



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 30, 2009

H.R. 42 **Commission on Wartime Relocation and Internment of Latin Americans of Japanese Descent Act**

As ordered reported by the House Committee on the Judiciary on October 21, 2009

H.R. 42 would establish a commission to investigate and determine the facts and circumstances surrounding the relocation, internment, and deportation from the United States of Latin Americans of Japanese descent from December 1941 to February 1948.

Under H.R. 42, nine commission members—three appointed by the President, three appointed by the Speaker of the House of Representatives, and three appointed by the President pro tempore of the Senate—would have one year to report to the Congress on their findings, recommendations, and possible remedies. Commission members would be reimbursed for travel expenses. In addition, the commission would be authorized to hire staff or use personnel detailed from other federal agencies and would terminate 90 days after submitting its final report.

Based on the costs of similar commissions, CBO estimates that the commission would spend less than \$500,000 over the 2010-2011 period, subject to appropriation of the necessary amounts. Enacting the bill would not affect direct spending or revenues. The legislation would not authorize any payment of restitution; such authority would require a separate act of the Congress.

H.R. 42 would impose both intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) because it would establish a commission with the authority to subpoena information. State, local, and tribal governments as well as private-sector entities, if subpoenaed by the commission, would be required to provide testimony, documents, or other evidence. CBO expects that the commission would likely exercise this authority sparingly and the costs to comply with subpoenas would not be significant. Thus, we estimate that the costs to comply with the mandates would be small and well below the annual thresholds established in UMRA (\$69 million for intergovernmental mandates and \$139 million for private-sector mandates in 2009, adjusted annually for inflation). Furthermore, H.R. 42 would direct the commission to pay a per diem and mileage allowance to any witness who appears before the commission.

On February 13, 2009, CBO transmitted a cost estimate for S. 69, the Commission on Wartime Relocation and Internment of Latin Americans of Japanese Decent Act, as ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on February 11, 2009. The two bills are similar but have a different provision regarding the compensation of the commission members who are not federal employees. CBO's cost estimates reflect that difference.

The CBO staff contacts for this estimate are Matthew Pickford (for federal costs), Elizabeth Cove Deslisle (for state and local impact), and Marin Randall (for the private-sector impact). This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.