

## Calendar No. 614

104TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
104-391

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### FEDERAL REAL PROPERTY TRANSFER IN THE DISTRICT OF COLUMBIA

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SEPTEMBER 30, 1996.—Ordered to be printed

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

### REPORT

[To accompany H.R. 2636]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 2636) to transfer jurisdiction over certain parcels of Federal real property located in the District of Columbia, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

#### PURPOSE OF THE MEASURE

The purpose of H.R. 2636 is to authorize an exchange of land between the Architect of the Capitol and the Secretary of the Interior, within the District of Columbia, to locate and establish a Japanese American patriotism Memorial.

#### BACKGROUND AND NEED

This bill would authorize an exchange of land between the Architect of the Capitol and the Secretary of the Interior. The no-cost transfer would allow the parcel to be used to establish a memorial to Japanese American patriotism during World War II.

A total of 33,000 Japanese Americans from the U.S. mainland and Hawaii were drafted or they volunteered for U.S. military service during World War II. The Japanese American 100th/44nd Regimental Combat Team is considered one of the most highly decorated military units in American history. Its members received more than 18,000 individual decorations.

In 1992, Congress passed H.J. Res. 271, a resolution authorizing the Japanese American Memorial Foundation to establish a memo-

rial in the District of Columbia. The Foundation is responsible for accepting contributions and paying the expenses in connection with the Memorial, including the Memorial's maintenance and preservation.

The Memorial would not only honor the patriotism of Japanese Americans who served the armed forces of the United States during World War II, it would also commemorate the sacrifices of approximately 120,000 Japanese Americans who were interned as a matter of "military necessity" for up to four years during the War.

The Japanese American Memorial Foundation feels that it is very important that the bill pass during this session in order to provide sufficient time for them to begin the lengthy process of applying for permits and initiating construction. The authorizing legislation (Public Law 102-502) for the Memorial expires in 1999.

The resolution was enacted in accordance with the Act passed in 1986, which established standards for the placement of memorials on Federal lands in the District of Columbia. The Memorial would be located on a triangle of land bordered by Louisiana Avenue, New Jersey Avenue and D Street, NW, in Washington, D.C.

#### LEGISLATIVE HISTORY

H.R. 2636 was introduced by Representative Oberstar on November 15, 1995. The bill was referred to the House Committee on Resources, and additionally to the Committee on Transportation and Infrastructure, and the Committee on Government Oversight and Reform. The bill was reported in the House of Representatives on November 28, 1995 (H. Rept. 104-368, Part 1). Representative Matsui was added as a co-sponsor on March 19, 1996, and Representative King was added as a co-sponsor on March 26, 1996.

The House Subcommittee on National Parks, Forests and Public Lands held a hearing on H.R. 2636 on May 9, 1996. The bill was ordered reported, amended, on June 26, 1996, and was reported to the House on July 26, 1996 (H. Rept. 104-368, Part II). The bill was passed in the House as amended by a voice vote on July 31, 1996.

On August 1, 1996, the House requested the concurrence of the Senate on the bill and referred the bill to the Senate Energy and Natural Resources Committee. At the business meeting on September 12, 1996, the Committee on Energy and Natural Resources ordered H.R. 2636 favorably reported.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 12, 1996, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 2636.

#### SECTION-BY-SECTION ANALYSIS

Section 1 defines the purposes of the Act as: (1) assisting in the effort to establish a national memorial within the District of Columbia to Japanese American patriotism in World War II within; and (2) improving the management of certain parcels of Federal real property located within the District of Columbia by transferring jurisdiction of the parcels to the Architect of the Capitol, the

Secretary of the Interior, and the Government of the District of Columbia.

Section 2 identifies the specific parcels of land to be transferred among the Secretary of the Interior, District of Columbia, and Architect of the Capitol.

Section 3 contains several miscellaneous provisions associated with the transfer, such as realignment of law enforcement responsibilities among the various parties.

#### COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 16, 1996.*

Hon. FRANK H. MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2636, an act to transfer jurisdiction over certain parcels of federal real property located in the District of Columbia, and for other purposes, as ordered reported by the Senate Committee on Energy and Natural Resources on September 12, 1996. CBO estimates that H.R. 2636 would result in no significant cost to the federal government. Enacting H.R. 2636 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 2636 would transfer several parcels of land between federal agencies to provide suitable space to erect a memorial to honor Japanese-American patriotism in World War II. In addition, the legislation would transfer, without compensation, one parcel of land to the District of Columbia. The costs of erecting and maintaining the memorial would be borne by the Go For Broke National Veterans Association Foundation. Otherwise, the future use of the properties conveyed by this legislation would not be affected by the transfers.

H.R. 2636 contains no intergovernmental or private-sector mandates as defined in Public Law 104-4 and would have no impact on the budgets of state, local, or tribal governments. The land that the federal government would convey to the District of Columbia is a small section of New Jersey Avenue. The District already maintains and administers this section of road and would continue to do so under this legislation.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

JUNE E. O'NEILL, *Director.*

#### 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. 2636. The bill is not a regulatory measure in the sense of im-

posing 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. 2636, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

On September 13, 1996, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on H.R. 2636. These reports had not been received at the time the report on H.R. 2636 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

#### 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 bill H.R. 2636, as ordered reported.

