

107TH CONGRESS
2D SESSION

S. 1988

To authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2002

Ms. LANDRIEU introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Buffalo Soldier Com-
5 memoration Act of 2002”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the 9th and 10th Cavalry regiments and the
9 24th and 25th Infantry regiments, comprised of Af-
10 rican-American soldiers referred to as “Buffalo Sol-

1 diers”, performed outstanding service to the United
2 States during—

3 (A) the Indian Wars;

4 (B) the Spanish-American War;

5 (C) the Philippine Insurrection; and

6 (D) the raids against Poncho Villa;

7 (2) in recognition of the contributions of the
8 Buffalo Soldiers to the defense of the United States,
9 soldiers in the 9th and 10th Cavalry regiments were
10 awarded 20 individual Congressional Medals of
11 Honor;

12 (3) the Buffalo Soldiers established a rich tradi-
13 tion of professional African-American soldiers in the
14 United States Army by granting a commission—

15 (A) in the 10th Cavalry regiment, to the
16 first African-American professional officer; and

17 (B) in the 9th Cavalry regiment, to the
18 first African-American graduates of West Point;

19 (4) while the Buffalo Soldiers served the United
20 States with bravery and fortitude in the harshest en-
21 vironments and under the most difficult conditions,
22 the service of the Buffalo Soldiers has not been suf-
23 ficiently memorialized;

1 (5) the Buffalo Soldiers remain emblems of the
2 work of free men in defense of the United States
3 and should be recognized for their contributions; and

4 (6) because 2 of the 4 African-American regi-
5 ments were organized in the State of Louisiana and
6 were initially comprised of recruits from the city of
7 New Orleans, the State of Louisiana is an appro-
8 priate place to establish a memorial to recognize the
9 contributions of the Buffalo Soldiers.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) **BUFFALO SOLDIER.**—The term “Buffalo
13 Soldier” means an African-American soldier that
14 served in—

15 (A) the 9th Cavalry regiment;

16 (B) the 10th Cavalry regiment;

17 (C) the 24th infantry regiment; or

18 (D) the 25th infantry regiment.

19 (2) **CITY.**—The term “city” means the city of
20 New Orleans, Louisiana.

21 (3) **COMMISSION.**—The term “Commission”
22 means the American Battle Monuments Commission.

23 (4) **FUND.**—The term “Fund” means the fund
24 for the memorial established under section 5(a).

1 (5) MEMORIAL.—The term “memorial” means
2 the memorial established under section 4(a).

3 (6) MUSEUM.—The term “museum” means the
4 Louisiana State Museum in the State.

5 (7) STATE.—The term “State” means the State
6 of Louisiana.

7 **SEC. 4. ESTABLISHMENT OF MEMORIAL.**

8 (a) IN GENERAL.—Notwithstanding subsections (b)
9 and (c) of section 3 of the Commemorative Works Act (40
10 U.S.C. 1003(b),(c)), the Commission may establish a me-
11 morial to honor the Buffalo Soldiers—

12 (1) on Federal land in the city or its environs;

13 or

14 (2) on land donated by the city or the State.

15 (b) COMPLIANCE WITH THE COMMEMORATIVE
16 WORKS ACT.—Except as provided in subsection (a), the
17 establishment of the memorial shall be in accordance with
18 the Commemorative Works Act (40 U.S.C. 1001 et seq.).

19 (c) CONTRIBUTIONS.—The Commission shall solicit
20 and accept contributions for the memorial.

21 **SEC. 5. MEMORIAL FUND.**

22 (a) ESTABLISHMENT.—There is established in the
23 Treasury a fund to be used by the Commission to pay the
24 expenses incurred in establishing the memorial.

1 (b) DEPOSITS IN THE FUND.—The Commission shall
2 deposit in the Fund—

3 (1) amounts accepted by the Commission under
4 section 4(c); and

5 (2) interest and proceeds credited to the Fund
6 under subsection (d).

7 (c) INVESTMENT OF AMOUNTS.—The Secretary of
8 the Treasury shall invest such portion of the Fund that
9 is not, in the judgment of the Chairman of the Commis-
10 sion, required to meet current withdrawals. Investments
11 may be made only in—

12 (1) an interest-bearing obligation of the United
13 States; or

14 (2) an obligation guaranteed as to principal and
15 interest by the United States that the Chairman of
16 the Commission determines has a maturity suitable
17 for the Fund.

18 (d) CREDITS TO FUND.—The interest on, and pro-
19 ceeds from sale or redemption of, obligations held in the
20 Fund shall be credited to the Fund.

21 (e) DEPOSIT OF EXCESS FUNDS.—The Commission
22 shall transmit to the Secretary of the Treasury, for deposit
23 in the account provided for in section 8(b)(1) of the Com-
24 memorative Works Act (40 U.S.C. 1008(b)(1)), the
25 amount of any balance remaining in the Fund—

1 (1) after payment of all expenses of the estab-
2 lishment of the memorial (including payment of the
3 amount for maintenance and preservation required
4 by section 8(b) of the Commemorative Works Act
5 (40 U.S.C. 1008(b)); or

6 (2) on expiration of the authority for the memo-
7 rial under section 10(b) of that Act (40 U.S.C.
8 1010(b)).

9 **SEC. 6. MILITARY ARTIFACTS.**

10 (a) **AUTHORITY.**—The head of any Federal agency
11 may transfer, loan, or otherwise provide to the museum
12 any military artifact, memorabilia, or other material that
13 the agency head and the Commission consider to be appro-
14 priate for a permanent display to memorialize, and edu-
15 cate the public regarding, the contributions of the Buffalo
16 Soldiers.

17 (b) **DISPLAY.**—

18 (1) **IN GENERAL.**—The museum may display at
19 the museum any artifact, memorabilia, or other ma-
20 terial transferred, loaned, or provided to the mu-
21 seum under subsection (a).

22 (2) **TERMS AND CONDITIONS.**—The display of
23 the artifact, memorabilia, or other material under
24 paragraph (1) shall be in accordance with any terms
25 or conditions imposed by the agency head transfer-

1 ring, loaning, or providing the artifact, memorabilia,
2 or material.

3 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

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