

Calendar No. 557

109TH CONGRESS
2^D SESSION**H. R. 1492****[Report No. 109-314]**

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2005

Received; read twice and referred to the Committee on Energy and Natural
Resources

JULY 31, 2006

Reported by Mr. DOMENICI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

AN ACT

To provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II, and for other purposes.

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. PRESERVATION OF HISTORIC CONFINEMENT**
4 **SITES.**

5 (a) PRESERVATION PROGRAM.—The Secretary shall
6 create a program within the National Park Service to en-
7 courage, support, recognize, and work in partnership with

1 citizens, Federal agencies, State, local, and tribal govern-
2 ments, other public entities, educational institutions, and
3 private nonprofit organizations for the purpose of identi-
4 fying, researching, evaluating, interpreting, protecting, re-
5 storing, repairing, and acquiring historic confinement sites
6 in order that present and future generations may learn
7 and gain inspiration from these sites and that these sites
8 will demonstrate the Nation's commitment to equal justice
9 under the law.

10 ~~(b) GRANTS.—The Secretary, in consultation with~~
11 ~~the Japanese American National Heritage Coalition, shall~~
12 ~~make grants to State, local, and tribal governments, other~~
13 ~~public entities, educational institutions, and private non-~~
14 ~~profit organizations to assist in carrying out subsection~~
15 ~~(a).~~

16 *(b) GRANTS.—*

17 *(1) CRITERIA.—The Secretary, after consultation*
18 *with State, local, and tribal governments, other public*
19 *entities, educational institutions, and private non-*
20 *profit organizations (including organizations involved*
21 *in the preservation of historic confinement sites), shall*
22 *develop criteria for making grants under paragraph*
23 *(2) to assist in carrying out subsection (a).*

24 *(2) PROVISION OF GRANTS.—Not later than 180*
25 *days after the date on which funds are made available*

1 *to carry out this Act, the Secretary shall, subject to*
2 *the availability of appropriations, make grants to the*
3 *entities described in paragraph (1) only in accord-*
4 *ance with the criteria developed under that para-*
5 *graph.*

6 (c) PROPERTY ACQUISITION.—

7 (1) AUTHORITY.—Federal funds made available
8 under this section may be used to acquire non-Fed-
9 eral property for the purposes of this section, in ac-
10 cordance with section 3, only if that property is
11 within the areas described in paragraph (2).

12 (2) PROPERTY DESCRIPTIONS.—The property
13 referred to in paragraph (2) is the following:

14 (A) Jerome, depicted in Figure 7.1 of the
15 Site Document.

16 (B) Rohwer, depicted in Figure 11.2 of the
17 Site Document.

18 (C) Topaz, depicted in Figure 12.2 of the
19 Site Document.

20 (D) Honouliuli, located on the southern
21 part of the Island of Oahu, Hawaii, and within
22 the land area bounded by H1 to the south,
23 Route 750 (Kunia Road) to the east, the
24 Honouliuli Forest Reserve to the west, and

1 Kunia town and Schofield Barracks to the
2 north.

3 (3) NO EFFECT ON PRIVATE PROPERTY.—The
4 authority granted in this subsection shall not con-
5 stitute a Federal designation or have any effect on
6 private property ownership.

7 (d) MATCHING FUND REQUIREMENT.—The Sec-
8 retary shall require a ~~25 percent~~ *50 percent* non-Federal
9 match for funds provided under this section.

10 (e) SUNSET OF AUTHORITY.—This Act shall have no
11 force or effect on and after the date that is 2 years after
12 the disbursement to grantees under this section of the
13 total amount of funds authorized to be appropriated under
14 section 4.

15 **SEC. 2. DEFINITIONS.**

16 For purposes of this Act the following definitions
17 apply:

18 (1) HISTORIC CONFINEMENT SITES.—(A) The term
19 “historic confinement sites” means the 10 internment
20 camp sites referred to as Gila River, Granada, Heart
21 Mountain, Jerome, Manzanar, Minidoka, Poston, Rohwer,
22 Topaz, and Tule Lake and depicted in Figures 4.1, 5.1,
23 6.1, 7.1, 8.4, 9.2, 10.6, 11.2, 12.2, and 13.2, respectively,
24 of the Site Document; and

1 (B) other historically significant locations, as
2 determined by the Secretary, where Japanese Ameri-
3 cans were detained during World War II.

4 (2) SECRETARY.—The term “Secretary” means
5 the Secretary of the Interior.

6 (3) SITE DOCUMENT.—The term “Site Docu-
7 ment” means the document titled “Confinement and
8 Ethnicity: An Overview of World War II Japanese
9 American Relocation Sites”, published by the West-
10 ern Archeological and Conservation Center, National
11 Park Service, in 1999.

12 **SEC. 3. PRIVATE PROPERTY PROTECTION.**

13 No Federal funds made available to carry out this
14 Act may be used to acquire any real property or any inter-
15 est in any real property without the written consent of
16 the owner or owners of that property or interest in prop-
17 erty.

18 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to the Sec-
20 retary \$38,000,000 to carry out this Act. Such sums shall
21 remain available until expended.

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