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ADMIRAL LLOYD R. “JOE” VASEY PACIFIC WAR COMMEMORATIVE DISPLAY ESTABLISHMENT ACT

MARCH 21, 2018.—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. 2213]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2213) to authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II, 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. 2213 is to authorize the Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II.

BACKGROUND AND NEED

President George W. Bush established the World War II Valor in the Pacific National Monument by proclamation under the Antiquities Act on December 5, 2008. The Monument includes the USS *Arizona* Memorial and Visitor Center, the USS *Utah* Memorial, the USS *Oklahoma* Memorial, and other sites at Pearl Harbor, Hawaii; three sites in Alaska’s Aleutian Islands, and the Tule Lake Segregation Center National Historic Landmark in California. The Monument was established to preserve these sites associated with important aspects of World War II in the Pacific and to “present

interpretive opportunities and programs for visitors to better understand and honor the sacrifices borne by the Greatest Generation, and tell the story from Pearl Harbor to Peace.” In addition, the USS *Missouri* Memorial Association preserves the USS *Missouri*, the battleship on which the Empire of Japan surrendered, ending World War II.

S. 2213 supports the purposes of the World War II Valor in the Pacific National Monument by authorizing Pacific Historic Parks, a nonprofit organization that works with the National Park Service in support of the USS *Arizona* Memorial and other National Park units in the Pacific, to establish a commemorative display at a suitable location at Pearl Harbor to honor the members of the United States Armed Forces and its allies who served in the Pacific Theater during World War II.

The commemorative display would tell the story of the U.S. service members who fought alongside allied service members on land, in the air, and at sea throughout the Pacific Theater during World War II. The commemorative display would also educate the public on the role of the Pacific War, and provide a place for loved ones to mourn those who were lost. The design and establishment of the commemorative display would be carried out, in coordination with the National Park Service (NPS) and the Pacific Historic Parks, a non-profit whose sole mission is to support NPS throughout the Pacific region.

The legislation is needed to authorize Pacific Historic Parks to locate the commemorative display on National Park Service-managed property.

The commemorative display proposed by the legislation would be named after Admiral Joe Vasey, who recently passed away at the age of 101. Admiral Vasey dedicated his life to promoting peace throughout the Pacific. He served aboard the USS *Gunnell*, under Admiral John S. McCain, Jr., father of Senator John McCain, in the Pacific Theater during World War II. He also founded the Pacific Forum Center for Strategic and International Studies, a non-profit foreign policy research institute focused on the Asia-Pacific region.

LEGISLATIVE HISTORY

S. 2213 was introduced by Senators Hirono and Schatz on December 7, 2017. The Senate Subcommittee on National Parks held a hearing on S. 2213 on February 14, 2018.

A companion measure, H.R. 4300, was introduced in the House of Representatives by Rep. Hanabusa on November 8, 2017 and referred to the House Committee on Natural Resources. H.R. 4300 was reported by the House Committee on Natural Resources (H. Rept. 115–450) on December 6, 2017, and passed the House of Representatives by voice vote on December 7, 2017.

The Committee on Energy and Natural Resources met in open business session on March 8, 2018, and ordered S. 2213 and H.R. 4300 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on March 8, 2018, by a majority voice vote of a quorum present, recommends that the Senate pass S. 2213.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 contains the short title.

Section 2. Definitions

Section 2 contains key definitions.

Section 3. Purposes

Section 3 outlines three purposes of the legislation: (1) honoring members of the U.S. Armed Forces who fought on behalf of the United States in the Pacific Theater during World War II; (2) providing a place to mourn the lives of American and Allied lives lost in the Pacific Theater during World War II; and (3) educating the public about U.S. battles in the Pacific Theater and its role in World War II.

Section 4. Pacific Theater Commemorative Display

Section 4(a) authorizes the Pacific Historic Parks, a cooperating association with the National Park Service, to establish and maintain a commemorative display to honor the members of the United States Armed Forces and Allies who served in the Pacific Theater during World War II.

Subsection (b) prohibits the use of Federal funds for the design, procurement, preparation, installation, or maintenance of the commemorative display, but authorizes the NPS Director to accept and expend contributions of non-Federal funds and resources for such purposes.

Subsection (c) authorizes the Director to allow the commemorative display to be established at a suitable location at the Pearl Harbor site of the World War II Valor in the Pacific National Monument in Honolulu, Hawaii. This subsection further prohibits the establishment of the commemorative display at any location under the Director's jurisdiction until the Director determines that an assured source of non-Federal funding has been established for the design, procurement, installation, and maintenance of the commemorative display.

Subsection (d) specifies that the final design of the commemorative display shall be subject to the approval of the Director.

COST AND BUDGETARY CONSIDERATIONS

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

S. 2213 would authorize the Pacific Historic Parks, a nonprofit organization, to establish a memorial at the Pearl Harbor site of the World War II Valor in the Pacific National Monument located in Honolulu, Hawaii, to commemorate members of the armed forces who fought in the Pacific Theater during World War II. The bill would prohibit the use of federal funds to design, install, or maintain the memorial.

Under S. 2213, the final design of the memorial would be subject to the approval of the National Park Service (NPS). On the basis of the cost of similar activities, CBO estimates that any administrative costs incurred by NPS to approve the memorial design

would be insignificant; any such spending would be subject to the availability of appropriated funds.

Enacting S. 2213 could affect direct spending; therefore, pay-as-you-go procedures apply. The bill would authorize NPS to accept donations, which would be recorded in the budget as offsetting receipts (or reductions in direct spending), and to spend them without further appropriation action to establish the memorial. Because CBO expects that any donation received by NPS would be offset by an expenditure soon thereafter, we estimate that the net effect on direct spending would be negligible. Enacting S. 2213 would not affect revenues.

CBO estimates that enacting S. 2213 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

S. 2213 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On January 19, 2018, CBO transmitted a cost estimate for H.R. 4300, the Admiral Lloyd R. ‘Joe’ Vasey Pacific War Commemorative Display Establishment Act, as passed by the House of Representatives on December 7, 2017. On March 16, 2018, CBO transmitted a cost estimate for H.R. 4300, the Admiral Lloyd R. ‘Joe’ Vasey Pacific War Commemorative Display Establishment Act, as ordered reported by the Senate Committee on Energy and Natural Resources on March 8, 2018. The pieces of legislation are similar, and CBO’s estimates of their budgetary effects are the same.

The CBO staff contact for this estimate is Janani Shankaran. 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. 2213. 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. 2213, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 2213, 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 Department of the Interior at the February 14, 2018, hearing on S. 2213 follows:

STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR OF THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, CONCERNING H.R. 4300 AND S. 2213, BILLS TO AUTHORIZE PACIFIC HISTORIC PARKS TO ESTABLISH A COMMEMORATIVE DISPLAY TO HONOR MEMBERS OF THE UNITED STATES ARMED FORCES WHO SERVED IN THE PACIFIC THEATER OF WORLD WAR II

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 4300 and S. 2213, bills to authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater of World War II, and for other purposes.

The Department supports this legislation and recommends a technical amendment. The two bills, which are virtually identical, would allow the organization named Pacific Historic Parks to establish and maintain a commemorative display at the Pearl Harbor site of the World War II Valor in the Pacific National Monument. The display would honor the members of the United States Armed Forces and allies who served in the Pacific Theater during World War II.

The legislation prohibits the use of federal funds to design, procure, prepare, install, and maintain the commemorative display, but allows the National Park Service to accept and expend contributions of non-federal funds and resources for such purposes. It also prohibits the establishment of the commemorative display on National Park Service-managed property until the National Park Service determines that there is an assured source of non-federal funding for the design, procurement, installation, and maintenance of the display.

The World War II Valor in the Pacific National Monument, home of the USS Arizona Memorial, receives nearly two million visitors each year who come to learn about and to pay their respects to those who gave their lives in the attack on the island of Oahu. The monument interprets not only the events of December 7, 1941, but also the world events leading up to the attack and events that followed, including the many battles across the Pacific Theatre that occurred after the United States entered World War II. The National Park Service believes that the commemorative display authorized in this legislation would be consistent with the mission and interpretive themes explored at the monument.

The Department recommends that the language in Section 4 be clarified to reflect the fact that authority is needed for the Pacific Historic Parks organization to establish a commemorative display on National Park Service-managed property, not for establishing the display itself. We

would like to work with the sponsor and the committee on clarifying language.

Mr. Chairman, this concludes my statement. I would be pleased 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.

