

116TH CONGRESS
1ST SESSION

H. R. 477

To amend section 7 of Public Law 100–515 (16 U.S.C. 1244 note) to promote continued use of the James J. Howard Marine Sciences Laboratory at Gateway National Recreation Area by the National Oceanic and Atmospheric Administration.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2019

Mr. PALLONE introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend section 7 of Public Law 100–515 (16 U.S.C. 1244 note) to promote continued use of the James J. Howard Marine Sciences Laboratory at Gateway National Recreation Area by the National Oceanic and Atmospheric Administration.

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. TRANSFER OF THE JAMES J. HOWARD MARINE**
4 **SCIENCES LABORATORY.**

5 Section 7 of Public Law 100–515 (16 U.S.C. 1244
6 note) is amended by striking subsection (b) and inserting
7 the following:

1 “(b) TRANSFER FROM THE STATE TO THE NA-
2 TIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—

3 “(1) IN GENERAL.—Notwithstanding any other
4 provision of law, or the provisions of the August 13,
5 1991, Ground Lease Agreement (‘Lease’) between
6 the Department of the Interior and the State of New
7 Jersey (‘State’), upon notice to the National Park
8 Service, the State may transfer without consider-
9 ation, and the National Oceanic and Atmospheric
10 Administration may accept, all State improvements
11 within the land assignment and right of way, includ-
12 ing the James J. Howard Marine Sciences Labora-
13 tory (‘Laboratory’), two parking lots, and the sea-
14 water supply and backflow pipes as generally de-
15 picted on the map entitled ‘Gateway National Recre-
16 ation Area, James J. Howard Marine Science Lab-
17 oratory Land Assignment’, numbered 646/142,581A,
18 and dated April 2018 (‘Map’) and any related State
19 personal property.

20 “(2) LEASE AMENDMENT.—Upon the transfer
21 authorized in paragraph (1), the Lease shall be
22 amended to exclude any obligations of the State and
23 the Department of the Interior related to the Lab-
24 oratory and associated property and improvements
25 transferred to the National Oceanic and Atmos-

1 pheric Administration. However, all obligations of
2 the State to rehabilitate Building 74 and modify
3 landscaping on the surrounding property as depicted
4 on the Map, under the Lease and pursuant to sub-
5 section (a), shall remain in full force and effect.

6 “(3) USE BY THE NATIONAL OCEANIC AND AT-
7 MOSPHERIC ADMINISTRATION.—Upon the transfer
8 authorized in paragraph (1), the Administrator of
9 the National Oceanic and Atmospheric Administra-
10 tion is authorized to use the land generally depicted
11 on the Map as a land assignment and right of way
12 and associated land and appurtenances for continued
13 use of the Laboratory, including providing mainte-
14 nance and repair, and access to the Laboratory, the
15 parking lots and the seawater supply and back flow
16 pipes, without consideration, except for reimburse-
17 ment to the National Park Service of agreed upon
18 reasonable actual costs of subsequently provided
19 goods and services.

20 “(4) AGREEMENT BETWEEN THE NATIONAL
21 PARK SERVICE AND THE NATIONAL OCEANIC AND
22 ATMOSPHERIC ADMINISTRATION.—Upon the transfer
23 authorized in paragraph (1), the Director of the Na-
24 tional Park Service and the Administrator of the
25 National Oceanic and Atmospheric Administration

1 shall enter into an agreement addressing responsibil-
2 ities pertaining to the use of the land assignment
3 within the Sandy Hook Unit of the Gateway Na-
4 tional Recreation Area as authorized in paragraph
5 (3). The agreement shall prohibit any new construc-
6 tion on this land, permanent or nonpermanent, or
7 significant alteration to the exterior of the Labora-
8 tory, without National Park Service approval.

9 “(5) RESTORATION.—

10 “(A) Notwithstanding any provision of the
11 Lease to the contrary, if the State does not
12 transfer the improvements as authorized in
13 paragraph (1), and these improvements are not
14 used as or in support of a marine science lab-
15 oratory, the State shall demolish and remove
16 the improvements and restore the land in ac-
17 cordance with the standards set forth by the
18 National Park Service, free of unacceptable en-
19 cumbrances and in compliance with all applica-
20 ble laws and regulations regarding known con-
21 taminants.

22 “(B) If the National Oceanic and Atmos-
23 pheric Administration accepts the improvements
24 as authorized in paragraph (1) and these im-
25 provements are not used as or in support of a

1 marine science laboratory, the National Oceanic
2 and Atmospheric Administration shall be re-
3 sponsible for demolishing and removing these
4 improvements and restoring the land, in accord-
5 ance with the standards set forth by the Na-
6 tional Park Service, free of unacceptable en-
7 cumbrances and in compliance with all applica-
8 ble laws and regulations regarding known con-
9 taminants.”.

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