

TO PROVIDE FOR DISPOSAL OF PUBLIC LANDS IN SUPPORT
OF THE MANZANAR HISTORIC SITE IN THE STATE OF
CALIFORNIA

JULY 26, 1996.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 3006]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3006) to provide for disposal of public lands in support of the Manzanar Historic Site in the State of California, and for other purposes), having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments (stated in terms of the page and line numbers of the introduced bill) are as follows:

On page 7, line 17, strike “(a)” and insert “(b)”.

On page 7, after line 21 add the following new section:

SEC. 2. ADDITIONAL AREA.

Section 101 of Public Law 102-248 is amended by inserting in subsection (b) after the second sentence “The site shall also include an additional area of approximately 300 acres as demarcated as the new proposed boundaries in the map dated March 8, 1996, entitled ‘Manzanar National Historic Site Archaeological Base Map’.”

Amend the title so as to read:

A bill to provide for disposal of public lands in support of the Manzanar National Historic Site in the State of California, and for other purposes.

PURPOSE OF THE BILL

The purpose of H.R. 3006 is to dispose of 5,000 acres of surplus Bureau of Land Management lands in California. The surplus of these lands will serve as a basis for an exchange with Los Angeles Water and Power to facilitate the establishment of Manzanar National Historic Site, and to provide Inyo and Mono Counties with much needed development opportunities.

BACKGROUND AND NEED FOR LEGISLATION

On March 4, 1931, the President signed Public Law 864, Chapter 517, withdrawing certain public lands from settlement, location, filing or disposal for the purposes of protecting the watershed of the City of Los Angeles and other cities in California. In its planning for the area, the Bureau of Land Management (BLM) has identified about 5,000 acres which are surplus to agency needs, and which the agency is proposing to transfer to the counties of Inyo and Mono.

However, Section 204 of the Federal Land Management Policy Act of 1976 prohibits the Secretary of the Interior from modifying any withdrawal established pursuant to an Act of Congress. Therefore, legislation is required to effect this withdrawal.

In 1992, Congress authorized the establishment of Manzanar National Historic Site. This new unit of the National Park System was established to protect cultural resources associated with the World War II era Japanese-American relocation camp located in Inyo County. That Act specified that lands owned by the State of California or any other political subdivision could only be acquired by donation. All lands within the historic site were owned by either the County of Inyo or Los Angeles Water and Power, a subdivision of the State. Further, Los Angeles Water and Power believes they have no authority to donate lands to the Federal Government.

Therefore, the BLM has developed this legislative proposal to dispose of surplus lands which could at the same time be used for an exchange of lands within Manzanar National Historic Site. Lands not used for exchange purposes would be available for development in counties where a very high percentage of the land is Federally owned.

COMMITTEE ACTION

H.R. 3006 was introduced on March 5, 1996, by Congressman Jerry Lewis (R-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Forests and Lands. On May 9, 1996, the Subcommittee held a hearing on H.R. 3006. On June 13, 1996, the Subcommittee met to mark up H.R. 3006. The bill was adopted by voice vote and then ordered favorably reported to the Full Committee. On June 26, 1996, the Full Resources Committee met to consider H.R. 3006. A technical amendment offered by Congressman James V. Hansen (R-UT) was adopted by unanimous consent. An amendment to add 300 acres to Manzanar was offered by Congressman George Miller (D-CA) and adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

SECTION 1. TERMINATION OF WITHDRAWALS

Section 1(a) simply states the background of the current situation as it relates to the establishment of Manzanar National Historic Site. Manzanar National Historic Site, created by Public Law 102-248, established a new unit of the National Park System to provide for the preservation of the site of the Manzanar relocation camp, one of the camps to which Japanese-Americans were relocated during World War II. Public Law 102-248 includes the standard language that any land owned by the State of California, or any political subdivision thereof, may only be acquired by donation or exchange. The Bureau of Land Management has identified about 5000 acres of land within the Bishop Resource Area which are appropriate for exchange, but that exchange cannot be consummated except pursuant to an Act of Congress. The 1931 Act of Congress setting these lands aside for the protection of the City of Los Angeles watershed must be repealed to make the lands available for exchange.

Section 1(b) identifies the specific lands on which the withdrawal would be revoked.

Section 1(c) states that the lands identified in subsection (b) would be open to the operation of the public land laws after the Secretary of the Interior publishes a notice in the Federal Register.

SECTION 2. ADDITIONAL AREA

Section 2 provides for an expansion of the existing park by 300 acres.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of Rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3006 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) 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 H.R. 3006. However, clause 7(d) 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 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3006 does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3006.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI 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 H.R. 3006 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 23, 1996.

Hon. DON YOUNG,
Chairman, Committee on Resources, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3006, a bill to provide for disposal of public lands in support of the Manzanar National Historic Site in the state of California, and for other purposes, as ordered reported by the House Committee on Resources on June 26, 1996. Assuming appropriation of the necessary amounts, we estimate that the administrative costs of carrying out a land exchange and a change in the Manzanar site's boundary, as required by this bill, would total less than \$100,000 over the next one or two years. Other spending totaling over \$5 million may occur as a result of the bill's enactment, but some or all of this spending might occur under current law and it would be subject to appropriations action.

Enacting H.R. 3006 could affect direct spending by allowing the sale of certain federal property in California. However, any resulting offsetting receipts—estimated to be around \$1 million over the next five years—would be considered nonroutine asset sales. Because asset sales proceeds are not counted in determining compliance with pay-as-you-go procedures set forth in the Balanced Budget Act, those procedures would not apply to the bill.

H.R. 3006 contains no intergovernmental or private-sector mandates as defined in Public Law 104-4 and would impose no costs on state, local, or tribal governments.

Bill purpose: H.R. 3006 would remove existing legal restrictions on the use of over 5,600 acres of federal land in California that had previously been withdrawn from settlement, filing, or disposal. Such lands were withdrawn under legislation enacted in 1931. Under H.R. 3006, this land—which is managed by the Bureau of Land Management (BLM)—would be open to mining, mineral leasing, and disposal in accordance with existing laws regarding the

use of public lands. In addition, the bill would add about 300 acres to the Manzanar National Historic Site, which was established in 1992 by Public Law 102-248 and is located on about 555 acres of land in Inyo County, California.

Federal budgetary impact: Based on information provided by federal and local officials, we expect that most of the 5,600 acres—which BLM has identified as surplus lands—would be sold, used for exchange transactions, or conveyed to surrounding counties for environmental projects. The Department of the Interior would probably use some of the acreage to complete a three-way land exchange among BLM, the National Park Service (NPS), and the Los Angeles Department of Water and Power (LADWP), which owns most of the land within the existing boundary of the Manzanar National Historic Site as well as the 300 acres to be added by this bill. This exchange would enable the NPS to acquire the historic site, which it is authorized to do (by exchange or donation) under existing law but has not yet been able to accomplish despite extensive negotiations. The agency has conducted archaeological, environmental, and other planning studies at the site under a cooperative agreement with the LADWP but cannot further preserve or develop the property while it remains in nonfederal ownership.

The costs of developing the historic site, including expenses related to restoring or replacing historic buildings, providing visitor facilities, and creating interpretive programs and materials, would probably exceed \$5 million, assuming appropriation of the necessary amounts. However, some or all of this spending might occur even in the absence of this legislation (but at a much later date) if the NPS were to eventually acquire the original 555-acre site through some other exchange transaction or to interpret the site under cooperative agreements.

As a result, CBO cannot estimate the likelihood or timing of any change in federal costs for developing the historic site. CBO estimates that initial costs related to carrying out the land exchange and adding the 300 acres to the Manzanar boundary would total less than \$100,000 over the next one or two years. The costs of developing and operating the added acreage are not likely to be significant.

Most of acreage remaining in federal ownership after completion of the Manzanar exchange probably would be held by BLM for future land exchanges or conveyed to local government agencies. Because of environmental and other local conditions, CBO expects that only a small portion of the acreage would be sold over the next five years. We estimate that such asset sales would increase federal offsetting receipts by about \$1 million over this period.

For purposes of this estimate, CBO assumes that H.R. 3006 will be enacted within the next few months and that any amounts necessary to implement the bill would be appropriated as needed. This estimate is based on information provided by BLM, the NPS, the LADWP, and Inyo and Mono Counties, California.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria V. Heid and Deborah Reis.

Sincerely,

JUNE E. O'NEILL, *Director*.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3006 contains no unfunded mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

THE ACT OF MARCH 3, 1992

AN ACT To establish the Manzanar National Historic Site in the State of California, and for other purposes.

TITLE I—MANZANAR NATIONAL HISTORIC SITE**SECTION 101. ESTABLISHMENT.**

(a) * * *

(b) AREA INCLUDED.—The site shall consist of approximately 500 acres of land as generally depicted on a map entitled “Map 3—Alternative Plans—Manzanar Internment Camp” numbered 80,002 and dated February 1989. Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior. *The site shall also include an additional area of approximately 300 acres as demarcated as the new proposed boundaries in the map dated March 8, 1996, entitled “Manzanar National Historic Site Archaeological Base Map”.* The Secretary may from time to time make minor revisions in the site boundaries.

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