

## Union Calendar No. 787

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6434

**[Report No. 115–1006]**

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.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2018

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

NOVEMBER 2, 2018

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **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:

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

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

1 and dated April 2018 (‘Map’) and any related State  
2 personal property.

3 “(2) LEASE AMENDMENT.—Upon the transfer  
4 authorized in paragraph (1), the Lease shall be  
5 amended to exclude any obligations of the State and  
6 the Department of the Interior related to the Lab-  
7 oratory and associated property and improvements  
8 transferred to the National Oceanic and Atmos-  
9 pheric Administration. However, all obligations of  
10 the State to rehabilitate Building 74 and modify  
11 landscaping on the surrounding property as depicted  
12 on the Map, under the Lease and pursuant to sub-  
13 section (a), shall remain in full force and effect.

14 “(3) USE BY THE NATIONAL OCEANIC AND AT-  
15 MOSPHERIC ADMINISTRATION.—Upon the transfer  
16 authorized in paragraph (1), the Administrator of  
17 the National Oceanic and Atmospheric Administra-  
18 tion is authorized to use the land generally depicted  
19 on the Map as a land assignment and right of way  
20 and associated land and appurtenances for continued  
21 use of the Laboratory, including providing mainte-  
22 nance and repair, and access to the Laboratory, the  
23 parking lots and the seawater supply and back flow  
24 pipes, without consideration, except for reimburse-  
25 ment to the National Park Service of agreed upon

1 reasonable actual costs of subsequently provided  
2 goods and services.

3 “(4) AGREEMENT BETWEEN THE NATIONAL  
4 PARK SERVICE AND THE NATIONAL OCEANIC AND  
5 ATMOSPHERIC ADMINISTRATION.—Upon the transfer  
6 authorized in paragraph (1), the Director of the Na-  
7 tional Park Service and the Administrator of the  
8 National Oceanic and Atmospheric Administration  
9 shall enter into an agreement addressing responsibil-  
10 ities pertaining to the use of the land assignment  
11 within the Sandy Hook Unit of the Gateway Na-  
12 tional Recreation Area as authorized in paragraph  
13 (3). The agreement shall prohibit any new construc-  
14 tion on this land, permanent or nonpermanent, or  
15 significant alteration to the exterior of the Labora-  
16 tory, without National Park Service approval.

17 “(5) RESTORATION.—

18 “(A) Notwithstanding any provision of the  
19 Lease to the contrary, if the State does not  
20 transfer the improvements as authorized in  
21 paragraph (1), and these improvements are not  
22 used as or in support of a marine science lab-  
23 oratory, the State shall demolish and remove  
24 the improvements and restore the land in ac-  
25 cordance with the standards set forth by the

1 National Park Service, free of unacceptable en-  
2 cumbrances and in compliance with all applica-  
3 ble laws and regulations regarding known con-  
4 taminants.

5 “(B) If the National Oceanic and Atmos-  
6 pheric Administration accepts the improvements  
7 as authorized in paragraph (1) and these im-  
8 provements are not used as or in support of a  
9 marine science laboratory, the National Oceanic  
10 and Atmospheric Administration shall be re-  
11 sponsible for demolishing and removing these  
12 improvements and restoring the land, in accord-  
13 ance with the standards set forth by the Na-  
14 tional Park Service, free of unacceptable en-  
15 cumbrances and in compliance with all applica-  
16 ble laws and regulations regarding known con-  
17 taminants.”.



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