

111TH CONGRESS
1ST SESSION

H. R. 1044

IN THE SENATE OF THE UNITED STATES

JULY 16, 2009

Received; read twice and referred to the Committee on Armed Services

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. TRANSFER OF ADMINISTRATIVE JURISDICTION,**
5 **PORT CHICAGO NAVAL MAGAZINE, CALI-**
6 **FORNIA.**

7 (a) **TRANSFER REQUIRED; ADMINISTRATION.**—Sec-
8 tion 203 of the Port Chicago National Memorial Act of
9 1992 (Public Law 102–562; 16 U.S.C. 431; 106 Stat.
10 4235) is amended by striking subsection (c) and inserting
11 the following new subsections:

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

23 “(d) **TRANSFER OF LAND.**—The Secretary of De-
24 fense shall transfer a parcel of land, consisting of approxi-
25 mately 5 acres, depicted within the proposed boundary on
26 the map titled ‘Port Chicago Naval Magazine National

1 Memorial, Proposed Boundary’, numbered 018/80,001,
2 and dated August 2005, to the administrative jurisdiction
3 of the Secretary of the Interior if the Secretary of Defense
4 determines that—

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

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

12 “(e) PUBLIC ACCESS.—The Secretary of the Interior
13 shall enter into an agreement with the Secretary of De-
14 fense to provide as much public access as possible to the
15 Port Chicago Naval Magazine National Memorial without
16 interfering with military needs. This subsection shall no
17 longer apply if, at some point in the future, the National
18 Memorial ceases to be an enclave within the Concord
19 Naval Weapons Station.

20 “(f) AGREEMENT WITH CITY OF CONCORD AND
21 EAST BAY REGIONAL PARK DISTRICT.—The Secretary of
22 the Interior is authorized to enter into an agreement with
23 the City of Concord, California, and the East Bay Re-
24 gional Park District, to establish and operate a facility

1 for visitor orientation and parking, administrative offices,
2 and curatorial storage for the National Memorial.”.

3 (b) SENSE OF CONGRESS ON REMEDIATION AND RE-
4 PAIR OF NATIONAL MEMORIAL.—

5 (1) REMEDIATION.—It is the sense of Congress
6 that, in order to facilitate the land transfer de-
7 scribed in subsection (d) of section 203 of the Port
8 Chicago National Memorial Act of 1992, as added
9 by subsection (a), the Secretary of Defense should
10 remediate remaining environmental contamination
11 related to the land.

12 (2) REPAIR.—It is the sense of Congress that,
13 in order to preserve the Port Chicago Naval Maga-
14 zine National Memorial for future generations, the
15 Secretary of Defense and the Secretary of the Inte-
16 rior should work together to develop a process by
17 which future repairs and necessary modifications to

1 the National Memorial can be achieved in as timely
2 and cost-effective a manner as possible.

Passed the House of Representatives July 15, 2009.

Attest: LORRAINE C. MILLER,
Clerk.

By ROBERT F. REEVES,
Deputy Clerk.