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{ REPORT
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PRESERVATION OF JAPANESE AMERICAN WORLD WAR II CONFINEMENT SITES

JULY 31, 2006.—Ordered to be printed

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

R E P O R T

[To accompany 1492]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 1492) to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the Act, as amended, do pass.

The amendments are as follows:

1. On page 2, strike lines 15 through 20 and insert the following
“(b) GRANTS.—
“(1) CRITERIA.—The Secretary, after consultation with State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations (including organizations involved in the preservation of historic confinement sites), shall develop criteria for making grants under paragraph (2) to assist in carrying out subsection (a).
“(2) PROVISION OF GRANTS.—Not later than 180 days after the date on which funds are made available to carry out this Act, the Secretary shall, subject to the availability of appropriations, make grants to the entities described in paragraph (1) only in accordance with the criteria developed under that paragraph”.
2. On page 3, line 21, strike “25 percent” and insert “50 percent”.

PURPOSE OF THE MEASURE

The purpose of H.R. 1492 is to direct the Secretary of the Interior to create a partnership and grant program within the National Park Service in order to identify, protect, and acquire locations where Japanese-Americans were confined during World War II.

BACKGROUND AND NEED

H.R. 1492 seeks to preserve structures and locations associated with the unjust detention of Japanese-American citizens and resident aliens during World War II.

During World War II, the United States confined tens of thousands of its Japanese-American citizens in relocation camps. The action was spurred by President Roosevelt's Executive Order 9066, signed in February, 1942, two months after the Japanese attack on Pearl Harbor. Roosevelt's order gave the Secretary of War the authority to exclude "any and all persons" from areas of the country considered vital for national security. In response to the order, the War Department removed 113,000 people of Japanese ancestry, more than 2/3 of whom were American citizens, from their homes on the West Coast and relocated them to camps in the Nation's interior.

Surprisingly, this unjust treatment did not dampen the devotion that many of the Japanese-Americans felt towards the United States. Thousands of young men from the camps signed up to fight in the U.S. Armed Forces. They distinguished themselves in combat. In fact, the 100th Battalion of the 442nd Regiment, a unit composed primarily of Japanese-Americans, became the most decorated unit of its size in American history.

To date, two relocation camps have been protected as units of the National Park System: Manzanar National Historic Site (California) and Minidoka National Monument (Idaho), respectively.

LEGISLATIVE HISTORY

H.R. 1492 was introduced by Representatives Bill Thomas, Matsui, and Honda on April 6, 2005 and passed by the House of Representatives on a voice vote on November 16, 2005.

An identical bill, S. 1719, was introduced by Senators Inouye, Bennett, and Akaka on September 19, 2005. The Subcommittee on National Parks held a hearing on both S. 1719 and H.R. 1492 on April 6, 2006. At the business meeting on May 24, 2006, the Committee on Energy and Natural Resources ordered H.R. 1492, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS

The Committee on Energy and Natural Resources, in open business session on May 24, 2006, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 1492, if amended as described herein.

COMMITTEE AMENDMENTS

During consideration of H.R. 1492, the Committee adopted two amendments to H.R. 1492. One amendment would change the criteria for grants, requiring the Secretary to consult with a broad group of organizations involved in preserving historic confinement

sites, instead of only the single organization named in the original bill. The other amendment would also make grants subject to the availability of funds and increase the required non-Federal match from 25 percent to 50 percent.

SECTION-BY-SECTION ANALYSIS

Section 1(a) directs the Secretary to establish, in partnership with other public and private entities, a preservation program to preserve historic confinement sites.

Subsection (b) authorizes a program of grants to public and private organizations, to be administered by the Secretary of the Interior. Grant criteria must be developed in consultation with organizations involved in preserving historic confinement sites. These organizations include, but are not limited to, the Japanese American National Heritage Coalition; the Go For Broke Educational Foundation and the Go For Broke National Veterans Association; Japanese American Citizens League; Japanese American National Museum; Japanese American Veterans Association; National Asian Pacific American Bar Association; National Asian Pacific American Legal Consortium; National Japanese American Historical Society; National Japanese American Memorial Foundation; National Japanese American Veterans Council; Organization of Chinese Americans; Amache Preservation Society; Committee to Change "Jap" Road, TX; Densho: The Japanese American Legacy Project, WA; Denver Central Optimists; Colorado River Indian Tribes; Friends of California Civil Liberties Public Education Program; Gila Reunion Committee; Heart Mountain Wyoming Foundation; Japanese American Service Committee, Chicago, IL; Japanese American Historical Society, San Diego, CA; Japanese Cultural Center of Hawai'i; Life Interrupted Program (Arkansas Camps); Nisei Farmers League, CA; Poston Restoration Project; Topaz Museum Board, UT; Tule Lake Preservation Committee; and Zavala County Historical Commission. The Secretary is required to begin providing grants no later than 180 days after funds are made available.

Subsection (c) authorizes the acquisition of non-Federal property at four confinement sites: Jerome and Rohwer (Arkansas), Topaz (Utah), and Honouliuli (Hawai'i). This subsection declares that this Act is not a designation and will not affect private property.

Subsection (d) requires a 50-percent non-Federal match for grants provided under subsection (1)(b) of this Act.

Subsection (e) states that the sunset date for this Act would be 2 years after the last grant funds are spent.

Section 2 defines terms.

Section 3 stipulates that real property can be acquired only from willing sellers.

COST AND BUDGETARY CONSIDERATIONS

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

H.R. 1492—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

Summary: H.R. 1492 would direct the National Park Service (NPS) to provide grants to nonfederal entities to restore and pre-

serve sites associated with the internment of Japanese Americans during World War II. The grants would be used for up to 50 percent of the costs of protecting significant sites, including those to identify, acquire, and interpret them. For this purpose, the act would authorize the appropriation of \$38 million. Assuming appropriation of the authorized amount, CBO estimates that implementing H.R. 1492 would cost \$38 million over the 2007–2011 period.

Enacting this legislation would not affect direct spending or revenues. H.R. 1492 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1492 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources for environment). For this estimate, CBO assumes that the authorized amount would be appropriated over the next five years and paid to nonprofit organizations and other entities as needed.

	By fiscal year, in millions of dollars—				
	2007	2008	2009	2010	2011
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	6	10	10	8	4
Estimated Outlays	4	10	10	8	6

Intergovernmental and private-sector impact: H.R. 1492 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Previous CBO estimate: On May 24, 2005, CBO transmitted a cost estimate for H.R. 1492 as ordered reported by the House Committee on Resources on May 18, 2005. The two versions of the legislation are similar and the estimated costs over five years are the same. Our cost estimates reflect different assumptions about when the legislation would be enacted. (The previous CBO estimate assumed enactment near the start of fiscal year 2006; thus, it showed estimated costs beginning in 2006 instead of 2007.)

Estimate prepared by: Federal costs: Matthew Pickford; Impact on state, local, and tribal governments: Marjorie Miller; Impact on the private sector: Tyler Kruzich.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 1492. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 1492, as ordered reported.

EXECUTIVE COMMUNICATIONS

The views of the Administration on H.R. 1492 were included in testimony received by the Committee at a hearing on the bill on April 6, 2006. This testimony follows:

STATEMENT OF SUE MASICA, ASSOCIATE DIRECTOR,
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to appear before you to present the views of the Department of the Interior on S. 1719 and H.R. 1492, legislation to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II. H.R. 1492 was passed by the House on November 16, 2005.

The Department recognizes the importance of taking steps to more fully preserve the history of the experience of Japanese Americans during World War II, when many were forcibly removed from their homes and sent to live at internment camps. However, we do not support the approach taken by S. 1719 and H.R. 1492 to preserve this history. For many years, the Department has opposed legislation authorizing appropriations for grants for specified non-National Park Service projects. Many of these projects represent an important contribution to the preservation of our Nation's history, as would be the case with projects associated with the Japanese American internment camps. Each time such legislation is enacted and appropriations follow, it further reduces a limited amount of discretionary funds available to address the priority needs of our national parks and other programs administered by the National Park Service. With the emphasis we have placed on fulfilling our core mission of operating units of the National Park System and on the President's initiative to reduce the deferred maintenance backlog, it has become more important than ever to avoid authorizing funding for non-National Park Service projects that would draw funds from the National Park Service's budget.

S. 1719 and H.R. 1492, which contain identical provisions, would require the Secretary of the Interior to establish a program within the National Park Service to administer grants to public and private entities to protect, restore, interpret, acquire and take other actions with respect to the ten internment camps and other historically significant locations where Japanese Americans were detained during World War II. The grants would be made in consultation with the Japanese American National Heritage Coalition, an umbrella organization of groups that are involved in efforts to preserve one or more of the Japanese American detention sites. The bill would authorize appropriations of \$38 million for this purpose.

The Department is actively involved in preserving resources associated with the experience of Japanese Americans during World War II and collecting and disseminating information on this unfortunate chapter of our Nation's history. As recently as 1990, the National Park Serv-

ice had virtually no role in preserving and interpreting this story. That changed in 1992, when Congress (1) authorized the establishment of Manzanar National Historic Site in central California, (2) directed the National Park Service to conduct a National Historic Landmark (NHL) theme study of sites associated with the detention of Japanese Americans during World War II, and (3) authorized a memorial in the Nation's Capital to honor Japanese American patriotism in World War II.

Today, the National Park Service administers two of the ten internment camps. In addition to Manzanar, the Minidoka Relocation Center in Idaho was added as a unit of the National Park System in 2001 following a presidential proclamation that designated the site as Minidoka Internment National Monument. Manzanar is now a well-established unit; its visitor center was opened two years ago and its annual visitation is about 78,000. Minidoka is preparing a General Management Plan and is still under development.

In 1999, to provide the documentation needed for the NHL theme study authorized by Congress, the National Park Service's Western Archeological and Conservation Center published an extensive compilation and analysis of resources associated with these sites. This compilation, *Confinement and Ethnicity: An Overview of World War II Japanese American Relocation Sites*, has proven to be an invaluable source of information about this subject not only for the National Park Service but also for the many organizations that are involved in the efforts to preserve these sites.

The NHL theme study directed by Congress is nearly complete. Based on that study, two internment camps were designated in February as National Historic Landmarks: Tule Lake in California, and Granada in Colorado. National Historic Landmark designation is the highest level of historic significance our Nation bestows on a place. As designated sites, they are eligible for technical assistance available through our NHL program and they have an advantage in competing for public and private preservation grants.

In addition to its designation as a NHL, Tule Lake received a Save America's Treasures matching grant of \$200,000 in the Interior appropriations act for Fiscal Year 2006. The grant will be co-managed by the Tule Lake Committee for Preservation of the Tule Lake Camp and the National Park Service and used to stabilize the carpenters' shop and to correct drainage problems. The National Park Service is providing historic preservation assistance to the Bureau of Reclamation, which has administrative jurisdiction over part of the Tule Lake property, and to State agencies, which own the remaining part. The National Park Service is also providing technical assistance to Departmental bureaus and others to help preserve Heart Mountain in Wyoming, Topaz in Utah, and Granada in Colorado.

The National Park Service is also close to finalizing and transmitting to Congress a special resource study of Bainbridge Island, Washington, which was the first location from which Japanese Americans were forcibly removed from their homes following the issuance of Executive Order 9066, which provided the authority for the detention of Japanese Americans. This study, which was authorized by Congress in 2002, analyzes different alternatives for memorializing, preserving, and interpreting this important site. Our Pacific West Regional Office, through the National Park Service's Preservation Partnership programs, has also provided technical assistance to the Bainbridge Island community to document the community's internment experiences and the history of the Japanese on Bainbridge. That office also provided funding to train Asian-American students in documenting sites important to the history of their communities.

In addition, the National Park Service, through its National Mall and Memorial Parks unit, administers the memorial to Japanese American Patriotism in World War II, which is located about two blocks north of the U.S. Capitol Building. Our National Capital Region office assisted in establishing the memorial. We helped secure an appropriate site for the memorial, assisted in its design, and facilitated the approval process for it. The memorial honors the approximately 120,000 Japanese Americans who were relocated to the internment camps. It incorporates the names and locations of the camps, as well as the names of Japanese Americans who died in military service to the United States during World War II.

A few examples of other activities we have engaged in include:

- Establishing a lesson plan on the War Relocation Camps of World War II on the National Park Service's "Teaching with Historic Places" web site;

- Conducting oral history recording projects that entailed recording the histories of internees and other individuals associated with the World War II internment; and

- Providing technical assistance to the Jerome County Historical Society, Idaho, to copy original newspapers from 1942–1945 onto microfilm for reference and research purposes, and technical assistance to develop methods to preserve internment-related materials for long-term preservation.

The Department would like to continue and build on the efforts we are already involved in on this subject. In addition to the activities already mentioned, there are other ways the National Park Service could enhance the role we play in protecting resources and interpreting the history of the Japanese American experience in World War II at a relatively small cost. For example, working in partnership with other entities that own and administer the internment camp sites, we could develop a comprehensive interpretative plan for all ten sites. We could designate a staff person to coordinate the preservation and interpretation

activities among the different sites. Another possibility would be to publish a handbook on the internment camps that would be available at National Park Service bookstores. We could also develop a web-based travel itinerary on the sites.

To summarize, we believe there are appropriate ways for the National Park Service to expand upon its already significant role in increasing public awareness and understanding of the Japanese American experience during World War II. But we do not believe it is appropriate for the National Park Service budget to be used as a funding source for grants to non-Federal entities to undertake costly restoration and other types of projects at the sites of these camps. We therefore cannot support S. 1719 and H.R. 1492.

Mr. Chairman, this concludes my prepared remarks. I will be happy to respond to questions from you or other members of the committee.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the act H.R. 1492, as ordered reported.

