

HEART MOUNTAIN RELOCATION CENTER STUDY ACT  
OF 2009

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JULY 13, 2010.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. RAHALL, from the Committee on Natural Resources,  
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 3989]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3989) to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of adding the Heart Mountain Relocation Center, in the State of Wyoming, as a unit of the National Park System, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3989 is to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of adding the Heart Mountain Relocation Center, in Park County, Wyoming, as a unit of the National Park System.

BACKGROUND AND NEED FOR LEGISLATION

Heart Mountain Relocation Center (Heart Mountain) in Powell, Wyoming (in the northwestern part of the state) was a Japanese internment camp opened in August of 1942. It reflected a dark period in American history when prejudice against Asian-Americans swept the country following the attack on Pearl Harbor in Decem-

ber of 1941. Heart Mountain was one of ten internment camps set up under the authority of Presidential Executive Order 9066, signed by President Roosevelt on February 19, 1942. This Order authorized the U.S. government to systematically force Japanese-Americans from their own homes and businesses and into “Relocation Centers” which were being rapidly constructed around the west.

Citing “wartime necessity,” these citizens (two-thirds of the population of Heart Mountain were American citizens) were never given access to a hearing, legal aid or judicial review before being relocated. Further, although no crimes were committed, they were detained indefinitely in barbed-wire enclosed camps without any due process. At its peak, nearly 11,000 Japanese-Americans—forced from their communities in California, Washington, and Oregon—were housed in the camp’s tar-paper barracks. Ironically, this made Heart Mountain Wyoming’s third largest “city” at the time.

On December 17, 1944, the U.S. War Department announced revocation of the military’s West Coast exclusion order, and on November 10, 1945, the last internees left Heart Mountain to try to rebuild their lives. In the 39 months it was open, 14,000 people were forced to live and struggle there. A number of the buildings and one guard tower still remain at the Heart Mountain site. For many, Heart Mountain constitutes a kind of sacred ground; it is a reminder of government injustice against human rights and an important historic touchstone for Japanese-Americans. In 2006, Heart Mountain was designated as a National Historic Landmark.

H.R. 3989 would direct the Secretary of the Interior to conduct a special resource study to determine the national significance of Heart Mountain Relocation Center. Specifically, the bill directs the Secretary to: determine the suitability and feasibility of designating Heart Mountain as a unit of the National Park System; consider other alternatives for the preservation and interpretation of the site by government or private entities; identify cost estimates for land acquisition, interpretation, operation and maintenance of the site; identify potential impacts of designation of the site on private landowners; and consult with interested government entities, tribes, private and nonprofit organizations, and private property owners that may be affected by any such designation.

#### COMMITTEE ACTION

H.R. 3989 was introduced by Representative Cynthia Lummis (R-WY) on November 3, 2009. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. At a Subcommittee hearing on April 27, 2010, a representative from the Department of the Interior testified in support of this legislation.

On June 16, 2010, the Subcommittee on National Parks, Forests and Public Lands was discharged from the further consideration of H.R. 3989 and the full Natural Resources Committee met to consider the bill. The bill was ordered favorably reported to the House of Representatives by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on

Natural Resources' oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

#### COMPLIANCE WITH HOUSE RULE XIII

1. **Cost of Legislation.** Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. **Congressional Budget Act.** As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. **General Performance Goals and Objectives.** As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of adding the Heart Mountain Relocation Center, in Park County, Wyoming, as a unit of the National Park System.

4. **Congressional Budget Office Cost Estimate.** Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

#### *H.R. 3989—Heart Mountain Relocation Center Study Act of 2009*

H.R. 3989 would require the National Park Service (NPS) to conduct a special resource study of the Heart Mountain Relocation Center in Wyoming. In the study, the NPS would evaluate the national significance of the site, which was used to intern Japanese Americans during World War II, and determine the suitability and feasibility of designating it as a unit of the National Park System. The NPS would have three years to complete the study and report to the Congress on its results.

Based on information provided by the NPS and assuming the availability of appropriated funds, CBO estimates that carrying out the study required by H.R. 3989 would cost about \$200,000 over the next three years. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

H.R. 3989 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, and tribal governments.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 3989 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

#### ADDITIONAL VIEWS

I am grateful to Chairman Rahall, as well as Subcommittee Chairman Grijalva, and Ranking Members Hastings and Bishop for support of this bill. As has been thoroughly discussed in the Subcommittee hearing, the Heart Mountain Relocation Center Study Act would authorize the National Park Service (NPS) to conduct a Special Resource Study (SRS) for the site of the Heart Mountain Relocation Center, located in Park County, Wyoming.

The possibility of adding the 123 acres near Heart Mountain as a recognized unit in the National Park System is a local priority because it represents for Park County and the entire State of Wyoming an important, if dark, chapter in its history. My involvement in this effort was born entirely from the grassroots advocacy for preserving these historic landmarks, and ensuring future generations learn the important lessons of this era. I am pleased that the local support for this study will mean that private property rights are protected, and fewer tax payer dollars will be expended.

CYNTHIA M. LUMMIS.

