TULE LAKE NATIONAL HISTORIC SITE ESTABLISHMENT
ACT OF 2016

SEPTEMBER 6, 2016.—Ordered to be printed

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

R E P O R T

[To accompany S. 2412]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2412) to establish the Tule Lake National Historic Site in the State of California, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 2412 is to establish the Tule Lake National Historic Site in the State of California.

BACKGROUND AND NEED

On February 19, 1942, during World War II, President Roosevelt issued Executive Order 9066, authorizing the Secretary of War to prescribe certain areas as military zones “from which any or all persons may be excluded.” On March 9, 1942, President Roosevelt issued Executive Order 9102, providing for the removal of persons from the exclusion zones. Two days later, Congress passed legislation ratifying and confirming Executive Order 9066 and providing for its enforcement. The law made violations of military orders a misdemeanor punishable by up to $5,000 in fines and up to one year in prison. As a result of military exclusion orders issued pursuant to Executive Order 9066, approximately 120,000 men, women, and children of Japanese ancestry were evicted from the West Coast of the United States and held in internment camps across the country.
Tule Lake opened on May 26, 1942, detaining persons of Japanese descent removed from western Washington, Oregon, and Northern California. With a peak population of 18,700, Tule Lake was the largest of the internment camps—the only one converted into a maximum-security segregation center, ruled under martial law and occupied by the Army. Due to turmoil and strife, Tule Lake was the last to close, on March 28, 1946.

Tule Lake is currently a part of the World War II Valor in the Pacific National Monument, alongside eight other sites in Pearl Harbor and Alaska. This legislation would separate Tule Lake from the World War II Valor in the Pacific National Monument, and provide for recognition as a standalone National Historic Site.

LEGISLATIVE HISTORY


In the House of Representatives, Representative LaMalfa introduced similar legislation, H.R. 4387, on January 13, 2016.

The Committee on Energy and Natural Resources met in open business session on July 13, 2016, and ordered S. 2412 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on July 13, 2016, by a majority voice vote of a quorum present, recommends that the Senate pass S. 2412.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 contains the short title.

Section 2. Definitions

Section 2 contains key definitions.

Section 3. Tule Lake National Historic Site

Section 3(a) establishes the Tule Lake National Historic Site in California as a unit of the National Park System in order to preserve, protect, and interpret the site of incarceration and segregation of U.S. citizens of Japanese descent and resident immigrants of Japanese citizenry at Tule Lake during World War II.

Subsection (b) depicts the boundaries of the Historic Site on the map.

Subsection (c) directs the map to be on file at National Park Service offices and available for public inspection.

Subsection (d) requires the Secretary to administer the Historic Site according to this Act and the laws applicable to units of the National Park System. The Directors of the National Park Service (NPS) and the U.S. Fish and Wildlife Service are required to enter into an interagency agreement to allow the NPS to manage and interpret the resources of the portions of the Historic Site within the Tule Lake National Wildlife Refuge consistent with the management requirements of the Refuge. The Secretary is authorized to use resources of the Lava Beds National Monument to administer
the Historic Site and required to prepare and implement a general management plan for the Historic Site, in coordination with the Tule Lake Wildlife Refuge, within three years after funds are made available.

Section 4. Removal of Tule Lake Unit from the World War II Valor in the Pacific National Monument

Section 4(a) specifies revised boundaries of the World War II Valor in the Pacific National Monument which excludes the land and interests in land from the Tule Lake Unit, consisting of portions of the Tule Lake Segregation Center National Historic Landmark and Camp Tule Lake.

Subsection (b) incorporates lands and interests excluded from the Monument into the Historic Site, and states that any funds for the purpose of land and interests shall be made available to the Historic Site.

Subsection (c) stipulates that any reference in a law, regulation, document, record, map, or other paper of the United States to the Tule Lake Unit of World War II Valor in the Pacific National Monument shall be considered to be a reference to the Tule Lake National Historic Site.

Section 5. Authorization of appropriations

Section 5 authorizes such sums as are necessary to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

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


Hon. Lisa Murkowski, Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MADAM CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2412, the Tule Lake National Historic Site Establishment Act of 2015.

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

Sincerely,

KEITH HALL.

Enclosure.

S. 2412—Tule Lake National Historic Site Establishment Act of 2015

S. 2412 would establish the Tule Lake National Historic Site in the state of California, consisting of portions of the Tule Lake Segregation Center in Modoc County and Camp Tulelake in Siskiyou County. The two units would be detached from the Pacific National Monument to form a distinct historic site focused on the experience of first-generation Japanese Americans at Tule Lake during World War II.
The Tule Lake Unit is currently administered jointly by the National Park Service (NPS) and the U.S. Fish and Wildlife Service. To implement the legislation, the NPS would need to produce new signage and interpretative materials. Based on information from the agency, CBO estimates that spending for those activities would not be significant; such spending would be subject to the availability of appropriated funds.

Enacting the legislation would have no effect on direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 2412 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 2412 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Jon Sperl. The estimate was approved by H. Samuel Papenfuss, 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 S. 2412. 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 S. 2412, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 2412, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the June 15, 2016, Subcommittee on National Parks hearing on S. 2412 follows:

STATEMENT OF DR. STEPHANIE TOOTHMAN, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, PARTNERSHIPS, AND SCIENCE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee, thank you for the opportunity to present the Department of the Interior’s views on S. 2412, to establish the Tule Lake National Historic Site in the State of California, and for other purposes.

The Department supports S. 2412.

S. 2412 would establish the Tule Lake National Historic Site as a stand-alone unit of the National Park Service,
The World War II Valor in the Pacific National Monument, including the Tule Lake Unit, was created by a presidential proclamation on December 5, 2008. The monument consists of nine sites in Alaska, California, and Hawaii. Eight of the nine sites in the monument are World War II battle sites that memorialize battles on American soil and actual engagement with foreign enemies. This is in stark contrast to the purpose of the Tule Lake site, which is to preserve, study, and interpret the history and setting of the incarceration and later segregation of nikkei, first-generation Japanese Americans, at Tule Lake during World War II.

Since designation, many former detainees have expressed concerns about whether the name of the monument, “World War II Valor in the Pacific,” is appropriate for a site aimed at remembering the grave injustice done to more than 120,000 Japanese Americans nationwide during the war. Additionally, public input from over 30 public scoping meetings held in western states in 2013 for the park’s general management plan revealed strong public opinion to detach the Tule Lake Unit from World War II Valor in the Pacific National Monument. The rationale expressed that the name is inappropriate, and even offensive, for an internment site to be associated with wartime valor.

The Tule Lake Segregation Center, which was opened in May 1942, was the largest of the 10 War Relocation Authority camps. More than 29,000 Japanese Americans from western Washington, Oregon, and northern California were interned there. Its population made up a quarter of the 120,000 people affected by World War II Japanese American internment. Tule Lake also imprisoned the largest number of individuals categorized as disloyal, and was subsequently converted to a maximum-security segregation center. Due to turmoil and strife, Tule Lake was the last camp to close, on March 28, 1946.

Presently the park includes Camp Tulelake, where there are several historic structures once used to imprison Japanese Americans and detain German and Italian prisoners of war; the Peninsula, an iconic landscape to those who lived there and where detainees tended livestock that supported the self-contained camp; and the Segregation Center, which encompasses the original segregation center’s stockade, the War Relocation Authority motor pool, the post engineer’s yard and motor pool, and a small part of the military police compound.

The Tule Lake Unit is currently administered jointly by the National Park Service and the U.S. Fish and Wildlife Service (Tule Lake National Wildlife Refuge) and is managed in accordance with both NPS and USFWS laws and regulations. This bill would not affect existing land rights.
or alter the site’s current management scheme or operational costs.

Establishing the Tule Lake National Historic Site will enable us to increase focus on understanding the high price paid by Japanese Americans on the home front during World War II. It would elevate the recognition of this site to be consistent with our other Japanese relocation centers Manzanar National Historic Site and Minidoka National Historic Site as stand-alone parks in the National Park System. And, it is in keeping with the public’s and former detainees’ expressed opinions on the matter.

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions you or other members of the subcommittee may have.

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 as ordered reported.