appropriate for the management of the memorial at the time the Maintenance Fund was established. However, with the completion of the memorial and the delineation of responsibilities for memorial programs that have occurred between the National Law Enforcement Officers Memorial Fund, Inc. and the National Park Service over the years, it is appropriate to transfer the authority from the Secretary of the Interior to the National Law Enforcement Officers Memorial Fund, Inc. to manage the Maintenance Fund. This organization is one of the most valued partners the National Park Service works with today.

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

Senator AKAKA. Thank you very much, Mr. Murphy. I do have some questions for you and I will limit the questions to S. 1288.

Mr. MURPHY. Sure.

Senator AKAKA. I appreciate your testimony in support of S. 1288. The bill authorizes the appropriation of such sums as may be necessary to carry out the activities authorized. In terms of providing funding for this new authority, do you envision the need for funds appropriated specifically for this authority each year or could you use park operational funds or fee revenues?

Mr. MURPHY. Yes, I think we certainly could use fee revenues and park operation funds if so authorized. There would not necessarily have to be an authorization or an appropriation every year for this bill, for the provisions of this bill to be carried out. In fact, if the provisions were now in place the National Park Service of course would be using funds that it has currently to work inside and outside the park to manage its natural resources.

Senator AKAKA. In your testimony you state that there is a broad need for this authority and your informal survey has already identified over 60 parks with projects that could benefit. Clearly, the need will likely exceed the amount of available funds. How will you prioritize these projects? Will individual park superintendents have authority to spend operational funds or will the decisions be made on a regional or national level?

Mr. MURPHY. Well, some decisions are certainly made on a regional or national level, but each park does have its own budget and sets particular priorities, particularly for management of its natural and its cultural resources, and will be able to make decisions about whether or not funds should be expended inside or outside the park as well.

We also have the natural resources challenge. We have our vital signs program, which will help us set priorities for the entire system. So our goal is, even though we are not there yet, our goal is to identify those areas that are in most need of management of their natural resources inside and outside the park and hopefully set some system-wide goals and priorities as well. But we always want to give our managers on the ground the flexibility to make

those decisions as well because they are as close to the ground as you can possibly get and know how to make those decisions.

Senator AKAKA. Well, I thank you for your responses. I do have some written questions here from Chairman Thomas, but I will submit them for the record for your response to him.

Mr. MURPHY. Thank you, Mr. Chairman.

Senator AKAKA. Otherwise I have no further questions. Mr. Murphy, I want to thank you for the support and for your responses and look forward to moving this bill as quickly as we can.

Mr. MURPHY. Thank you, Mr. Chairman.

Senator AKAKA. I also have a statement here by Senator Wyden that I would like to insert in the record.

[The prepared statement of Senator Wyden follows:]

PREPARED STATEMENT OF HON. RON WYDEN, U.S. SENATOR FROM OREGON

S. 1288 is based on the already very successful projects done by the Forest Service and Bureau of Land Management under the cooperative watershed restoration authority folks commonly refer to as "the Wyden Amendment." This authority allows the agencies to enter into cooperative land restoration agreements with their neighbors that benefit the federal lands.

The National Parks Service tells me that if they have to wait until the weeds hit the Parks before treatment begins then the costs for treatment rise exponentially and the probability of beating the weeds back drop exponentially. This bill will leverage time and dollars—three for every federal dollar spent—to benefit our National Parks.

I look forward to the Administration's testimony and to swift passage of this legislation.

Senator AKAKA. May I call to the desk panel two: The Honorable Robert Letourneau, New Hampshire State Senator from Concord, New Hampshire; also Mr. John Jordan "Buck" O'Neil, chairman, Negro Leagues Baseball Museum, Kansas City, Missouri; and Emily Wadhams, vice president for public policy, National Trust for Historic Preservation.

I just want you to know you are welcome, it is a great pleasure to have all of you here, and that we will place all of your full statements in the record and you may summarize your statements at this time.

May I call on Senator Letourneau.

**STATEMENT OF BOB LETOURNEAU, NEW HAMPSHIRE STATE
SENATOR, CONCORD, NH**

Mr. LETOURNEAU. Thank you, Mr. Chairman. I appreciate the opportunity to speak here today. My name is Senator Bob Letourneau. I represent District 19, State of New Hampshire. Today I am testifying before your committee as the chairman of the New Hampshire Civil War Memorial Commission. I would like to commend Senator Gregg, Senator Sununu, Representative Bradley, and Representative Bass for bringing this legislation forward.

The Civil War Memorial Commission's mission is threefold: first, to establish a monument in honor of the sons and daughters of New Hampshire who served at the Battle of Antietam on September 17, 1862; second, to establish a fund for the perpetual care of the New Hampshire Civil War monuments at Gettysburg, Antietam, and other Civil War sites as the commission deems necessary; third is to develop Civil War education programs, resources, and

related educational opportunities for the benefit of New Hampshire school children.

After establishing the commission in 2000 following a year of study on this issue, and with the understanding it would take a significant amount of time to develop and build a monument, we spent the following year establishing subcommittees to develop plans concerning the three areas to be addressed by the commission. The next 2 years were spent on the development of criteria for the monument, fundraising ideas, educational programs.

It was during this period of time that the commission communicated with the park superintendent with regards to what would be an acceptable monument and an acceptable design and the location a proposed monument could occupy. There were several visits made to the park to verify location, design, and support and to keep the superintendent up to date on the commission's progress.

When we learned that Federal authorization in the form of legislation was necessary to complete our project, we contacted our congressional delegation and bills were filed during the 108th Congress, but because of the heavy workload these bills did not receive a hearing, and this is what brings us here today.

On the dawn of September 17, 1862, arrived the mighty armies of Lee and MacLellan who were about the clash outside a small town of Sharpsburg, Maryland, in what has become known as the Battle of Antietam. New Hampshire men fought courageously as members of the Fifth, Sixth, Ninth Volunteer Regiments. The members of the Sixth and Ninth were particularly heroic when they attempted to cross what is known as Burnside's Bridge. The Fifth, which had the greatest losses in the Civil War, were led by Colonel Cross of Lancaster, New Hampshire, in an area known as the Sunken Road.

Unfortunately, these brave men who fought and died in the Battle of Antietam do not have a State marker on the field to signify their sacrifices. As the 150th anniversary of the Civil War is approaching, I ask that this committee correct an unfortunate oversight and allow us to bring deserved recognition to these soldiers and the State of New Hampshire by deciding favorably on S. 748 and H.R. 1084. I ask that my full written testimony be submitted into the record.

Thank you so much.

[The prepared statement of Mr. Letourneau follows:]

PREPARED STATEMENT OF BOB LETOURNEAU, NEW HAMPSHIRE STATE SENATOR,
CONCORD, NH, ON S. 748 AND H.R. 1084

Chairman Thomas and Members of the Committee, my name is Bob Letourneau; I am a State Senator and represent New Hampshire's 19th District.

I testify before you today as the Chairman of the New Hampshire Civil War Memorials Commission. The Commission's membership consists of Members of the New Hampshire Legislature, the Civil War Round Table, the Sons of the Union Veterans, the New Hampshire Veterans Association, our state curator and two members of the general public. Our mission is three fold,

First, to establish a monument at Antietam in honor of our sons and daughters who served there at the battle of Antietam on September 17, 1862. Second is to establish a fund for the perpetual care of NH Civil War monuments at Gettysburg, Antietam and other Civil War sites as the Commission deems necessary. Our third goal is to develop Civil War educational programs, resources and related educational opportunities for the benefit of New Hampshire school children.

After establishing the Commission in 2000, following a year of study concerning the issue, and with the understanding that it would take a significant amount of time to develop and build the monument, we spent the following year establishing several subcommittees to develop the plan to address the various issues with this legislation. The next two years were spent on the development of an RFP for artists to submit their proposals to the Commission for the monument. It was during this period of time that the Commission maintained communication with the Park Superintendent with regards to what would be acceptable and what location the proposed monument would occupy. There were several visits made to the Park by members of the Commission to verify location and support.

It was at this time that we learned that federal authorization in the form of legislation was necessary for a monument to be placed in Antietam National Battlefield Park and to complete the project. Our Congressional Delegation filed bills during the 108th Congress, but because of the heavy workload these bills did not receive a hearing.

This is why I am here today. I would like to commend Senators Gregg and Sununu, and Representatives Bradley and Bass for bringing forward this very important legislation.

As the dawn of September 17, 1862, arrived the mighty armies of Lee and McClellan were about to clash just outside the small town of Sharpsburg, Maryland in what has become known as the battle of Antietam. This battle, greatly underestimated by the generals in charge, became the bloodiest day in American military history. 120,000 Americans fought this one-day encounter with a loss of over 23,000 dead, wounded or missing. One out of every four men in action was a casualty. During the height of this battle one American died every second the clocked ticked. The battle raged for 12 to 14 hours, only darkness ending the struggle.

New Hampshire's men fought courageously as members of the 5th, 6th, and the 9th volunteer regiments. The members of the 6th and 9th were particularly heroic when they attempted to cross what is known as Burnside's Bridge. The Fifth which had the greatest losses were led by Colonel Cross of Lancaster in the area known as the Sunken Road. Unfortunately, these brave men who fought and died in the Battle of Antietam do not have a marker on the field to signify their sacrifice.

S. 748 and H.R. 1084 would authorize the establishment of a Memorial at Antietam National Battlefield for the New Hampshire soldiers who fought in this historic battle. Importantly, this bill does not require any federal, state or local municipality to finance the cost of construction or maintenance of the monument. Any monument built and maintained at the Antietam National Battlefield Park would be entirely paid for by private sources.

In closing, I would like to say that all soldiers who fought in the Battle of Antietam deserve recognition of their sacrifice and the volunteer soldiers of New Hampshire have gone too long without a lasting monument. These men exemplified the steadfast bravery that is the hallmark of American soldiers across generations. On behalf of the citizens of New Hampshire I ask you to allow New Hampshire to furnish a proper monument to these commendable Americans.

As the 150th anniversary of the Civil War is approaching, I ask that this Committee correct an unfortunate oversight and pass S. 748 and H.R. 1084.

I ask that my full written testimony be submitted for the record.

Thank you.

Senator AKAKA. Thank you very much, Senator.

May I now call on Ms. Wadhams, please.

STATEMENT OF EMILY WADHAMS, VICE PRESIDENT FOR PUBLIC POLICY, THE NATIONAL TRUST FOR HISTORIC PRESERVATION

Ms. WADHAMS. Thank you, Senator, for the opportunity to bring to this subcommittee the views of the National Trust for Historic Preservation in support of S. 431, the Presidential Sites Improvement Act. Let me begin by acknowledging Chairman Thomas's record of support for historic preservation. His commitment to the important issues facing our heritage is evidenced by raising the Presidential sites bill to the subcommittee's agenda today.

The stewardship of the country's major historic places such as these goes to the very heart of the National Trust's 1949 Congress-

sional charter as a private nonprofit membership organization dedicated to protecting the irreplaceable. This mission includes Presidential sites across the country, three of which we operate as part of our inventory of the National Trust Historic Sites. They include Virginia's Montpelier, the home of James Madison, the Woodrow Wilson House, and President Lincoln's summer cottage at the Soldier's Home here in Washington.

All too often, chronic underfunding of historic sites leads to deferred maintenance and results in depriving the Nation of its most basic patrimony, our heritage. Arguably, nowhere is this more important than caring for America's Presidential legacy, from the iconic homes of our greatest leaders to some of the humble places where they were born.

Senator DeWine, along with Senators Durbin, Alexander, Bunning, and Smith understand the importance of this responsibility and their bill would target these sites in particular with matching grants to address urgent maintenance needs, modernization and accessibility requirements, interpretive improvements for greater public appreciation.

This bill would direct a relatively modest amount of funding to the places that need it most and through the matching requirement help invigorate efforts to raise the private dollars that are essential to operating these sites. Awards made available under S. 431 would not be for federally owned Presidential sites or for operating costs. These project-based funds would only be available to locations where the need is greatest, those run by often financially struggling State and local governments, private groups, schools, and foundations.

The American Association for State and Local History documents 133 Presidential historic sites, only 45 run by the Federal Government. So about two-thirds of the inventory falls into the categories covered by this bill, including 23 Presidential sites that are State-run. Most of this inventory is pretty modest and just staying open is often a major achievement.

Senator DeWine's bill is important now more than ever as two significant national trends converge. First, funding for historic preservation, especially at the State and local level, has been cut to its bare bones. This coincides with an equally tough climate for foundation giving and Federal dollars. It is important to note that most of the Presidential sites meet their annual operation budgets through admission fees, typically ranging from between \$5 to \$7 donations, memberships, and fundraisers.

Second, more and more Americans are choosing domestic travel designations with historic and cultural themes. The proliferation of national heritage area designations and requests under the purview of this committee is evidence of this trend. If a Presidential site is unable to provide the public with compelling exhibits, proper access, safety and comfort, and an intact adequately maintained historic fabric, then it risks being bypassed by this national trend.

Let me provide you with a few examples that reflect the conditions affecting our many Presidential historic sites. The National Trust survey in 2001 to 2003 of State preservation funding showed that Ohio Historical Society's budget was cut by \$2.4 million or 17 percent in that 12-month period alone. During the same period, an-

nual appropriations for the Ohio Historic Preservation Office were reduced by nearly \$86,000 or 20 percent. There are three State-run Presidential sites in Ohio affected by these cuts: Ulysses Grant's birthplace and boyhood homes and the Warren Harding home.

In Vermont where I was State historic preservation officer and responsible for the management of the State-owned sites, already inadequate budgeting for these sites was cut last year by 2 percent. Visitation was also down due to poor weather conditions, resulting in an \$80,000 shortfall. Budget cuts are in the works again, reflecting a steady decline in State funding.

Its two Presidential sites honoring Chester Arthur and Calvin Coolidge have felt the effects. The Coolidge site is a national historic landmark. It is where he was born, where he was raised, where he was sworn in in the middle of the night upon hearing of the death of President Harding, and it is also where he is buried. There is no Federal site honoring Calvin Coolidge and critical maintenance and fire safety needs are being neglected.

Juxtapose the declining resources at every level with the increasing and very specialized needs of these sites. Documents, furniture, artifacts require special care. They must be done accurately. Some exhibits, for instance at the home of Rutherford B. Hayes, which opened to the public in 1916, have not been updated for 35 years. The private foundation that runs this needs \$300,000 to \$400,000 to get this exhibit open. The former mansion of James Garfield used to be open to the public every weekday. Now it is open only on weekends and by appointment.

So in conclusion, even though the \$5 million authorized by the bill will not solve the problem of caring for these national treasures, it is the beginning of a solution. We believe that preserving the legacy of America's chief executives, especially through these smaller, lesser known places that are not federally owned, is a top priority. Given the examples I have included here and the countless others around the country, there is clearly an unmet need.

So with S. 431 we can begin to address this problem and plan for passing on our Presidential heritage, every part of it, to future generations. Thank you very much.

[The prepared statement of Ms. Wadhams follows:]

PREPARED STATEMENT OF EMILY WADHAMS, VICE PRESIDENT FOR PUBLIC POLICY,
THE NATIONAL TRUST FOR HISTORIC PRESERVATION, ON S. 431

Thank you, Chairman Thomas, and members of the Subcommittee for the opportunity to bring you today the views of the National Trust for Historic Preservation in support of S. 431, the Presidential Sites Improvement Act." Let me begin by acknowledging the Chairman's long record of support for historic preservation. I look forward to continuing our close working relationship on issues of mutual concern. Your commitment to the important issues facing our heritage is evinced by raising the Presidential Sites Bill to the Subcommittee's agenda. The stewardship of the country's major historic places such as these goes to the very heart of the National Trust's 1949 Congressional charter.

The National Trust is a private, nonprofit membership organization dedicated to protecting the irreplaceable. This mission includes Presidential sites across the country, three of which we operate as part of our inventory of the "National Trust Historic Sites." Those include Virginia's Montpelier, the home of James Madison that is currently undergoing a massive restoration; the Woodrow Wilson House in Washington, DC; and President Lincoln's summer cottage at the "Soldiers' Home" also in this city. As recipient of the Humanities Medal, the Trust provides leadership, education, and advocacy to save America's diverse historic places and revitalize communities. Its staff headquartered in this city, six regional offices, and 26

Historic Sites work with the Trust's 200,000 members and thousands of local community groups in all 50 states.

All too often in our efforts to protect the irreplaceable, the chronic under-funding that leads to deferred maintenance deprives the nation of its most basic patrimony—our heritage. Whether postponed maintenance results in the loss of historic fabric or prevents important artifacts and exhibits from reaching the public, good preservation and proper interpretation are integral to our responsibility for the stewardship of cultural resources. Arguably, nowhere is this more important than caring for America's Presidential legacy from the iconic homes of our greatest leaders to some of the humble places in which they were born. Senator DeWine along with Senators Durbin, Alexander, Bunning, and Smith understand this responsibility, and through S. 431, would target these sites in particular with matching grants to address urgent maintenance needs, modernization and accessibility requirements, and interpretive improvements for greater public appreciation of each location.

More importantly, the bill would direct a relatively modest amount of funding to the places that need it most and—through a matching requirement—help invigorate efforts to raise the private dollars that are essential to meeting the needs of most historic sites. Awards made available under S. 431 would not go to federally owned Presidential sites nor would they be used for operating costs. Project-based funds would only be available to locations where the need is often greatest—those that are run by often financially struggling state and local governments, private groups, local historic preservation organizations, schools, and foundations. The American Association for State and Local History documents 133 Presidential historic sites nationwide with only 45 run by the Federal government. So, about two-thirds of the inventory falls into the categories covered by the bill including 23 Presidential sites that are state-run. Most of this inventory is pretty modest and just staying open is often a major achievement for many sites.

Moreover, the bill would place added emphasis on the smaller, lesser-known, Presidential site by reserving 65 percent of available funds for locations that have a three-year annual operating budget averaging under \$700,000. It is easy to assume—simply by virtue of being part of our Presidential heritage—that a related site is well-funded and adequately endowed. This is not necessarily the case, particularly among the places that this bill would emphasize—those that are immensely important to telling the complete story of a chief executive's historical role, but not traditionally associated with the prominence of Mount Vernon or Monticello. These include law offices, retreats, birthplaces, burial sites, memorials, and tombs.

Senator DeWine's bill is important now more than ever as two significant national trends converge. First, funding for historic preservation, especially at the state and local level, has been cut to its bare-bones. This coincides with an equally tough climate for foundation giving and federal dollars that would augment the cost of maintaining and operating an historic site. It is important to note that most of the Presidential sites covered by S. 431 meet their annual operating budgets through admission fees typically ranging between \$5 to \$7, donations, memberships, and fundraisers.

Second, more and more Americans are choosing domestic travel destinations oriented toward historic and cultural themes. The proliferation of National Heritage Area designations and requests under your purview is evidence of this trend. If a Presidential site—especially the smaller, lesser-known location that this bill would recognize—is unable to provide the public with compelling exhibits; proper access, safety, and comfort; and intact, adequately maintained historic fabric, then it risks being bypassed by this trend and further compromised.

Let me provide you with a few examples that reflect the conditions affecting many historic sites, especially those 23 Presidential sites that are state-owned. The National Trust's survey of state historic preservation funding shows that from FY'01 to FY'02 the Ohio Historical Society's budget has been cut by \$2.4 million (17 percent). During the same period, annual appropriations for the Ohio Historic Preservation Office were reduced by nearly \$86,000 (20 percent). There are three state-run Presidential sites in Ohio, Ulysses Grant's birthplace and boyhood homes, and the Warren Harding home.

In Vermont, where I was the State Historic Preservation Officer, the already inadequate budget for state sites was cut by 2 percent last year while visitation was also down, resulting in a \$80,000 shortfall. Budget cuts are in the works again, reflecting a steady decline in funding. Its two state-run Presidential sites honoring Chester Arthur and Calvin Coolidge have felt the effects. The Coolidge site is a National Historic Landmark. Is an extraordinary early 20th Century Hill town—Plymouth Notch—where Coolidge was born, raised, dramatically sworn in by his father in the middle of the night after hearing of the sudden death of President Harding, and

where he was buried. There is no federal site honoring Calvin Coolidge. Critical maintenance and fire safety needs are not being addressed. In Virginia, home to Washington Mill State Park where the first President operated Mount Vernon's milling operations, state funding for the Department of Historic Resources was reduced by about 24 percent over the past three years. As a result agency staffing has been pared down and funding for state historic preservation grants was eliminated for FY'04. And in North Carolina, where the state maintains the Polk Memorial in Pineville, the North Carolina State Historic Preservation Office has suffered a loss of \$252,000 federal dollars and \$118,000 in state funds totaling \$370,000.

Juxtapose the declining resources at every level with the increasing and very specialized needs of many Presidential sites. Books, documents, furniture, and artifacts all require special care because of their age and significance, and all work must be done with a detailed eye to historical accuracy. This is often costly. Some exhibits at the home of Rutherford B. Hayes, which opened to the public in 1916, have not been updated in 35 years. The private foundation that runs the site has a noteworthy collection of Presidential memorabilia that should be displayed, but it lacks the \$300,000 to \$400,000 needed to construct a new exhibit. The former mansion of James A. Garfield used to be open to the public every weekday all year long. Now, it is accessible only on weekends or by appointment.

The Benjamin Harrison house in Indianapolis has more urgent requirements. Its sole bathroom and outdated plumbing cannot accommodate the hundreds of schoolchildren that its director desperately wants to come see the home. It lacks the \$150,000 for making these renovations and the added money required for rehiring its librarian and displaying Harrison's books that are currently in storage. In addition, the ongoing need to conserve items can hit budgets hard. The James K. Polk ancestral home in Tennessee recently had to spend nearly \$8,000 to preserve garments worn by his First Lady. Lastly, many Presidential sites are not handicapped accessible. The Warren G. Harding home has had to defer plans for an educational facility and staff office space until it is ADA compliant. Such situations are common across the county.

Even though the \$5 million authorized by the bill will not solve the problem of caring for these national treasures, it is the beginning of a solution—with historic sites a little goes a long way. The National Trust believes that preserving the legacy of America's chief executives—especially through the smaller, lesser known places that are not federally owned—is a top priority. Given the examples I have included in my statement and the countless others around the country, there is clearly an unmet need that must be addressed. There are significant costs associated with operating and maintaining Presidential sites and opening them up to the public often leaves little else for repair and renovation. The result can lead to deferred maintenance, loss of essential historic elements, and stagnant exhibits that compromise the vitality essential to a well-run historic place and also compromise visitorship and opportunities for heritage tourism. With S. 431, we can begin to address this problem and plan for passing on our Presidential heritage—every part of it—to future generations.

Senator AKAKA. Thank you for your statement, Ms. Wadhams.

I would like to pass it over to Chairman Talent to introduce his constituent.

**STATEMENT OF HON. JAMES M. TALENT, U.S. SENATOR
FROM MISSOURI**

Senator TALENT [presiding]. I thank you for that, Senator, and thank you for chairing the committee. I have been pressed into service here in Mr. Thomas's absence and glad to do it.

I just want to take a minute before introducing Mr. O'Neil to just put a little bit in the record about S. Con. Res. 60, which is the resolution to designate the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum.

We are going to hear from Mr. O'Neil in a minute. He said something about the Negro Leagues I think is very profound. He said: "The story of the Negro Leagues is one of sheer determination and devotion." There is a long history of the Negro baseball leagues in

Kansas City. On February 13, 1920, at the Paseo YMCA in Kansas City, Andrew "Rube" Foster successfully organized the first Negro baseball league, which was called the Negro National League. Three years later the Eastern Colored League was formed and the first Negro World Series was played.

For more than 40 years, Negro Leagues teams played the highest level of baseball in front of large crowds throughout rural and urban America, often in front of bigger crowds than the local major league team was playing in front of. Many of baseball's most noted stars of the past 60 years got their beginnings in the Negro Leagues. Such greats as Hank Aaron, Ernie Banks, Roy Campanella, Larry Doby, Willie Mays, Satchel Paige, and of course Jackie Robinson brought the fast-paced and highly competitive brand of Negro Leagues baseball to the major leagues.

In 1990 the Negro Leagues Baseball Museum was founded in Kansas City, Missouri, to honor those individuals who played in the Negro baseball leagues because of segregation in America. The museum in Kansas City is the only public museum in the Nation that exists for the exclusive purpose of interpreting the experiences of the players in the Negro Leagues from 1920 through 1970.

Today the museum seeks to educate a diverse audience through its comprehensive collection of historical materials, important artifacts, and oral histories of the participants in the Negro Leagues and the impact that segregation played in the lives of these individuals and their fans. A great opportunity exists to use these invaluable resources to teach the Nation through onsite visits, traveling exhibits, classroom curriculum, distance learning, and other educational initiatives, so that people can learn about the honor and the courage and the sacrifice and the triumph in the face of segregation that those African Americans who played in the Negro Leagues displayed.

So the resolution would authorize the designation of the Negro Leagues Baseball Museum in Kansas City as America's National Negro Leagues Baseball Museum and would support them in their efforts to recognize and preserve the history of the Negro Leagues.

I think the full story of the Negro Leagues should be preserved for generations to come and this is a way that we in the Federal Government can help do it. It is an honor for me, I will say to Senator Akaka, and I think it is going to be a great pleasure for the committee, to hear John Jordan "Buck" O'Neil, who is a true American treasure.

Now, Buck, let me just say a few words about you before you give us your statement. His illustrious baseball career spans 7 decades. It is still running. It has helped make him one of the game's foremost authorities and one of its greatest Ambassadors. As a first baseman and manager, Buck was active in the Negro Leagues from 1937 to 1955, his career only interrupted by a 3-year stint in the Navy from 1943 to 1945.

Buck's achievements as a player include leading his team, the Kansas City Monarchs, to a Negro American League title and a date with the Homestead Grays in the 1942 Negro World Series. In the series Buck hit .353, he led the Monarchs to a four-game sweep of the Grays. Buck has a career batting average of .288, including four .300-plus seasons. He won a batting title in 1946, hit-

ting .353. He was selected to participate in the East-West All-Star Classic five times, barnstormed with the Satchel Paige All-Stars in 1946—Buck, I almost wish you would just not comment on the resolution and tell us about barnstorming with Satchel Paige, because I am sure that would be—and he played exhibition games against the likes of the Bob Feller All-Stars.

In 1948 Buck succeeded Frank Duncan as manager of the Monarchs and he continued to manage them until 1955. He led the team to numerous league titles, sent more Negro League veterans to the major leagues than any other manager in baseball history. Those players include Ernie Banks, Elston Howard, Connie Johnson, Sweet Lou Johnson, and Satchel Paige.

Buck was hired as a scout by the Chicago Cubs in 1956. He became the first African American coach in the major leagues in 1962 when he was still with the Cubs. As a scout, he discovered such superstars as Ernie Banks, Lou Brock—being a St. Louis baseball fan, I am especially pleased that you discovered Lou Brock—and Joe Carter.

In 1988, after more than 30 years with the Cubs, Buck returned home to Kansas City to scout for the Kansas City Royals. Today he serves as chairman of the Negro Leagues Baseball Museum Board of Directors. He served as a member of the Baseball Hall of Fame Veterans Committee. He continues to lead the charge to induct deserving Negro Leaguers into the Hall of Fame.

The work of Buck and others has led the Baseball Hall of Fame to announce that it will hold a special election of Negro Leaguers and pre-Negro League candidates to the Hall of Fame in 2006, and there is little doubt that one of the individuals who will be honored in July 2006 in Cooperstown is none other than the face of the Negro Leagues and one of baseball's greatest Ambassadors, Mr. Buck O'Neil.

Buck, thanks for being with us. Please.

**STATEMENT OF JOHN JORDAN "BUCK" O'NEIL, CHAIRMAN,
THE NEGRO LEAGUES BASEBALL MUSEUM, KANSAS CITY, MO**

Mr. O'NEIL. Thank you, Mr. Chairman. I ask you to accept my oral testimony as part of the record.

Senator TALENT. Nobody would dare object, Buck. Go ahead.

Mr. O'NEIL. I have been to a lot of places and I have done a lot of things that I really like doing. Mr. Chairman, I hit the home run, I hit the grand slam home run, I hit for the cycle. I have had a hole in one in golf. I have done a lot of things I like doing. I shook hands with President Truman, shook hands with President Clinton, and I hugged Hillary.

So I have done a lot of things I like doing, but I tell you what, I would rather be right here right now talking about the Negro Leagues than any place I have ever been in my life, because Horace Peterson asked me: Buck, come down to my office; I want to talk to you. I said: Yes, sir.

I got to his office, he said: Buck, let us start a Negro League Hall of Fame. I said: No, Horace; I think the fellows that should be in the Hall of Fame should be in the Hall of Fame at Cooperstown. We do not own a Negro League Hall of Fame.

He said: What would you suggest? I said: Negro League Museum. Actually, we got the museum. We had a room about this big, and I paid the rent 1 month and Mr. Motley here, he paid it 1 month. His brother, who was an umpire, paid it a month. Connie Johnson, baseball player, paid it a month. Some of the Monarchs who are still living, we paid the rent.

He was a councilman at the time, Reverend Cleaver, Kansas City. They allocated some money for the 18th and Vine Street area and that is where we put this wonderful building that we have got now. You have got to come see it, Mr. Senator. You have got to come see the Negro Leagues Baseball Museum, because it is outstanding.

We appreciate everything that you are going to do for the Negro Leagues Baseball Museum. We need your help. We need it and I am sure you are going to do this thing, because the Negro League, this is a history that should be told, and we are trying to tell it.

See, Mr. Senator, I am going all over the country trying to raise money for the Negro Leagues Baseball Museum. But see, I am just 94 years old. Good black don't crack, does it? I am just 94 and I am not going to live over 25 more years, so I will not be able to run around raising this money. But when you do this for us, what it is going to do, now I can get an endowment and do something like that to keep this museum going for the rest of time.

I thank you very much for letting us come here and be in this room. This room is as big as my little home town, but I love being here and I thank you very much.

[The prepared statement of Mr. O'Neil follows:]

PREPARED STATEMENT OF JOHN JORDAN "BUCK" O'NEIL, CHAIRMAN, THE NEGRO LEAGUES BASEBALL MUSEUM, ON S. CON. RES. 60

Mr. Chairman, Senator Akaka, and other members of the Subcommittee on National Parks, thank you for the opportunity to testify this morning on behalf of more than 2600 baseball players who played in the Negro Leagues. We support a very important Resolution sponsored by Senator Talent, S. Con. Res. 60, which would designate the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum.

I am John Jordan O'Neil. Most people call me "Buck". I am the grandson of a slave who was owned by the O'Neil family in Florida. Because of baseball, I was afforded the opportunity to travel the world and see the many faces of racism, some disguised and some not. During my 94 years I have learned a lot, but most importantly I have learned that love and education can heal all wounds.

As Chairman of the Negro Leagues Baseball Museum, I have made every effort to share with the world the contributions that Negro Leagues players made to our National Pastime and more importantly to society.

Because we were black and because it was the early 1900's, we were not allowed to play organized baseball with the white players. Newspaper accounts across the land verify that we played good ball, entertained crowds, fed our families and proudly lived our separate lives.

In early 1920, Andrew "Rube" Foster led a campaign for a Negro baseball league. At an historic two-day meeting at the Paseo YMCA in Kansas City, Missouri, Negro team owners formed the first Negro League, the Negro National League, which included 8 teams.

African-American players from all parts of the country were signed to contracts, paid salaries, and played a full season's schedule, which culminated with playoffs and ultimately a champion. Success of this first league spurred the establishment of others including the Eastern Colored League in 1923, which provided the opportunity for the first Negro Leagues World Series in 1924 and later launched the famed East-West All-Star match that drew some 50,000 fans annually.

In the Negro Leagues we were known for playing an aggressive style of baseball that relied on the hit-and-run, squeeze plays, steals, double steals, taking the extra

base and even hidden-ball tricks. The athletes (40% of whom were college educated), managers, and the businessmen behind the Leagues were all entrepreneurs who hustled, entertained and played for the love of the game. Negro Leaguers played the first night games under lights 5 years before the Major Leagues. They dressed and drove in style and were admired for rising above the challenges of the day and their impoverished start.

In 1896, the United States Supreme Court in *Plessy vs. Ferguson*, found that a Louisiana law mandating separate but equal accommodations for blacks and whites on intrastate railroads was constitutional. The era of "Jim Crow" laws had begun. As a result of this decision, blacks were systematically denied access to lodging, restaurants, schools, and even drinking fountains. As traveling ballplayers, the Negro Leaguers were often denied food and accommodations after we had entertained thousands of fans, both black and white, with our extraordinary skills and showmanship on the field.

One of the most powerful symbols of racism during this time of segregation was chicken wire. Simple chicken wire was stretched across the stands to separate the black fans from the whites at Major League games. Yet, during Negro League games blacks and whites sat side-by-side.

This is a history that has never been taught in our schools. The details of segregation have been neglected and even today some are difficult to believe. The pain was great and overcome with sheer determination on the part of African-Americans. The curriculum we teach at the Museum addresses these transgressions with a gentle explanation of a harsh time in our nation's history.

As proud as we were when Jackie Robinson broke the color-barrier in 1942, we knew it was the beginning of the end for the Negro Leagues. As the best Negro Leaguers were recruited to the Major Leagues, attendance dropped in black ballparks as fans flocked to see Jackie, Willie Mays, Satchel Paige and other former Negro Leaguers play for their new integrated Major League teams. Success for these few players accomplished our goal of integrating baseball and paved the way for future generations of minority players to put their marks on America's greatest game.

In 1990, the Negro Leagues Baseball Museum effort began through a large scale, grass roots, civic and fundraising effort led by citizens and baseball fans of greater Kansas City. In 1991 the Museum was opened and became the only public museum that exists for the exclusive purpose of interpreting the experiences of the players who played in the Negro Leagues from 1920 through 1960.

What we have learned these past 15 years is that people from all over the world are hungry to know more about the Negro Leagues and their players. Each year we host more than 60,000 visitors in our Kansas City museum from all 50 states and many foreign countries. These guests linger for hours as they find themselves transported to a distant time by our state-of-the-art exhibits which share the heart-felt story of the Negro Leagues and their players. In addition to our exhibits at the Museum, we take our traveling exhibits to thousands of people each year.

The history we teach provides our students and visitors with information they might not otherwise learn. The artifacts we have collected help us tell the story. More importantly we continue to break down the barriers that existed during the times of segregation. Made up of proud, passionate, and intelligent professional athletes, Negro Leagues baseball helped to drive social change in a segregated America. Today the museum is a tool for improving race relations by sharing this overlooked and yet very important history.

Mr. Chairman and members of the Committee, it is my sincere hope that you will support this resolution to designate the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum. This designation is critical to our ability to preserve and display this important time in American history for all future generations to learn and enjoy.

I'd like to take this opportunity to extend my deepest thanks to Senator Talent for his passion toward and dedication to the Negro Leagues Baseball Museum in Kansas City, Missouri.

Thank you for the opportunity to testify before you today. I am happy to answer any questions you may have at this time.

Senator TALENT. Thank you, Buck, for your testimony.

I will go ahead and recognize Mr. Akaka, if he has any questions. Have you had a chance to ask him already?

Senator AKAKA. Thank you. Thank you so much, Mr. Chairman.

It is really an honor, Buck O'Neil, for you to be here and an honor for us to have you here, and I look forward to this resolution

that is being proposed to recognize you and the Negro Leagues Baseball Museum in Kansas City.

I have one question for Senator Letourneau. The Park Service opposes your bill because of the, and I quote, "potential impact and permanent alterations," unquote, that would be made to the Antietam Battlefield if a New Hampshire monument is erected. Do you have a response to the Park Service's concern?

Mr. LETOURNEAU. Yes, sir. We believe that the men who fought from New Hampshire have as much right to have a monument placed on that field as anybody that has fought in that battle has a right to have a monument on that field. We are asking for a State monument, not a regimental monument. This would be to all of the people from all of the regiments in the State of New Hampshire. I do not see how that would alter the landscape other than placing a monument there.

Senator AKAKA. Thank you very much.

Thank you, Mr. Chairman.

Mr. LETOURNEAU. Thank you. Thank you for the question.

Senator TALENT. Senator DeWine, I know you had an opportunity to give a statement before. Would you like to ask some questions here? Welcome.

Senator DEWINE. Mr. Chairman, I came here just to testify on behalf of my bill, but I saw Buck O'Neil here and I just frankly could not resist the opportunity to meet him and to listen to his testimony. So we are just delighted to have the opportunity to do that, and I know, Mr. Chairman, that we are going to try to help him, and members of the Senate who have been great admirers of him and his good work with this museum are certainly going to try to help him.

Senator TALENT. Well, the museum is a great museum. Maybe, Buck, if you know—or if not, we can just ask Bob Kendrick to tell us—how many visitors do you have every year already in the museum? Do you know offhand?

Mr. O'NEIL. Bob, help me.

Senator TALENT. Bob is the director of marketing with the museum. It is Bob Kendrick, K-e-n-d-r-i-c-k, who is the director of marketing at the baseball museum.

Is Don Motley here? I did not see Don.

Mr. KENDRICK. Yes, he is.

Senator TALENT. Do you want to come up? Why do you not come on up, too. Don is the executive director.

The point I am trying to make for the other members of the committee is to understand that this baseball museum is already de facto America's Negro Leagues Baseball Museum. It is a highly successful, very sophisticated, and well funded effort. It was not always. As Buck said, 15 years ago you were paying the rent, Don. But it is now. So we are not—all we are doing is recognizing what has already happened in Kansas City.

Just tell us a little bit about the museum, if you would.

Mr. KENDRICK. We are talking about an institution that is as grassroots an organization as any that you will ever encounter, but I think that is the thing that makes it such a wonderful institution, the way that it started, the way that it has grown. I think, obviously, symbolically, your recommendation of designation for this

museum serves as a wonderful thank-you to the work that guys like Buck O'Neil and Mr. Motley, those early on leaders who paid the rent, it is a wonderful way to say thank you for the work that you have done, thank you for preserving a precious piece of Americana that would otherwise go extinct.

That is the challenge of what we are doing in Kansas City with the Negro Leagues Baseball Museum. We are saving a piece of American history that otherwise would die when the last Negro Leaguer died. As you will discover when you learn this story in its entirety, beyond the great baseball players that Senator Talent mentioned, this story, baseball, is merely a premise for a greater American story. It is a story that must be told and must be passed down from generation to generation. That is the purpose in which we are serving in Kansas City and we have been doing it for 15 years, and I think because of the work of Buck O'Neil, Don Motley, and others who have been involved, and obviously that dwindling number of Negro League players who are still alive, America has grown to be very aware and the consciousness level has risen about their contributions, not only to the game but to American society.

Senator TALENT. I do not want anybody to think that the Negro Leagues were some kind of second class operation. Buck, talk a little bit about the economic significance of the Negro Leagues. And Don, if you want to also. This was a big business.

Mr. O'NEIL. The Negro League was the third largest black business in this country. See, the first was black insurance. The white insurance was a ten-cent policy, just enough to bury us, but the black insurance—North Carolina Mutual, Atlanta Life, Universal—insured our homes, our farms, our crops. They made millions. Next, Madam C.J. Walker. Madam C.J. Walker was doing this, honey [indicating], 100 years ago. Madam C.J. Walker made millions.

Next, Negro League baseball. All you needed was a bus, a couple of sets of uniforms; you could have 20 of the best athletes that ever lived. That was Negro League baseball. When I first started playing Negro League baseball, 5 percent of major league baseball players were high school players, because the major leaguers wanted them right out of high school, sent them to the minor leagues. But Negro Leagues, 40 percent of Negro League ballplayers were college men.

Senator TALENT. There was a close connection between the Negro Leagues and the historically black colleges, was there not?

Mr. O'NEIL. Yes.

Senator TALENT. I mean, they recruited heavily on those campuses.

Mr. O'NEIL. The black colleges were like our minor leagues. So they were actually going to school in the school period, then they would come and play ball, then they would go back to school, go back to classes and go back to teaching. That was Negro League baseball.

Senator TALENT. How big a crowd did you play in front of?

Mr. O'NEIL. Pardon?

Senator TALENT. How big a crowd did you play in front of typically, Buck?

Mr. O'NEIL. In Washington, D.C., here we outdrew the Senators. That is right. We played the Homestead Grays and we outdrew the

Senators, that is right. Yankee Stadium, 45,000 people. Chicago, at our all-star game sometimes we outdrew the major leagues. The only reason we outdrew the major leagues—we always filled up Comiskey Park, 55,000 people. But the major leaguers, they could fill it up too, but they had to play in other towns, you know what I mean. Like when they played in the Cubs' ballpark at Wrigley Field, you could not have that many people. At the other park, Fenway, you could not have that many people.

But oh, we filled the ballparks up all over the country, because we had something to show them.

Mr. KENDRICK. Senator, I think you will discover as you look at the subject matter even greater, the irony in all of this is they would fill up ballparks in towns that had black and white fans sitting side by side watching, truthfully, perhaps the best baseball being played in this country. And here is a league born out of segregation that would ultimately become the driving force for social change in our country. That is why we feel so much compassion about the story and what it means in the American fabric, and it is a story that has to be preserved.

We were daring enough to do this at a timeframe when no one thought it could be done, particularly at historic 18th and Vine, where we are anchored, and now not only have we built a successful museum, we have sparked economic development and have done that in the same sense in which Negro Leagues baseball, as Buck alluded to, impacted urban communities across this country during its height. So it is exciting for us to be anchored in Kansas City. We are Kansas City's gift, however, to the rest of the world. Obviously, this designation would say that very proudly, that it is Kansas City's gift to the rest of the world.

Senator TALENT. Do you think—go ahead, Don.

Mr. MOTLEY. Senator, what it boiled down to, this is the untold American history. We draw over 50,000 fans a year. We have visitors from as far away to Japan, Russia, Italy, Rome, just to come in and see this type of a museum that tells this untold American history.

Now we are working with a lot of universities to put together a curriculum about this history part.

Senator TALENT. Yes, it has always struck me—and when I had the chance to visit—as an example of both the tragedy of the times, but also the triumph of the individuals. We were having lunch together talking about this, with you guys. I will not keep you all afternoon, but elaborate a little bit for the record. I do not believe that we would have seen integration of major league baseball any time—I mean, as soon as we did, without the success and the existence of the Negro Leagues.

Mr. O'NEIL. Senator, when Branch Rickey signed Jackie Robinson to that contract, that was the beginning of the modern day civil rights movement. I say modern day civil rights movement because you know, the civil rights movement was started way down in Egypt land. God needed a man, he called Moses, did he not? That is what my God did. Oh, yeah, in this country people like beautiful tans like Mr. Motley, they were under bondage. God needed a man; he called Abe Lincoln, did he not? Abe needed some help, God sent

him Frederick Douglass. God sent him Harriet Tubman, Sojourner Truth. That is what God did.

Would not let me play major league baseball because of this beautiful tan of mine. That is when they sent Branch Rickey. When Branch signed Jackie to that contract, that was before *Brown vs. Board of Education*. That was before sister Rosa Parks saying, "I am tired, I ain't going to the back of the bus." Martin Luther King was a sophomore at Morehouse at the time. But that started the ball to rolling.

That is why when I walk in this building I am seeing some of everybody in here. See, the chairman in here, the chairman who was sitting right there a while ago, he was not born yet. You know, this is a miracle, the greatest country on Earth. I have been all over the world, but you cannot beat the U.S. of A. You can be anything you want to be. I am living proof of that, yes.

Senator TALENT. Well, thank you, Buck and Don and Bob, and thanks to our other witnesses, and Senator and Ms. Wadhams. We are going to have some questions for you which we will submit, and we will appreciate your comments on them for the record.

Senator, do you have anything else you want to say?

Senator AKAKA. No.

Senator TALENT. We thank Senator DeWine for being our guest, and if there is nothing else we will adjourn the hearing. Thank you.

[Whereupon, at 3:25 p.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Responses to Additional Questions

DEPARTMENT OF THE INTERIOR,
OFFICE OF LEGISLATIVE AND CONGRESSIONAL AFFAIRS,
Washington, DC.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed are answers to the follow-up questions from the hearing held by the Subcommittee on National Parks on November 15, 2005, on S. 431, S. 505, S. 1288, S. 1544, and S. Con. Res. 60, S. 748 and H.R. 1084 and H.R. 2107. These responses have been prepared by the National Park Service.

Thank you for giving us the opportunity to respond to you on this matter. Sincerely,

Sincerely,

JANE M. LYDER,
Legislative Counsel.

[Enclosure.]

RESPONSES TO QUESTIONS FROM SENATOR THOMAS

Question 1. (S. 431 Presidential Sites): Which parks units would experience delays in completing their maintenance backlog if this bill is enacted?

Answer. Since funds for the grants to aid in the maintenance and upkeep of non-Federal presidential sites would be taken from appropriations allocated to the National Park Service (NPS) budget, some park units would experience delays. The maintenance backlog projects in the various park units are selected from a priority listing. It is not known at this time which park unit would be affected at the time the grant would be awarded.

Question 2. (S. 505 Yuma Crossing Boundary Adjustment): Why is this boundary adjustment needed? Does this boundary adjustment involve any private land acquisition?

Answer. The boundary adjustment reflects the preferred alternative for the Heritage Area management plan which was developed through a public process. The new boundary reduces the overall size of the heritage area and would not involve any acquisition of private property. The legislation that established the heritage area prohibits the use of federal funds to acquire private property.

Question 3. (S. 1288 Natural Resources Protection): If this bill is enacted, which park unit has the most urgent and compelling invasive species problem that could benefit from provisions in the bill?

Answer. There are 388 park units encompassing more than 84 million acres in the National Park System. More than 200 parks work on preventing and controlling invasive plants, and over 100 parks work on preventing and controlling invasive animals. It is difficult to say which park unit would benefit most from this legislation, because almost all parks are dealing with natural resource issues that could benefit from the authority to work with private and public sector neighbors on or near our boundaries. For example, at Haleakala and Hawaii Volcanoes National Parks in Hawaii, the NPS would become a full partner in local efforts to control *Miconia* and other key species that are invading unique island ecosystems. This authority could also be used to form partnerships on other natural resource issues be-

yond invasive species such as protecting park watersheds and restoring native wild-life habitat. To some degree, almost all parks in the System would benefit from this authority.

Question 4. (S. 1544 Northern Plains National Heritage Area): Has a study been completed to determine the suitability of the Northern Plains for designation as a National Heritage Area?

Answer. No a study has not been completed at this time. Requiring a feasibility study prior to designation is consistent with steps and criteria for the National Heritage Area program that have been informally implemented for many years and with the Administration's legislative proposal creating a National Heritage Area program sent to Congress last year. The steps and criteria have been developed with input from Congress, existing National Heritage Areas, and other experts and are designed to ensure that an area has the resources, local interest, and other qualities that are critical in establishing a successful National Heritage Area.

Question 5. (S. Con. Res. 60 Negro Baseball League Museum): What role will the National Park Service have in advising, managing, or funding the museum in Kansas City as a result of this resolution?

Answer. The Negro Baseball League Museum in Kansas City, Missouri is not a unit or located within a unit of the National Park System. Therefore, the NPS does not have a role in advising, managing, or funding the museum.

Question 6. (S. 748 and H.R. 1084 Antietam New Hampshire Battlefield Memorial): How many memorials currently exist at Antietam and which states other than New Hampshire have expressed an interest in erecting memorials at Antietam?

Answer. There are currently 105 monuments/memorials at Antietam National Battlefield. The following states have expressed an interest in constructing a monument/memorial to add to the battlefield:

1. Arkansas
2. North Carolina
3. Mississippi
4. Texas (already has a monument but wanted a larger one)
5. Texas (wanted to construct a monument to General John Bell Hood)
6. Alabama
7. Louisiana
8. South Carolina
9. Maine

These requests have occurred within the last 10 years; all have been redirected into landscape restoration of the War Department Tablets or were not pursued.

Question 7a. (H.R. 2107 National Law Enforcement Memorial Officers Coin): I understand that under the terms of the original legislation, the Department of the Interior was to give the income from the sale of the coins to the U.S. Treasury for deposit in an interest bearing account.

How much funds were collected throughout the sale of the coin?

Answer. \$1,390,024

Question 7b. Were the funds placed in an interest bearing account?

Answer. The funds were placed in the approved "interest bearing account" in February 2005 and prior to that, since March 2002, were held in a "suspense account." The account has earned \$38,081.25 to date.

Question 7c. How much interest would have the money earned if it had been placed in an interest bearing account?

Answer. Calculating how much interest would have been earned would only be speculation at this point because of the number of factors that would influence that amount. The Treasury Department specifies what securities and what interest rates are available for this kind of interest-bearing account; these change from year to year. The variables to determine the investment decisions that would have influenced the interest that could have been earned between 2002 and 2005 are unknown.

RESPONSES OF EMILY WADHAMS TO QUESTIONS FROM SENATOR THOMAS

Question 1. What is the estimated cost to repair or rehabilitate the presidential sites that qualify for assistance under S. 431?

Answer. There are about 80 non-federally owned presidential sites nationwide that would qualify for grants under this bill. Because none of these are cared for by the federal government and most of these are smaller, lesser known places that are run by private groups, local historic preservation organizations, schools, and foundations, it would be very difficult to come up with a reasonable estimate for re-

pair and rehabilitation. It is certain, however, that the \$5 million S. 431 would authorize represents a small fraction of the total cost. These monies, however, are critical for two important reasons. *First*, the focus of this bill is on the smaller, lesser-known presidential site. These places—largely dependent on small entrance fees and donations—are often so in need of funds, that ANY little bit would help. *Second*, by providing one of these sites with a little seed money from Washington, it would send a powerful message to prospective donors that the federal commitment is there and very much part of the site's fundraising efforts. The \$5 million in this case is a very small amount well invested in our future.

Question 2. Does the National Trust for Historic Preservation own any of the properties that qualify for assistance under this bill?

Answer. Yes. The Trust has only two sites that would qualify—the Woodrow Wilson House in Washington, DC, and to a much lesser extent, James Madison's Montpelier in Virginia. Only the Woodrow Wilson House would be eligible for the larger, 65 percent category specified by the bill for smaller and lesser-known sites since it has an annual operating average under \$700,000. Our third Presidential site, the Lincoln Cottage, is federally-owned and therefore ineligible under the bill.

The bill would set up a review panel to give the Secretary of the Interior recommendations for awards under S. 431. Congress chartered us in 1949 to care for some of America's most valuable historic places and we've been doing a very good job of that since then. That's why we bring invaluable skills and expertise in operating and maintaining all historic places, including presidential sites. Let me assure you, however, that if the Trust should make an application for funds available under the bill, we would recuse ourselves from the review process that the bill would establish.

RESPONSES OF JOHN JORDAN "BUCK" O'NEIL TO QUESTIONS FROM SENATOR THOMAS

Question 1. (S. Con. Res. 60 Negro Leagues Baseball Museum): How many visitors annually visit the museum?

Answer. The Negro Leagues Baseball Museum (NLBM) attracts more than 60,000 visitors annually from around the world.

Question 2. Are you aware of any other museums in the United States that preserve the culture and heritage of the Negro Baseball Leagues? Would any be slighted or offended if the museum in Kansas City is declared the National Museum?

Answer. No. The NLBM is the world's only museum dedicated to preserving and celebrating the rich history of African-American baseball and its impact on the social advancement of America. The NLBM operates in Kansas City, MO two blocks from the Paseo YMCA where Andrew "Rube" Foster established the Negro Leagues in 1920.

Question 3. (S. Con. Res. 60 Negro Leagues Baseball Museum): How is the museum currently funded?

Answer. The NLBM is a private funded, 501 c3 charitable organization. Operating revenue is generated primarily through admissions, licensing program, special events, sponsorship and membership.

RESPONSES OF BOB LETOURNEAU TO QUESTIONS FROM SENATOR THOMAS

Question 1. Who will be involved in designing the memorial and selecting a site for its construction?

Answer. The New Hampshire Civil War Memorials Commission was established in 2000. This commission has a three fold charge: first, to establish a monument at Antietam National Battlefield Park, second, to pursue the preservation of existing monuments honoring our states Civil War veterans, third, and to develop Civil War educational programs and related educational opportunities for the benefit of New Hampshire school children.

We established several subcommittees and assigned responsibility for each of our goals. Ms. Rebecca Rutter was elected chairman of the Monument Conservation and Construction Subcommittee. Ms Rutter wrote to Antietam National Battlefield Park Superintendent John W. Howard on December 30, 2000, for his advice on how to proceed. In a letter dated February 5, 2001 Mr. Howard was very kind with his response. In his letter he outlined the approval process for new monuments including size and type of material. He also included guidelines for construction and the approval process. We have had a continuing dialog with Mr. Howard and have complied with his every request. Mr. Howard has selected a location for the proposed monument and we are in full agreement with this location and the US Department of the Interior guidelines. Additionally several members of our Commission have

toured the battlefield location and are satisfied that this location is appropriate for the New Hampshire memorial.

With regard to the design, the Commission spent two years in development of a RFP and a selection process for the design of the monument. The RFP was sent to over 25 artist and we received 11 responses. The commission then went through a detailed selection process and Mr. Gary Casteel of Four Winds Studio, a nationally recognized and respected Civil War sculptor was granted the commission. In a phone conversation Mr. Howard noted his approval. Mr. Howard stated he has had prior positive experience working with Mr. Casteel.

Question 2. Who will be responsible for funding the design, construction and maintenance of the memorial?

Answer. Total responsibility of the funding for this project lies with the New Hampshire Civil War Memorials Commission. This commission is a statutory commission attached to the New Hampshire legislature. One of the three primary responsibilities of the commission is to pursue the preservation of existing monuments at Gettysburg and to put into perpetual care the monument at Antietam. This will be accomplished by establishing a fund with Park approval from which they draw on the interest of the fund to maintain the monument.

APPENDIX II

Additional Material Submitted for the Record

THE SENATE OF THE STATE OF NEW HAMPSHIRE,
Concord, NH, November 9, 2005.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. DANIEL K. AKAKA,
Ranking Member, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN THOMAS AND RANKING MEMBER AKAKA: I write to you to pledge my support for Senate Resolution 748 and House Resolution 1084, which authorizes the establishment of a Civil War Memorial to New Hampshire soldiers who fought at the Battle of Antietam in 1862. Your will be hearing testimony from New Hampshire State Senator Robert Letourneau on this matter. Along with State Representative Sherman Packard he has worked diligently over the last few years so that our troops who fought in Antietam will be appropriately honored. These gentlemen are to be commended for their work

Out of the 100,000 troops that gathered in Antietam on September 17's nearly 23,000 of those soldiers were killed, wounded or missing. Among them were three New Hampshire infantry regiments as well as an artillery battalion.

Currently, New Hampshire is one of the only states that participated in the Battle of Antietam that does not have a memorial dedicated to its' soldiers. The citizens of New Hampshire are proud of their ancestors' participation in the battle and this memorial would be an appropriate tribute to the bravery our soldiers. Private donations will be used for the construction and upkeep of this memorial, no federal funds will be needed.

It is my hope, and my request, that your subcommittee will. vote in favor of these two pieces of legislation, It is time that our soldiers can receive the recognition they deserve on the federal level.

If you have any questions regarding this matter, please feel free to contact me. Thank you for your time and consideration on this very important issue.

Sincerely,

THEODORE L. GATSAS,
Senate President.

STATE OF NEW HAMPSHIRE,
HOUSE OF REPRESENTATIVES,
Concord, NH, November 10, 2005.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

Hon. DANIEL K. AKAKA,
Ranking Member, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN THOMAS AND RANKING MEMBER AKAKA: I support the Senate Resolution 748 and House Resolution 1084, which authorizes the building of a Civil War monument at Antietam National Battlefield.

In 1890, Congress declared Antietam a national battlefield. It is there that our ancestors fought and died leaving us the legacy of freedom we enjoy today. New Hampshire battle participants are without a monument on that hallowed ground. Did our

brave men not die along with the rest? Did their families not suffer their losses like the others? Do we not deserve a place to honor our fallen heroes?

I respect the wishes of some to preserve the land and surroundings of the Antietam National Battlefield. The land will always be there as a symbol of rebirth and renewal. The land has healed itself and it is once again pristine from the blood and devastation to human life that transpired there. But a monument commemorating the courage of our NH men who fought and died there does not exist. What speaks of their ultimate sacrifice in those green fields? What reminds us that there were men from NH who fought there so we could 'Live Free or Die'?

We have worked hard to create a fitting monument to grace this hallowed ground. One that blends into the surrounding landscape and compliments the scene. We are asking only that we be allowed to consecrate the battlefield with a fitting tribute that might exist when all of us are gone, one that tells the tale of our brave men. I ask on behalf of NH citizens that we be allowed to honor our Civil War dead at this historic place.

I am hopeful that you and your subcommittee will vote in favor of this legislation. It is our wish to leave behind something that shows that NH remembers its own.

Sincerely,

KENNETH L. WEYLER,
Deputy Speaker.

STATE OF NEW HAMPSHIRE,
OFFICE OF THE GOVERNOR,
Concord, NH, November 10, 2005.

Hon. CRAIG THOMAS,
Chairman, Subcommittee on National Parks, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR CHAIRMAN THOMAS: I write in support of S. 749 and H.R. 1094, bills to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth and Ninth New Hampshire Volunteer Infantry regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862.

The Union soldiers who fought at the Battle of Antietam helped turn the course of the Civil War, halting General Lee's invasion of the North and giving Lincoln the victory he need to issue the Emancipation Proclamation, which broadened support for the Union cause and potentially prevented England and France from lending support to the Confederacy.

Soldiers from New Hampshire played a crucial role in this battle, and—like soldiers from across the Union and the Confederacy—paid a heavy price. Nearly one-third of the members of the Fifth Volunteer Infantry regiment were killed or wounded; the Sixth saw four killed and 13 wounded; the 10th saw 10 of its soldiers killed and 49 wounded; and the First New Hampshire Light Artillery Battery saw three of its men wounded.

Antietam National Park has 104 monuments recognizing states, individual regiments, and generals, even a monument to war correspondents.

There is no monument, however, that commemorates the tremendous contributions and sacrifices of New Hampshire's soldiers. That is a historic oversight that should be corrected.

I ask members of the Committee to support this legislation that will allow New Hampshire to remember our citizens who fought, suffered and died to keep our nation whole.

Thank you for your consideration.
Sincerely,

JOHN LYNCH,
Governor.