

111TH CONGRESS
1ST SESSION

H. R. 1044

To provide for the administration of Port Chicago Naval Magazine National Memorial as a unit of the National Park System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2009

Mr. GEORGE MILLER of California introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the administration of Port Chicago Naval Magazine National Memorial as a unit of the National Park System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Port Chicago Naval
5 Magazine National Memorial Enhancement Act of 2009”.

1 **SEC. 2. PORT CHICAGO NAVAL MAGAZINE NATIONAL ME-**
2 **MORIAL.**

3 Section 203 of the Port Chicago National Memorial
4 Act of 1992 (Public Law 102–562; 16 U.S.C. 431; 106
5 Stat. 4235) is amended—

6 (1) by redesignating subsection (c) as sub-
7 section (f);

8 (2) by inserting after subsection (b) the fol-
9 lowing new subsections:

10 “(c) ADMINISTRATION.—The Secretary of the Inte-
11 rior shall administer the Port Chicago Naval Magazine
12 National Memorial as a unit of the National Park System
13 in accordance with this Act and laws generally applicable
14 to units of the National Park System, including the Na-
15 tional Park Service Organic Act (39 Stat. 535; 16 U.S.C.
16 1 et seq.) and the Act of August 21, 1935 (49 Stat. 666;
17 16 U.S.C. 461 et seq.). Land transferred to the adminis-
18 trative jurisdiction of the Secretary of the Interior under
19 subsection (d) shall be administered in accordance with
20 this subsection.

21 “(d) TRANSFER OF LAND.—The Secretary of De-
22 fense shall transfer a parcel of land, consisting of approxi-
23 mately 5 acres, depicted within the proposed boundary on
24 the map titled ‘Port Chicago Naval Magazine National
25 Memorial, Proposed Boundary’, numbered 018/80,001,
26 and dated August 2005, to the administrative jurisdiction

1 of the Secretary of the Interior if the Secretary of Defense
2 determines that—

3 “(1) the land is excess to military needs; and

4 “(2) all environmental remediation actions nec-
5 essary to respond to environmental contamination
6 related to the land have been completed in accord-
7 ance with the Comprehensive Environmental Re-
8 sponse, Compensation, and Liability Act of 1980 (42
9 U.S.C. 9601 et seq.) and other applicable laws.

10 “(e) AGREEMENT WITH CITY OF CONCORD AND
11 EAST BAY REGIONAL PARK DISTRICT.—The Secretary of
12 the Interior is authorized to enter into an agreement with
13 the City of Concord, California, and the East Bay Re-
14 gional Park District, to establish and operate a facility
15 for visitor orientation and parking, administrative offices,
16 and curatorial storage for the Memorial.”; and

17 (3) in subsection (f), (as redesignated by para-
18 graph (1)), by striking “Secretary of the Navy to
19 provide public access to the Memorial.” and insert-
20 ing “Secretary of Defense to provide as much public
21 access as possible to the Memorial without inter-
22 fering with military needs.”.

1 **SEC. 3. SENSE OF CONGRESS ON REMEDIATION AND RE-**
2 **PAIR OF PORT CHICAGO NAVAL MAGAZINE**
3 **NATIONAL MEMORIAL.**

4 (a) REMEDIATION.—It is the sense of Congress that,
5 in order to facilitate the land transfer described in sub-
6 section (d) of section 203 of the Port Chicago National
7 Memorial Act of 1992, as added by section 2, the Sec-
8 retary of Defense should promptly remediate remaining
9 environmental contamination related to the land.

10 (b) REPAIR.—It is the sense of Congress that, in
11 order to preserve the Port Chicago Naval Magazine Na-
12 tional Memorial for future generations, the Secretary of
13 Defense and the Secretary of the Interior should work to-
14 gether to—

15 (1) repair storm damage to the Port Chicago
16 site; and

17 (2) develop a process by which future repairs
18 and necessary modifications to the site can be
19 achieved in as timely and cost-effective a manner as
20 possible.

○