# Legislation for Muir Woods National Monument

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<td>Muir Woods National Monument Proclamation</td>
<td>Establishment of Muir Woods National Monument</td>
<td>1/9/1908</td>
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MUIR WOODS NATIONAL MONUMENT
IN
T.1 N., R.6 E.
M.D.M.
CALIFORNIA
Containing about 295 acres

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
Richard A. Ballinger, Commissioner

[DIAGRAM ATTACHED TO AND MADE A PART OF THE PROCLAMATION
DATED JANUARY 9, 1908.]
WHEREAS, William Kent and his wife, Elizabeth Thatcher Kent, of the City of Chicago, in County of Cook in the State of Illinois, did, on December 26, 1907, pursuant to the Act of Congress entitled, "An Act for the preservation of American Antiquities," approved June 8, 1906, by their certain deed of relinquishment and conveyance, properly executed in writing and acknowledged, relinquish, remise, convey and forever quitclaim to the United States of America the following mentioned lands at that time held by them in private ownership and lying and being in Township One North, of Range Six West, Mt. Diablo Meridian, in the County of Marin, in the State of California, and bounded and particularly described as follows, to-wit:

Beginning at a stake "A.7" driven in the center of the road in Redwood Canon and located by the following courses and distances from the point of commencement of the tract of land, which was conveyed by the Tamalpais Land and Water Company to William Kent by a deed dated August 29th, 1905, and recorded in the office of the County Recorder of Marin County, California, Book 95 of Deeds at page 58, to-wit:—North eighteen degrees thirty-two minutes East two hundred thirty-two and sixty-four hundredths feet, North sixty-six degrees thirty minutes West one hundred sixty-seven and thirty-four hundredths feet, North eighty-six degrees twenty-five minutes West ninety-eight and sixty-two hundredths feet, North seventy degrees no minutes, West two hundred forty-one and seven hundredths feet, North fifty-seven degrees twenty-nine minutes West one hundred seventy-eight and three hundredths feet; North forty-six degrees twenty-two minutes West two hundred thirty-five and thirty-nine hundredths feet and North twenty-four degrees twenty-five minutes West two hundred twenty-five and fifty-six hundredths feet; thence from said stake "A.7," the point of beginning, South fifty-four degrees nineteen minutes West fourteen hundred eighty-two and seven tenths feet to Station A.8 from which Station 4 of the survey of the tract of land conveyed to William Kent as aforesaid bears south fifty-four degrees nineteen minutes west three hundred ten feet distant; thence from said Station A.8 North forty-seven degrees
thirty minutes West twenty-six hundred eighty feet; thence due West six hundred fifty and eight tenths feet; thence North fifty-two degrees thirty minutes West eleven hundred feet; thence North nineteen degrees forty-five minutes West ten hundred fifty-eight and four tenths feet to Station A.12. from which Station 16 of the Survey of the tract of land conveyed to William Kent as aforesaid bears South eighty-three degrees forty-two minutes West three hundred ten feet distant; thence North eighty-three degrees forty-two minutes East thirty-one hundred nine and two tenths feet; thence north fifty-five degrees twenty-eight minutes East fifteen hundred fifty feet to an iron bolt, three-quarters of an inch in diameter and thirty inches long, Station 14; thence South seventeen degrees eighteen minutes East twenty-eight hundred twenty and nine tenths feet; thence South four degrees ten minutes East nine hundred thirty feet to a stake “A.16” driven in the center of a graded road; and thence South forty-five degrees seventeen minutes West two hundred ninety-eight and five tenths feet to said stake A.7, the place of beginning. Containing an area of two hundred ninety-five acres a little more or less, and,

WHEREAS, said relinquishment and conveyance has been accepted by the Secretary of the Interior in the manner and for the purposes prescribed in said Act of Congress, and

WHEREAS, an extensive growth of redwood trees (Sequoia sempervirens) embraced in said land is of extraordinary scientific interest and importance because of the primeval character of the forest in which it is located, and of the character, age and size of the trees,

Now, therefore, I, Theodore Roosevelt, President of United States of America, by virtue of the power and authority in me vested by Section 2 of said Act of Congress, do hereby declare and proclaim that said grove and all of the land hereinbefore described and fully delineated on the diagram hereunto attached and made a part hereof, are hereby reserved from appropriation and use of all kinds under all the public land laws of the United States and set apart as a National Monument, to be known and recognized as the Muir Woods National Monument.

Warning is hereby expressly given to all unauthorized persons not to appropriate, cut, injure, destroy or take away any trees on said land and not to locate or settle upon any of said land.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 9th day of January in the year of our Lord one thousand nine hundred and eight,

[seal.] and of the Independence of the United States the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:
Elihu Root
Secretary of State.
## Appendix B:

### Legislation for
Fort Point National Historic Site

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<td>Fort Point National Historic Site, Calif.</td>
<td>Establishment of Fort Point National Historic Site</td>
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Public Law 91-457
91st Congress, H. R. 18410
October 16, 1970

An Act

To establish the Fort Point National Historic Site in San Francisco, California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and interpret for future generations the historical significance of Fort Point in the Presidio of San Francisco, California, the Congress hereby establishes the Fort Point National Historic Site comprising the area depicted on the map entitled "Boundary Map, Fort Point National Historic Site, California", numbered NPS-Poi-91,000 and dated July 1970, together with such adjacent lands as may hereafter be transferred, without monetary consideration, to the Secretary of the Interior by the Secretary of the Army. Such additional lands, which shall neither exceed ten acres of fast lands nor sixty-three acres of submerged lands, shall, when transferred, be added to the Fort Point National Historic Site and shall be administered in accordance with the provisions of this Act. Provided, That no transfer of lands pursuant to this section shall be consummated until sixty days after the description, terms, and conditions of the proposed transfer have been forwarded to the Committees on Interior and Insular Affairs of the House of Representatives and Senate of the United States.


Sec. 3. There are authorized to be appropriated for development of Fort Point National Historic Site such sums as may be necessary, but not more than $5,250,000 (February 1970 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.


LEGISLATIVE HISTORY:

HOUSE REPORT No. 91-1400 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 91-1269 (Comm. on Interior and Insular Affairs).
Sept. 14, considered and passed House.
Oct. 7, considered and passed Senate.
# Appendix C:

## Legislation for
Golden Gate National Recreation Area

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<td>92-589</td>
<td>Golden Gate National Recreation Area, Calif.</td>
<td>This act establishes the purpose of the GGNRA, delineates the composition and boundaries, describes the acquisition policy and administration, creates an advisory committee, and discusses appropriations.</td>
<td>10/27/1972</td>
<td>9</td>
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<td>93-544</td>
<td>Golden Gate National Recreation Area, Calif., additional land</td>
<td>Amended the act of 10/27/72 to include the acquisition of contiguous lands in southern Marin, Muir, and Stinson Beaches. (Oakwood Valley, Tennessee Valley, Wolfback Ridge, and Haslett Warehouse)</td>
<td>12/26/1974</td>
<td>14</td>
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<td>94-389</td>
<td>California Tule Elk population, preservation</td>
<td>Establishes a Federal objective in preserving Tule Elk population in California. Mandates cooperation between federal agencies in making land available and suggests Point Reyes as a viable location.</td>
<td>8/14/1976</td>
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<td>95-625</td>
<td>National Parks and Recreation Act of 1978</td>
<td>Expands boundaries in Marin and San Francisco (Lagunitas Creek watershed, Devils Gulch, Cheda, McIsaac, Zanardi, and Rogers ranches). Strengthened continued use and occupancy provisions for agriculture, and limited new construction. It also established the ability to obtain proceeds from rental space in the warehouse, Cliffhouse, and Louis' restaurant. It increased the park's advisory commission from fifteen to seventeen. (Note: references conflict with re: to which law has the acquisition of Samuel P. Taylor)</td>
<td>11/10/1978</td>
<td>17</td>
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<td>96-199</td>
<td>National Parks and Recreation Act of 1978, amendment</td>
<td>Expands park boundaries including Samuel P. Taylor Park, Gallagher, Ottinger, and Giacomini ranches. Included the waters of Tomales Bay and increased park's acquisition ceiling while reducing its development ceiling</td>
<td>3/5/1980</td>
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<td>96-203</td>
<td>Hot Springs, Ark., land conveyance</td>
<td>Authorizes the Interior Dept. to acquire whaling artifacts for the Maritime Museum</td>
<td>3/10/1980</td>
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<td>96-344</td>
<td>Historic Sites, Buildings and Antiquities Act, administration improvement</td>
<td>Added the acreage of the McFadden, Genazzi and Martinelli ranches. Extended the terms of the advisory committee from three to five years. Recommended Sweeney Ridge for addition to GGNRA</td>
<td>9/8/1980</td>
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<td>96-607</td>
<td>National Park System, amendment</td>
<td>Adds Sweeney Ridge and increased membership of the advisory committee from seventeen to eighteen.</td>
<td>12/28/1980</td>
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<td>98-28</td>
<td>Golden Gate National Recreation Area, dedication to Congressman Phillip Burton</td>
<td>Dedicates GGNRA to Congressman Burton</td>
<td>5/10/1983</td>
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<td>99-395</td>
<td>National Maritime Museum</td>
<td>Authorizes the Interior Dept. to use funds from rental of drydock to fund restoration and maintenance of the National Maritime Museum collection</td>
<td>8/27/1986</td>
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<td>100-348</td>
<td>San Francisco Maritime National Historical Park Act of 1988</td>
<td>Establishes the SF Maritime Museum as a separate entity reducing the boundary for the GGNRA</td>
<td>6/27/1988</td>
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<td>100-526</td>
<td>Defense Authorization Amendments and Base Closure and Realignment Act</td>
<td>The Presidio is slated for closure as an active military base and will be transferred to the NPS</td>
<td>10/24/1988</td>
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<td>102-299</td>
<td><strong>Central California Coast Biosphere Reserve</strong></td>
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<td>102-580</td>
<td><strong>Advisory Committee</strong></td>
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<td>10/26/1992</td>
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<td>102-580</td>
<td><strong>Presidio Transition</strong></td>
<td><strong>Authorization for technical assistance in transition process and search for opportunities.</strong></td>
<td>10/31/1992</td>
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<td>103-160</td>
<td><strong>Defense Authorization</strong></td>
<td><strong>Restrictions on land transaction relating to the Presidio.</strong></td>
<td>11/30/1992</td>
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<td>103-175</td>
<td><strong>Letterman-Lair Complex at Presidio.</strong></td>
<td><strong>Authorization to negotiate for all or part of the Letterman-Lair complex at the Presidio.</strong></td>
<td>12/2/1993</td>
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<td>103-337</td>
<td><strong>Defense Authorization</strong></td>
<td><strong>Repeal of restrictions on land transaction relating to Presidio.</strong></td>
<td>10/5/1994</td>
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<td>106-113</td>
<td><strong>Consolidated Appropriations for FY ending 9/30/2000</strong></td>
<td><strong>Exemption of all taxes and special assessments, except sales tax. Such areas of Fort Baker shall remain under exclusive Federal jurisdiction.</strong></td>
<td>11/29/1999</td>
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<td>106-291</td>
<td><strong>Dept of Interior appropriation</strong></td>
<td><strong>Authority for fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.</strong></td>
<td>10/11/2000</td>
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AN ACT
To establish the Golden Gate National Recreation Area in the State of California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT

Section 1. In order to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties, California, possessing outstanding natural, historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning, the Golden Gate National Recreation Area (hereinafter referred to as the "recreation area") is hereby established. In the management of the recreation area, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of this Act, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area.

COMPOSITION AND BOUNDARIES

Sec. 2. (a) The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled "Boundary Map, Golden Gate National Recreation Area", numbered NRA-GG-80,003A, sheets 1 through 8, and dated July, 1972.

(b) The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate (hereinafter referred to as the "committees") in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

ACQUISITION POLICY

Sec. 3. (a) Within the boundaries of the recreation area, the Secretary may acquire lands, improvements, waters, or interests therein, by donation, purchase, exchange or transfer. Any lands, or interests therein, owned by the State of California or any political subdivision thereof, may be acquired only by donation. When any tract of land is only partly within such boundaries, the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal lands within the boundaries. Any portion of land acquired outside the boundaries and not utilized for exchange shall be reported to the General Services Administration for disposal under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended: Provided, That no disposal shall be for less than fair market value. Except as hereinafter provided, Federal property within...
the boundaries of the recreation area is hereby transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of this Act, subject to the continuation of such existing uses as may be agreed upon between the Secretary and the head of the agency formerly having jurisdiction over the property. Notwithstanding any other provision of law, the Secretary may develop and administer for the purposes of this Act structures or other improvements and facilities on lands for which he receives a permit of use and occupancy from the Secretary of the Army.

(b) Fort Cronkhite, Fort Barry, and the westerly one-half of Fort Baker, in Marin County, California, as depicted on the map entitled “Golden Gate Military Properties” numbered NRAGG-20,002 and dated January 1973, which shall be on file and available for public inspection in the offices of the National Park Service, are hereby transferred to the jurisdiction of the Secretary for purposes of this Act, subject to continued use and occupancy by the Secretary of the Army of those lands needed for existing air defense missions, reserve activities and family housing, until he determines that such requirements no longer exist. The Coast Guard Radio Receiver Station, shall remain under the jurisdiction of the Secretary of the Department in which the Coast Guard is operating. When this station is determined to be excess to the needs of the Coast Guard, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act.

(c) The easterly one-half of Fort Baker in Marin County, California, shall remain under the jurisdiction of the Department of the Army. When this property is determined by the Department of Defense to be excess to its needs, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Secretary of the Army shall grant to the Secretary reasonable public access through such property to Horseshoe Bay, together with the right to construct and maintain such public service facilities as are necessary for the purposes of this Act. The precise facilities and location thereof shall be determined between the Secretary and the Secretary of the Army.

(d) Upon enactment, the Secretary of the Army shall grant to the Secretary the irrevocable use and occupancy of one hundred acres of the Baker Beach area of the Presidio of San Francisco, as depicted on the map referred to in subsection (b).

(e) The Secretary of the Army shall grant to the Secretary within a reasonable time, the irrevocable use and occupancy of forty-five acres of the Crissy Army Airfield of the Presidio, as depicted on the map referred to in subsection (b).

(f) When all or any substantial portion of the remainder of the Presidio is determined by the Department of Defense to be excess to its needs, such lands shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Secretary shall grant a permit for continued use and occupancy for that portion of said Fort Point Coast Guard Station necessary for activities of the Coast Guard.

(g) Point Bonita, Point Diablo, and Lime Point shall remain under the jurisdiction of the Secretary of the Department in which the Coast Guard is operating. When this property is determined to be excess to the needs of the Coast Guard, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Coast Guard may continue to maintain and operate existing navigational aids: Provided, That access to such navigational aids and the installation of necessary new navigational aids within the recreation area shall be undertaken in accordance with plans which are mutually acceptable to the Secretary and the Secretary of the Department in which the Coast Guard is operating and which are consistent with both the purposes of this Act and the purpose of existing...
statutes dealing with establishment, maintenance, and operation of navigational aids.

(ii) That portion of Fort Miley comprising approximately one and seven-tenths acres of land presently used and required by the Secretary of the Navy for its inshore, undersea warfare installations shall remain under the administrative jurisdiction of the Department of the Navy until such time as all or any portion thereof is determined by the Department of Defense to be excess to its needs, at which time such excess portion shall be transferred to the administrative jurisdiction of the Secretary for purposes of this Act.

(i) New construction and development within the recreation area on property remaining under the administrative jurisdiction of the Department of the Army and not subject to the provisions of subsection (d) or (e) hereof shall be limited to that which is required to accommodate facilities being relocated from property being transferred under this Act to the administrative jurisdiction of the Secretary or which is directly related to the essential missions of the Sixth United States Army: Provided, however, That any construction on presently undeveloped open space may be undertaken only after prior consultation with the Secretary. The foregoing limitation on construction and development shall not apply to expansion of those facilities known as Letterman General Hospital or the Western Medical Institute of Research.

(j) The owner of improved property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purpose of this Act, and it shall terminate by operation of law upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(k) The term "improved property," as used in subsection (j), means a detached, noncommercial residential dwelling, the construction of which was begun before June 1, 1971, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(l) Whenever an owner of property elects to retain a right of use and occupancy as provided for in the Act, such owner shall be deemed to have waived any benefits or rights accruing under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (84 Stat. 1894), and for the purposes of those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

(m) Notwithstanding any other provision of law, the Secretary shall have the same authority with respect to contracts for the acquisition of land and interests in land for the purposes of this Act as was
given the Secretary of the Treasury for other land acquisitions by section 34 of the Act of May 30, 1908, relating to purchase of sites for public buildings (35 Stat. 545), and the Secretary and the owner of land to be acquired under this Act may agree that the purchase price will be paid in periodic installments over a period that does not exceed ten years, with interest on the unpaid balance thereof at a rate which is not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments. Judgments against the United States for amounts in excess of the deposit in court made in condemnation actions shall be subject to the provisions of the Act of July 27, 1956 (70 Stat. 624) and sections 2414 and 2517 of title 28, United States Code.

ADDITIONAL ADMINISTRATION

Sec. 4. (a) The Secretary shall administer the lands, waters and interests therein acquired for the recreation area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented, and the Secretary may utilize such statutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this Act. Notwithstanding their inclusion within the boundaries of the recreation area, the Muir Woods National Monument and Fort Point National Historic Site shall continue to be administered as distinct and identifiable units of the national park system in accordance with the laws applicable to such monument and historic site.

(b) The Secretary may enter into cooperative agreements with any Federal agency, the State of California, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement and fire preventive assistance.

(c) The authority of the Army to undertake or contribute to water resource developments, including shore erosion control, beach protection, and navigation improvements on land and/or waters within the recreation area shall be exercised in accordance with plans which are mutually acceptable to the Secretary and the Secretary of the Army and which are consistent with both the purpose of this Act and the purpose of existing statutes dealing with water and related resource development.

(d) The Secretary, in cooperation with the State of California and affected political subdivisions thereof, local and regional transit agencies, and the Secretaries of Transportation and of the Army, shall make a study for a coordinated public and private transportation system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties.

ADVISORY COMMISSION

Sec. 5. (a) There is hereby established the Golden Gate National Recreation Area Advisory Commission (hereinafter referred to as the “Commission”).

(b) The Commission shall be composed of fifteen members appointed by the Secretary for terms of three years each.

(c) Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the Commission shall serve without compensation, as such, but the Secretary may pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this Act.
(e) The Secretary, or his designee, shall from time to time, but at least annually, meet and consult with the Commission on general policies and specific matters related to planning, administration and development affecting the recreation area and other units of the national park system in Marin and San Francisco Counties.

(f) The Commission shall act and advise by affirmative vote of a majority of the members thereof.

(g) The Commission shall cease to exist ten years after the enactment of this Act.

APPROPRIATION LIMITATION

Sec. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $61,610,000 shall be appropriated for the acquisition of lands and interests in lands. There are authorized to be appropriated not more than $58,000,000 (May 1971 prices) for the development of the recreation area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the type of construction involved herein.

Approved October 27, 1972.
5. Golden Gate

An Act to amend the Act of October 27, 1972, establishing the Golden Gate National Recreation Area in San Francisco and Marin Counties, California, and for purposes. (88 Stat. 1741) (P.L. 93–544)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(a) of the Act of October 27, 1972 (86 Stat. 1299), is hereby amended by deleting "Boundary Map, Golden Gate National Recreation Area, numbered NRA–GG–80,003, sheets 1 through 3, and dated July, 1972." and inserting in lieu thereof "Revised Boundary Map, Golden Gate National Recreation Area, numbered NRA–GG–80,003–G, and dated September 1974", which shall include, in addition to the existing properties within the Golden Gate National Recreation Area, the following:

"Marin County:
"(1) Allan Associates, Incorporated property, 38.89 acres,
"(2) County of Marin and Tamalpais Community Services District lands, 22.94 acres,
"(3) Ghilotti Brothers property, 10.40 acres,
"(4) Oakwood Valley area, various properties, 280.89 acres,
"(5) Olds property, 207.56 acres,
"(6) Wolfback Ridge area, various properties, approximately 265 acres, including approximately 30 acres known as South Ridge Lands: Provided, That the Secretary is authorized to acquire such interest as he deems reasonably necessary to preserve the scenic quality of the 9.47 acres designated for scenic protection,
"(7) Keller property, Stinson Beach, 10.59 acres,
"(8) Leonard property, Stinson Beach, 8.25 acres,
"(9) Muir Beach properties, 3.94 acres.

"San Francisco County:
"Haslett Warehouse; and shall exclude the following:
"(1) Leonard (homesite), 10.03 acres,
"(2) Panoramic Highway area, Stinson Beach, 40.65 acres."

Approved December 26, 1974.
Public Law 94–389
94th Congress

Joint Resolution

Providing for Federal participation in preserving the Tule elk population in California.

Whereas, although Tule elk once roamed the central valleys of California in vast numbers, the species became nearly extinct during the latter part of the last century as a result of its native habitat being developed for agricultural purposes and urban growth; and

Whereas, although around 1870 the Tule elk population reached a low of approximately thirty animals, through the dedicated efforts of various citizen groups and individual cattlemen, the population has slowly recovered to a total of approximately six hundred animals, the majority of which may be found in free-roaming herds in the Owens Valley, at Cache Creek in Colusa County, California, a small number which are captive in the Tupman Refuge in Kern County, California; and

Whereas in 1971 the California Legislature, recognizing the threat to the Tule elk as a species, amended section 332 and enacted section 3951 of the Fish and Game Code which provide for the encouragement of a statewide population of Tule elk of not less than two thousand, if suitable areas can be found in California to accommodate such population in a healthy environment, and further fixed the population of the Tule elk in the Owens Valley at four hundred and ninety animals, or such greater number as might thereafter be determined by the California Department of Fish and Game, in accordance with game management principles, to be the Owens Valley holding capacity; and

Whereas the Tule elk is considered by the Department of the Interior to be a rare, though not endangered, species by reason of the steps taken by the State of California; and

Whereas the protection and maintenance of California’s Tule elk in a free and wild state is of educational, scientific, and esthetic value to the people of the United States; and

Whereas there are Federal lands in the State of California (including, but not limited to, the San Luis National Wildlife Refuge, the Point Reyes National Seashore, various national forests and national parks, and Bureau of Land Management lands located in central California, as well as lands under the jurisdiction of the Secretary of Defense such as Camp Pendleton, Camp Roberts, and Camp Hunter Liggett) which, together with adjacent lands in public and private ownership, offer a potential for increasing the Tule elk population in California to the two thousand level envisioned by the California Legislature: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that the restoration and conservation of a Tule elk population in California of at least two thousand, except that the number of Tule elk in the Owens River Watershed area shall at no time exceed four hundred and ninety or such greater number which is determined by the State of California to be the maximum holding capacity of such area, is an appropriate national goal.

Aug. 14, 1976
[H.J. Res. 738]

California.
Tule elk population, preservation.
16 USC 673d.
SEC. 2. The Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Defense shall cooperate with the State of California in making the lands under their respective jurisdictions reasonably available for the preservation and grazing of Tule elk in such manner and to such extent as may be consistent with Federal law.

SEC. 3. The Secretary of the Interior shall submit, on or before the first of March of each year, a report to the Congress as to the estimated size and condition of the various Tule elk herds in California and the nature and condition of their respective habitats. The Secretary shall include in such report his determination as to whether or not the preservation of the Tule elk herd at its then-existing level is, or may be, endangered or threatened by actual or proposed changes in land use or land management practices on lands owned by any Federal, State, or local agency, together with his recommendations as to what Federal actions, if any, should be taken in order to preserve the Tule elk herds at the then-existing level or such other level as may be determined from time to time by the State of California.

SEC. 4. The Secretary of the Interior, in coordination with all Federal, State, and other officers having jurisdiction over lands on which Tule elk herds are located or lands which would provide suitable Tule elk habitat, shall develop a plan for Tule elk restoration and conservation, including habitat management, which shall be integrated with the comparable plans of State and local authorities in California. The Secretary's annual report to Congress shall describe the development and implementation of such plan.

Approved August 14, 1976.
Public Law 95–625  
95th Congress  
An Act  

To authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho.  

Nov. 10, 1978  
[S. 791]  

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,  

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16 USC 1 note.  

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of 1978, the Secretary of the Interior is authorized to acquire for purposes of the recreation area established under this Act all lands and interests therein within the exterior boundaries of the area depicted on the drawing referred to in this subsection (including any lands within such exterior boundaries designated for acquisition by the Secretary of the Army in connection with the project referred to in this subsection). In exercising such authority, the Secretary of the Interior may permit the retention of rights of use and occupancy in the same manner as provided in the case of acquisitions by the Secretary of the Army under subsection (d). On the date of enactment of the National Parks and Recreation Act of 1978, the acquisition authorities of any other Federal agency contained in this subsection shall terminate and the head of any other Federal agency shall transfer to the Secretary of the Interior jurisdiction over all lands and interests therein acquired by said agency under the authority of this Act, or any other authority of law which lands are within the exterior boundaries of the area depicted on the drawing referred to in this subsection. On the date of enactment of the National Parks and Recreation Act of 1978, all unexpended balances available to any other Federal agency for acquisition of land within the exterior boundaries referred to in the preceding sentence shall be transferred to the Secretary of the Interior to be used for such purposes. In carrying out his acquisition authority under this section the Secretary shall give priority to the following:

"(1) completion of acquisition of lands for which condemnation proceedings have been started pursuant to the authorization of the project referred to in this subsection;

"(2) acquisition of lands of beneficial owners, not being a corporation, who in the judgment of the Secretary would suffer hardship if acquisition of their lands were delayed;

"(3) acquisition of lands on which, in the judgment of the Secretary, there is an imminent danger of development that would be incompatible with the purposes of the recreation area;

"(4) acquisition of lands of beneficial owners, not being a corporation, who are willing to sell their lands provided they are able to continue to use it for noncommercial residential purposes for a limited period of time which will not, in the judgment of the Secretary, unduly interfere with the development of public use facilities for such national recreation area, pursuant to the authorization for such area;

"(5) acquisition of scenic easements when, in the judgment of the Secretary, such easements are sufficient to carry out the purposes for which such national recreation area was authorized; and

"(6) acquisition of lands necessary to preserve the integrity of the recreation area."

GOLDEN GATE NATIONAL RECREATION AREA

Sec. 317. (a) Subsection 2(a) of the Act of October 27, 1972 (86 Stat. 1299), as amended (16 U.S.C. 449), is further amended to read as follows: "(a) The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled: 'Revised Boundary Map, Golden Gate National Recreation Area', numbered NRA–GG–80,033–K and dated October 1978. The authority of the Secretary to acquire lands in the tract known as San Francisco Assessor's Block number 1392 shall be limited to an area of not more
than one and nine-tenths acres. Notwithstanding any other provision of this Act, the Secretary shall not acquire the Marin County Assessor's parcels numbered 199-181-01, 199-181-06, 199-181-08, 199-181-13, and 199-181-14, located in the Muir Beach portion of the recreation area.”.

(b) Section 3(i) of such Act is amended to read as follows:
“(i) New construction and development within the boundaries described in section 2(a) on lands under the administrative jurisdiction of a department other than that of the Secretary is prohibited, except that improvements on lands which have not been transferred to his administrative jurisdiction may be reconstructed or demolished. Any such structure which is demolished may be replaced with an improvement of similar size, following consultation with the Secretary or his designated representative, who shall conduct a public hearing at a location in the general vicinity of the area, notice of which shall be given at least one week prior to the date thereof. The foregoing limitation on construction and development shall not apply to expansion of those facilities known as Letterman General Hospital or the Western Medical Institute of Research.”.

(c) Subsection 3(j) of such Act is amended to read as follows:
“(j) The owner of improved residential property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy for a definite term of not more than twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or the death of his or her spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus the fair market value on that date of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his or her determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law upon the Secretary’s notifying the holder of the right of such determination and tendering to him or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or who was a lessee thereon immediately before its acquisition by the United States.”.

(d) In subsection 3(k) of such Act, following “June 1, 1971,” insert “or, in the case of areas added by action of the Ninety-fifth Congress, October 1, 1978,”; and at the end of the subsection, add the following new sentence: “The term ‘agricultural property’ as used in this Act means lands which are in regular use for agricultural, ranching, or dairying purposes as of January 1, 1978, together with residential and other structures related to the above uses of the property as such structures exist on said date.”

(e) Section 3 of such Act is amended by adding the following at the end thereof:
“(a) The Secretary shall accept and shall manage in accordance with this Act, any land and improvements adjacent to the recreation area which are donated by the State of California or its political subdivisions. The boundaries of the recreation area shall be changed to include such donated lands.

“(o) In acquiring those lands authorized by the Ninety-fifth Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes.”

(f) Section 4 of such Act is amended by adding the following at the end thereof:

“(e) No fees or admission charges shall be levied for admission of the general public to the recreation area except to portions under lease or permit for a particular and limited purpose authorized by the Secretary. The Secretary may authorize reasonable charges for public transportation and, for a period not exceeding five years from the date of enactment of this legislation, for admission to the sailing vessel Balaclava.”

“(f) Notwithstanding any other provisions of law, in the administration of those parcels of property known as Haslett Warehouse, Cliff House Properties and Louis’ Restaurant, the Secretary shall credit any proceeds from the rental of space in the aforementioned properties to the appropriation, if any, bearing the cost of their administration, maintenance, repair and related expenses and also for the maintenance, repair and related expenses of the vessels and the adjacent piers comprising the National Maritime Museum, for major renovation and park rehabilitation of those buildings included in the Fort Mason Foundation Cooperative Agreement, and for a coordinated public and private access system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties: Provided, That surplus funds, if any, will be deposited into the Treasury of the United States: Provided further, That notwithstanding any other provision of law, in the administration of said parcels the Secretary may, if he deems appropriate, enter into a contract for the management of said parcels of property with such terms and conditions as will protect the Government’s interest, with excess funds being used as set forth above.”

(g) Section 5(b) of such Act is amended by changing the word “fifteen” to “seventeen”.

POINT REYES NATIONAL SEASHORE

Sec. 318. (a) Section 2(a) of the Act of September 13, 1962 (76 Stat. 538) as amended (16 U.S.C. 459) is further amended as follows:

“Sec. 2. (a) The Point Reyes National Seashore shall consist of the lands, waters, and submerged lands generally depicted on the map entitled ‘Boundary Map, Point Reyes National Seashore’, numbered 612–80,098–E and dated May 1978.

Map, availability. “The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and
6. Golden Gate

PUBLIC LAW 96-199—MAR. 5, 1980

Public Law 96-199
96th Congress

An Act

To establish the Channel Islands National Park, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 103. The Act of October 27, 1972 (86 Stat. 1299), as amended (16 U.S.C. 489), is further amended as follows:
(a) In subsection 2(a), change the period following "October 1978" to a comma and insert "plus those areas depicted on the map entitled 'Point Reyes and GGNRA Amendments and dated October 25, 1979.'".
(b) In section 6, after "$61,610,000" insert "plus $15,500,000", after "herein", insert "said total development ceiling to be reduced by $10,000,000".

Approved March 5, 1980.
Public Law 96-203
96th Congress

An Act

To authorize the conveyance of lands in the city of Hot Springs, Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 3. The Secretary of the Interior is authorized to acquire by donation, or by purchase with donated or appropriated funds, a suitable collection of whaling artifacts and associated items for preservation and display at the National Maritime Museum located at the Golden Gate National Recreation Area. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not to exceed $3,000,000 for the purchase of said collection, which sums may be appropriated from the amounts previously authorized for development purposes at said recreation area.

Approved March 10, 1980.
PUBLIC LAW 96-344—SEPT. 8, 1980

Public Law 96-344
96th Congress

An Act

To improve the administration of the Historic Sites, Buildings and Antiquities Act of 1935 (49 Stat. 666).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 4. The Act of October 27, 1972 (86 Stat. 1299; 16 U.S.C. 460bb) is amended as follows:

(1) in subsection 2(a), at the end thereof, add the following: “For the purposes of this Act, the southern end of the town of Marshall shall be considered to be the Marshall Boat Works. The following additional lands are also hereby included within the boundaries of the recreation area: Marin County Assessor’s parcel numbered 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10.”.

(2) in subsection 5(b), change “three” to “five” and add at the end thereof: “Provided, That the terms of those members who have been either appointed or reappointed subsequent to January 1, 1979, shall be extended so as to expire not before June 1, 1985.”; and

(3) in subsection 5(g), change “ten” to “twenty”.

Approved September 8, 1980.
Public Law 96-607
96th Congress

An Act

Dec. 28, 1980
[S. 2363]

To provide, with respect to the national park system for the establishment of new units, for adjustment in boundaries; for increases in appropriation authorizations for land acquisition and development; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * * * * * *

TITLE X

GOLDEN GATE NATIONAL RECREATION AREA

Sec. 1001. The Act of October 27, 1972 (86 Stat. 1299; 16 U.S.C. 460bb) is amended as follows:

16 USC 460bb-1

(1) in subsection 2(a), at the end thereof, add the following: "The recreation area shall also include the lands and waters in San Mateo County generally depicted on the map entitled 'Sweeney Ridge Addition, Golden Gate National Recreation Area', numbered NRA GG-80,000-A, and dated May 1980.";

(2) strike out "map" in section 2(b) and substitute "maps";

(3) by adding "Point Montara", after "Point Diablo", in section 3(g);

(4) add the following at the end of section 3(h): "That property known as the Pillar Point Military Reservation, under the jurisdiction of the Secretary of Defense shall be transferred to the administrative jurisdiction of the Secretary at such time as the property, or any portion thereof becomes excess to the needs of the Department of Defense."

(5) add at the end of section 3 the following:

"(p) With reference to those lands known as the San Francisco water department property shown on map numbered NRA GG-80,000-A, the Secretary shall administer such land in accordance with the provisions of the documents entitled 'Grant of Scenic Easement', and 'Grant of Scenic and Recreation Easement', both executed on January 15, 1969, between the city and county of San Francisco and the United States, including such amendments to the subject document as may be agreed to by the affected parties subsequent to the date of enactment of this subsection. The Secretary is authorized to seek appropriate agreement needed to establish a trail within this property and connecting with a suitable beach unit under the jurisdiction of the Secretary;"

16 USC 460bb 4.

(6) in subsection 5(b), change "seventeen" to "eighteen"; and

(7) insert a comma and the phrase "San Mateo," after "Marin" in section 5(e).

* * * * * * * * *

Approved December 28, 1980. 94 STAT. 3549
Public Law 98-28
98th Congress

An Act

May 10, 1983

[H.R. 2600]

To dedicate the Golden Gate National Recreation Area to Congressman Phillip Burton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Golden Gate National Recreation Area, California, is hereby dedicated to Congressman Philip Burton in recognition of his leadership in establishing the Golden Gate National Recreation Area, his outstanding contributions to the National Park System, the Wilderness Preservation System, and to the protection and preservation of our great natural and cultural resources for the benefit of the people of the United States for all time.

SEC. 2. In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such identification by signs, including, but not limited to changes in existing signs, materials, maps, markers, interpretive programs or other means as will adequately inform the public of the contributions of Phillip Burton.

SEC. 3. The Secretary of the Interior is further authorized and directed to cause to be erected and maintained, within the boundaries of the Fort Mason unit the Golden Gate National Recreation Area, an appropriate memorial to Phillip Burton. Such memorial shall include but not be limited to an appropriate permanent marker describing the contributions of Phillip Burton to the Nation.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved May 10, 1983.
An Act

To authorize the use of funds from rental of floating drydock and other marine equipment to support the National Maritime Museum in San Francisco, California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(f) of the Act entitled “An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes”, approved October 27, 1972 (Public Law 92–589; 16 U.S.C. 460bb–3(f)) is amended by—

(1) inserting in the second proviso after the words “the administration of said parcels” the following “and of the AFDL–38 Drydock or other vessels or heavy marine equipment,”;

(2) striking out “for the management of said parcels of property” in such proviso and substituting “for the management (including rental or lease) of said properties”; and

(3) inserting in the first paragraph after the words “National Maritime Museum,” the word “and” and deleting “, and for a coordinated public and private access system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties”.

Sec. 2. (a) Section 4(e) of the Act of October 27, 1972 (16 U.S.C. 460bb–3; 92 Stat. 3486), is amended by deleting the phrase “, for a period not exceeding five years from the date of the enactment of this legislation,” and by inserting after “sailing vessel Balclutha” the following new phrase “and other historic vessels of the National Maritime Museum”.

(b) Notwithstanding any other provisions of law, moneys collected pursuant to section 4(e) of the Act of October 27, 1972 (16 U.S.C. 460bb–3; 92 Stat. 3486), since November 10, 1983, shall be deemed to have been collected in accordance with such section as amended by this Act.

Approved August 27, 1986.
Public Law 100-348  
100th Congress  

An Act  

To establish the San Francisco Maritime National Historical Park in the State of California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.  
This Act may be cited as the “San Francisco Maritime National Historical Park Act of 1988”.

SEC. 2. ESTABLISHMENT.  

(a) IN GENERAL.—In order to preserve and interpret the history and achievements of seafaring Americans and of the Nation’s maritime heritage, especially on the Pacific coast, there is hereby established the San Francisco Maritime National Historical Park (hereinafter in this Act referred to as the “park”).

(b) AREA INCLUDED.—The park shall consist of the lands and interests therein within the area generally depicted on the map entitled “Boundary Map, San Francisco Maritime National Historical Park”, numbered 641/80,053 and dated April 7, 1987. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior and in the office of the Superintendent of the park. If the Secretary of the Interior (hereinafter in this Act referred to as the “Secretary”) determines, upon completion of the General Management Plan for the park, that the inclusion of the property at Jefferson and Hyde Streets, San Francisco, known as the Haslett Warehouse, would promote the purposes of the park, the Secretary may adjust the boundaries of the park to include that property after notification to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The Secretary may make other minor revisions of the boundary of the park in accordance with section 7(c) of the Land and Water Conservation Fund Act of 1965.

(c) GOLDEN GATE NATIONAL RECREATION AREA.—The Secretary shall revise the boundaries of the Golden Gate National Recreation Area to exclude from the National Recreation Area the area within the park (as depicted on the boundary map referred to in subsection (b)). The Secretary shall transfer to the jurisdiction of the park all real and personal property of the United States administered by the Secretary as part of the National Recreation Area located within the boundaries of the park (including the museum building), together with all vessels, marine collections, libraries, historic documents, equipment and other marine artifacts which are administered by the Secretary as part of the National Recreation Area and which relate to maritime history.

(d) MUSEUM BUILDING.—The building housing and displaying the marine collections, libraries, historic documents, equipment, and
marine artifacts shall be named the “Sala Burton Building” and an appropriate plaque with this designation shall be prominently displayed as part of the structure.

SEC. 3. ADMINISTRATION.

(a) In General.—The Secretary shall administer the park in accordance with this Act and with the provisions of law generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467), and the National Historic Preservation Act (16 U.S.C. 470–470b). The Secretary shall manage the park in such manner as will preserve and perpetuate knowledge and understanding of American maritime history and to provide for public understanding and enjoyment of maritime history.

(b) Donations.—The Secretary may accept and retain donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of providing services and facilities which he deems consistent with the purposes of this Act.

(c) Leasing.—The Secretary may lease any real or personal property, including vessels and heavy marine equipment such as floating drydocks, which is administered as part of the park. The net receipts from any such lease shall be credited in accordance with subsection 4(f) of the Act of October 27, 1972 (86 Stat. 1299).

(d) Fees.—Notwithstanding any other provision of law, the Secretary may impose entrance fees for admission to the ships in such amounts as he deems appropriate and may impose fees for the use by groups or organizations of the ships. All receipts from such fees shall be credited in accordance with subsection 4(f) of the Act of October 27, 1972 (86 Stat. 1299).

(e) General Management Plan.—Within 2 years after establishment of the park, the Secretary shall prepare and transmit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a general management plan for the park. The plan shall include, but not be limited to:

(1) a description of the resources of the park including, but not limited to, maritime and associated artifacts, documents, the following historic vessels: the sailing ship Balclutha; the steam schooner Wapama; the steamship SS Jeremiah O’Brien; the ferry Eureka; the schooner C.A. Thayer; the tug Ellplenton Hall; the tug Hercules; and the scow schooner Alma, and other real and personal property comprising the park collections such as written and illustrative material, objects, wrecks, small watercraft, and vessels;

(2) plans for the preservation of each historic vessel, including docking facilities, maintenance and ship repair facilities, and estimates for the costs thereof; a determination of the need for permanent docking facilities in a location best suited to the preservation of the historic vessels and for visitor access to the historic vessels; methods of accommodating visitors while protecting the historic vessels; and methods for providing for the proper care, exhibition, and storage of the park collections;

(3) plans for the location, preliminary design, and estimated cost of public facilities to be developed for the park, including a museum building, visitor parking, and public transit access; and
(4) Plans for the interpretation of the historic vessels and park collections.

16 USC 410nn-2. SEC. 4. ACQUISITION OF PROPERTY.

(a) GENERAL AUTHORITY.—The Secretary may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange.

(b) TRANSFERS FROM OTHER AGENCIES.—The Secretary of Commerce may transfer the Liberty Ship SS Jeremiah O'Brien to the Secretary for inclusion in the historic fleet of the park. Any other Federal property located within the boundaries of the park which is under the administrative jurisdiction of another department or agency of the United States may, with the concurrence of the head of the administering department or agency, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the park.

(c) STATE AND LOCAL LANDS.—Lands, and interests in lands, within the boundaries of the park which are owned by the State of California or any political subdivision thereof, may be acquired only by donation. Notwithstanding any other provision of law, the Secretary is authorized to enter into an agreement with the State of California or any political subdivision thereof under which the Secretary may improve and may use appropriated funds for the improvement of berthing facilities if the State or any political subdivision thereof makes available to the Secretary, in accordance with terms and conditions acceptable to the Secretary, lands and interests in land for the purpose of berthing the ships and providing visitor access to the historic ships.

(d)(1) HISTORIC VESSELS AND OTHER PROPERTY.—In furtherance of the administration of the park, the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange such property as may be appropriate to carry out the purposes of this Act, including vessels, heavy marine equipment, and drydock facilities. The Secretary shall notify the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate in writing not less than 90 days before acquisition of any large historic vessel. Such notification shall indicate the estimated cost of preservation, restoration if appropriate, and maintenance of the vessel concerned.

(2) ACQUISITION LIMITATION.—The Secretary shall not acquire any historic vessel pursuant to this subsection until the Secretary has notified the Committees in writing that sufficient funds have been made available to preserve and maintain those vessels listed in paragraph 9(e)(1) of this Act.

16 USC 410nn-3. SEC. 5. ADVISORY COMMISSION.

(a) establishment.—There is hereby established the Advisory Commission of the San Francisco Maritime National Historical Park (hereinafter in this Act referred to as the "Commission"). The Commission shall be composed of 12 members appointed by the Secretary as follows:

(1) 3 members appointed for terms of 4 years from recommendations submitted by the National Maritime Museum Association.

(2) 2 members appointed for terms of 4 years from recommendations submitted by the Governor of the State of
California, at least one of whom shall have professional expertise in maritime historic preservation.

(3) 4 members appointed for terms of 5 years from recommendations submitted by the Mayor of San Francisco with special consideration given to individuals with knowledge of museum and/or maritime issues and who represent the local fishing industry, recreational users, the business community, and neighborhood groups.

(4) 1 member appointed for a term of 5 years from recommendations from the Secretary of Commerce, who shall have professional expertise in the maritime industry.

(5) 2 members appointed for terms of 5 years, who shall have professional expertise in maritime history or historic preservation.

Any member of the Commission appointed for a definite term may serve after the expiration of his term until his successor is appointed. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(b) Compensation.—Members of the Commission shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(c) Officers.—The Chair and other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(d) Meetings.—The Commission shall meet at the call of the Chair or a majority of its members, but not less than twice annually. Seven members of the Commission shall constitute a quorum. Consistent with the public meeting requirements of the Federal Advisory Committee Act, the Commission shall, from time to time, meet with persons concerned with maritime preservation.

(e) Bylaws and Charter.—The Commission may make such bylaws, rules, and regulations as it considers necessary to carry out its functions under this Act. The provisions of section 14(b) of the Federal Advisory Committee Act (Act of October 6, 1972; 86 Stat. 776), are hereby waived with respect to this Commission.

(f) Functions.—The Commission shall advise the Secretary on the management and development of the park. The Secretary, or his designee, shall from time to time, but at least semiannually, meet and consult with the Commission on matters relating to the management and development of the park.

(g) Termination.—The Commission shall cease to exist 10 years after the date on which the first meeting of the Commission is held.

SEC. 6. CONFORMING AMENDMENT.

16 USC 410nn-4. SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not to exceed $200,000 for planning.

Public Law 100-526
100th Congress

An Act

To provide certain additional fiscal year 1989 defense authorization policies, to provide procedures to facilitate the closure and realignment of obsolete or unnecessary military installations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

This Act may be cited as the "Defense Authorization Amendments and Base Closure and Realignment Act".

TITLE I—ADDITIONAL FISCAL YEAR 1989 AUTHORIZATION PROVISIONS

SEC. 101. ADDITIONAL AUTHORIZATIONS FOR MILITARY CONSTRUCTION AND LAND ACQUISITION PROJECTS

(a) ARMY.—(1) In addition to projects otherwise authorized by law, the Secretary of the Army may acquire real property and may carry out a military construction project for the construction of a barracks modernization at Fort Bliss, Texas, in an amount not exceed $7,100,000.

(2) In addition to projects otherwise authorized by law, the Secretary of the Army may make advances to the Secretary of Transportation for the construction of defense access roads under section 210 of title 23, United States Code, at New Cumberland Army Depot, Pennsylvania, in an amount not to exceed $5,300,000.

(3) In addition to any other authorization of appropriations for the Department of the Army, funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1988, for projects of the Department of the Army described in paragraphs (1) and (2) in the amount of $12,400,000.

(4) The forty units of military family housing authorized to be constructed at Schofield Barracks, Hawaii, by section 2101 of the Military Construction Authorization Act, 1989, may be constructed at Helemano Military Reservation, Hawaii.

(b) AIR FORCE.—(1) In addition to projects otherwise authorized by law, the Secretary of the Air Force may acquire real property and may carry out military construction projects at Blytheville Air Force Base, Arkansas, in an amount not to exceed $4,086,000.

(2) In addition to any other authorization of appropriations for the Department of the Air Force, funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1988, for military construction and land acquisition projects of the Department of the Air Force authorized by paragraph (1) in the amount of $4,086,000.
SEC. 102. ADDITIONAL AUTHORIZATIONS FOR GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS

(a) AUTHORIZATIONS OF APPROPRIATIONS.—In addition to funds otherwise authorized by law, there are authorized to be appropriated for fiscal years beginning after September 30, 1988, for cost of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 133 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army, $17,506,000 for the Army National Guard of the United States.
(2) For the Department of the Air Force, $2,300,000 for the Air National Guard of the United States.

(b) AUTHORIZATION OF USE OF FUNDS FOR CERTAIN PROJECTS.—Construction and acquisition projects for the Air National Guard of the United States at the following locations and in the following amounts are authorized to be carried out using unexpended funds from amounts appropriated for fiscal years beginning before October 1, 1988:

(1) Anchorage Kulis Air National Guard Base, Alaska, $3,500,000.
(2) Allen C. Thompson Field, Mississippi, $2,000,000.

SEC. 103. ARMY AIR DEFENSE SYSTEM

(a) LIMITATION.—The Secretary of the Army may obligate fiscal year 1989 missile procurement funds that are available for advance procurement for the Air Defense Anti-Tank (ADATS) System only to support continued low-rate production of such system.

(b) FUNDS COVERED.—For purposes of subsection (a), fiscal year 1989 missile procurement funds are funds appropriated to or for the use of the Army for fiscal year 1989 for procurement of missiles and funds otherwise made available to the Army for fiscal year 1989 for that purpose.

SEC. 104. MULTIYEAR PROCUREMENT AUTHORITY

(a) REQUESTS FOR RELIEF.—If for any fiscal year a multiyear contract to be entered into under section 2306(h) of title 10, United States Code, is authorized by law for a particular procurement program and that authorization is subject to certain conditions established by law (including a condition as to cost savings to be achieved under the multiyear contract in comparison to specified other contracts) and if it appears (after negotiations with contractors) that such savings cannot be achieved, but that substantial savings could nevertheless be achieved through the use of a multiyear contract rather than specified other contracts, the President may submit to Congress a request for relief from the specified cost savings that must be achieved through multiyear contracting for that program. Any such request by the President shall include details about the request for a multiyear contract, including details about the negotiated contract terms and conditions.

(b) TOW II MISSILE PROGRAM.—Section 8031 of the Department of Defense Appropriations Act, 1989 (Public Law 100-463), is amended by striking out the last proviso.
SEC. 165. FIXED-PRICE DEVELOPMENT CONTRACTS

Section 8085 of the Department of Defense Appropriations Act, 1989 (Public Law 100-453), relating to fixed-price development type contracts, is amended by—

(1) striking out "fixed price-type contracts" and inserting in lieu thereof "firm fixed-price contracts"; and

(2) striking out "Provided further," and all that follows through the end of the section and inserting in lieu thereof a period.

SEC. 166. TECHNICAL AMENDMENTS

(a) Conformance of Authorization and Appropriations Provisions.—(1) Section 826(c) of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100-456), is amended—

(A) in subsection (c), by inserting "and the Committees on Appropriations" after "Committees on Armed Services"; and

(B) in subsection (d), by striking out "three years after the date of the enactment of this Act" and inserting in lieu thereof "on September 30, 1991".

(2) Section 8105 of the Department of Defense Appropriations Act, 1989 (Public Law 100-453), and the amendment made by that section, shall cease to be effective.

(b) Definitions.—(1) Section 1095a(c) of title 10, United States Code, is amended—

(A) in paragraph (1), by striking out "(1) 'Captive' and inserting in lieu thereof "(1) The terms 'captive'; and

(B) in paragraph (2), by striking out "(2) 'Dependent' and inserting in lieu thereof "(2) The term 'dependent'.

(2) Section 2653(c) of such title is amended—

(A) in paragraph (2)(B), by inserting "the term" after "In subparagraph (A),"; and

(B) in paragraph (4)—

(i) by inserting "The term" after "(A)"; and

(ii) by striking out "(B) 'Minimum' and inserting in lieu thereof "(B) 'Minimum' and ".

(c) Correction of Reference to School of the Americas.—Section 4415 of title 10, United States Code, is amended by striking out "School for the Americas" in subsections (b) and (c) and inserting in lieu thereof "School of the Americas".

SEC. 167. TERM OF OFFICE OF VICE CHAIRMAN OF JOINT CHIEFS OF STAFF

Notwithstanding the term of office stated in the first sentence of section 154(a)(3) of title 10, United States Code, the President may extend until June 1, 1989, the term of office of the officer serving as Vice Chairman of the Joint Chiefs of Staff for the term which began on February 6, 1987.

SEC. 168. REPORT ON CLOSE AIR SUPPORT ALTERNATIVES

(a) Assessment.—(1) The Secretary of Defense shall conduct an independent assessment of Army and Air Force studies and analyses of close air support aircraft alternatives for meeting the military requirements of the United States (A) for the interim period between the date of the completion of the assessment and the year 2000, and (B) for the period after such year.

(2) In conducting such assessment, the Secretary shall consider both the development of new aircraft and the modification of exist-
ing aircraft, including the A-7 Plus Strikefighter, the F/A-16, the AV-8B, and the A-10 aircraft in current or modified configuration.

(3) In conducting such assessment, the Secretary shall also address the following issues:

(A) Cost.
(B) Development and production schedules.
(C) Technical risks.
(D) Manpower requirements.
(E) Force structure.
(F) Five-year funding profiles.
(G) Cost effectiveness.
(H) Military effectiveness.

(b) OPERATIONAL TEST PLAN.—The Director of Defense Operational Test and Evaluation shall develop an operational test plan for a competitive fly-off of alternative aircraft for the close air support mission. The Director shall complete the development of such plan no later than March 31, 1989. In developing such plan, the Director shall consult with the Air Force Test and Evaluation Center, the Army Operational Testing and Evaluation Activity, and the Marine Corps Operational Test and Evaluation Activity.

(c) TRANSFER FEASIBILITY.—The Secretary of Defense shall assess the feasibility of transferring, no later than fiscal year 1992, the close air support mission from the Air Force to the Army. In conducting such assessment, the Secretary shall consider the cost, schedules, five-year funding profiles, manpower requirements, and force structure implications of such a transfer.

(d) REPORTS.—Not later than March 31, 1989, the Secretary of Defense shall submit to the Committees on Armed Services and the Committees on Appropriations of the Senate and the House of Representatives an interim report on the matters referred to in subsections (a) through (c). The Secretary shall submit a final report on such matters to those Committees not later than December 31, 1989. Such reports shall be submitted in both classified and unclassified form.

SEC. 109. EXTENSION OF DATE FOR REPORT ON POTENTIAL START TREATY

Section 908 of the National Defense Authorization Act, Fiscal Year 1989, is amended—

(1) in subsection (b), by striking out "September 15, 1988" and inserting in lieu thereof "March 15, 1989"; and

(2) by striking out subsection (c) and inserting in lieu thereof the following:

"(c) INTERIM REPORT.—The President shall submit an interim report to Congress containing the information described in subsection (b) not later than December 15, 1988.

"(d) FORM OF REPORT.—The President shall submit the reports under subsections (b) and (c) in both classified and unclassified form."

SEC. 110. TRANSFER OF CERTAIN OBSOLETE SUBMARINES

Clauses (2) and (3) of section 7308(c) of title 10, United States Code, shall not apply with respect to transfers, under section 7308(a) of such title, of obsolete vessels by the Secretary of the Navy as follows:

(1) Transfer of the obsolete submarine United States ship Blenny to the town of Ocean City, Maryland.
(2) Transfer of the obsolete submarine ex-Croaker (ex-SS-246) to the Buffalo and Erie County Naval and Servicemen's Park, a nonprofit corporation organized under the laws of the State of New York.

TITLE II—CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS

SEC. 201. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS

The Secretary shall—

(1) close all military installations recommended for closure by the Commission on Base Realignment and Closure in the report transmitted to the Secretary pursuant to the charter establishing such Commission;

(2) realign all military installations recommended for realignment by such Commission in such report; and

(3) initiate all such closures and realignments no later than September 30, 1991, and complete all such closures and realignments no later than September 30, 1995, except that no such closure or realignment may be initiated before January 1, 1990.

SEC. 202. CONDITIONS

(a) In General.—The Secretary may not carry out any closure or realignment of a military installation under this title unless—

(1) no later than January 16, 1989, the Secretary transmits to the Committees on Armed Services of the Senate and the House of Representatives a report containing a statement that the Secretary has approved, and the Department of Defense will implement, all of the military installation closures and realignments recommended by the Commission in the report referred to in section 201(1);

(2) the Commission has recommended, in the report referred to in section 201(1), the closure or realignment, as the case may be, of the installation, and has transmitted to the Committees on Armed Services of the Senate and the House of Representatives a copy of such report and the statement required by section 203(b)(2); and

(3) the Secretary of Defense has transmitted to the Commission the study required by section 206(b).

(b) Joint Resolution.—The Secretary may not carry out any closure or realignment under this title if, within the 45-day period beginning on March 1, 1989, a joint resolution is enacted, in accordance with the provisions of section 208, disapproving the recommendations of the Commission. The days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in the computation of such 45-day period.

(c) Termination of Authority.—The authority of the Secretary to carry out any closure or realignment under this title shall terminate on October 1, 1995.

SEC. 203. THE COMMISSION

(a) Membership.—The Commission shall consist of 12 members appointed by the Secretary of Defense.

(b) Duties.—The Commission shall—
(1) transmit the report referred to in section 201(1) to the Secretary no later than December 31, 1988, and shall include in such report a description of the Commission's recommendations of the military installations to which functions will be transferred as a result of the closures and realignments recommended by the Commission; and

(2) on the same date on which the Commission transmits such report to the Secretary, transmit to Committees on Armed Services of the Senate and the House of Representatives—

(A) a copy of such report; and

(B) a statement certifying that the Commission has identified the military installations to be closed or realigned by reviewing all military installations inside the United States, including all military installations under construction and all those planned for construction.

(c) Staff.—Not more than one-half of the professional staff of the Commission shall be individuals who have been employed by the Department of Defense during calendar year 1988 in any capacity other than as an employee of the Commission.

SEC. 204. IMPLEMENTATION

(a) In General.—In closing or realigning a military installation under this title, the Secretary—

(1) subject to the availability of funds authorized for and appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance and the availability of funds in the Account, may carry out actions necessary to implement such closure or realignment, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from such military installation to another military installation;

(2) subject to the availability of funds authorized for and appropriated to the Department of Defense for economic adjustment assistance or community planning assistance and the availability of funds in the Account, shall provide—

(A) economic adjustment assistance to any community located near a military installation being closed or realigned; and

(B) community planning assistance to any community located near a military installation to which functions will be transferred as a result of such closure or realignment, if the Secretary determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate; and

(3) subject to the availability of funds authorized for and appropriated to the Department of Defense for environmental restoration and the availability of funds in the Account, may carry out activities for the purpose of environmental restoration, including reducing, removing, and recycling hazardous wastes and removing unsafe buildings and debris.

(b) Management and Disposal of Property.—(1) The Administrator of General Services shall delegate to the Secretary, with respect to excess and surplus real property and facilities located at a military installation closed or realigned under this title—
(A) the authority of the Administrator to utilize excess property under section 202 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483);

(B) the authority of the Administrator to dispose of surplus property under section 203 of that Act (40 U.S.C. 484); and

(C) the authority of the Administrator to grant approvals and make determinations under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)).

(2)(A) Subject to subparagraph (B), the Secretary shall exercise authority delegated to the Secretary pursuant to paragraph (1) in accordance with—

(i) all regulations in effect on the date of the enactment of this title governing utilization of excess property and disposal of surplus property under the Federal Property and Administrative Services Act of 1949; and

(ii) all regulations in effect on the date of the enactment of this title governing the conveyance and disposal of property under section 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(g)).

(B) The Secretary, after consulting with the Administrator of General Services, may issue regulations that are necessary to carry out the delegation of authority required by paragraph (1).

(C) The authority required to be delegated by paragraph (1) to the Secretary by the Administrator of General Services shall not include the authority to prescribe general policies and methods for utilizing excess property and disposing of surplus property.

(D) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this title, the Secretary shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

(E) The provisions of this paragraph and paragraph (1) are subject to paragraphs (3) and (4).

(3) Before any action is taken with respect to the disposal or transfer of any real property or facility located at a military installation to be closed or realigned under this title, the Secretary shall notify all departments and other instrumentalities (including nonappropriated fund instrumentalities) within the Department of Defense of the availability of such property or facility, or portion thereof, and may transfer such property, facility, or portion, without reimbursement, to any such department or instrumentality. In carrying out this paragraph, the Secretary shall give a priority, and shall transfer, to any such department or other instrumentality that agrees to pay fair market value for the property or facility, or portion thereof. For purposes of this paragraph, fair market value shall be determined on the basis of the use of the property or facility on December 31, 1988. This paragraph shall take precedence over any other provision of this title or other provision of law with respect to the disposal or transfer of real property or facility located at a military installation to be closed or realigned under this title.

(4)(A) Except as provided in subparagraph (B), all proceeds—

(i) from any transfer under paragraph (3); and

(ii) from the transfer or disposal of any other property or facility made as a result of a closure or realignment under this title,

shall be deposited into the Account established by section 207(a)(1).
(B) In any case in which the General Services Administration is involved in the management or disposal of such property or facility, the Secretary shall reimburse the Administrator of General Services from the proceeds of such disposal, in accordance with section 1535 of title 31, United States Code, for any expenses incurred in such activities.

(c) Applicability of Other Law.—(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to—

(A) the actions of the Commission, including selecting the military installations which the Commission recommends for closure or realignment under this title, recommending any military installation to receive functions from an installation to be closed or realigned, and making its report to the Secretary and the committees under section 203(b); and

(B) the actions of the Secretary in establishing the Commission, in determining whether to accept the recommendations of the Commission, in selecting any military installation to receive functions from an installation to be closed or realigned, and in transmitting the report to the Committees referred to in section 202(a)(1).

(2) The provisions of the National Environmental Policy Act of 1969 shall apply to the actions of the Secretary (A) during the process of the closing or realigning of a military installation after such military installation has been selected for closure or realignment but before the installation is closed or realigned and the functions relocated, and (B) during the process of the relocating of functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated. In applying the provisions of such Act, the Secretary shall not have to consider—

(i) the need for closing or realigning a military installation which has been selected for closure or realignment by the Commission;

(ii) the need for transferring functions to another military installation which has been selected as the receiving installation; or

(iii) alternative military installations to those selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), or with respect to any requirement of the Commission made by this title, of any action or failure to act by the Secretary during the closing, realigning, or relocating referred to in clauses (A) and (B) of paragraph (2), or of any action or failure to act by the Commission under this title, may not be brought later than the 60th day after the date of such action or failure to act.

SEC. 205. WAIVER

The Secretary may carry out this title without regard to—

(1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriation or authorization Act; and

(2) the procedures set forth in sections 2662 and 2687 of title 10, United States Code.
SEC. 206. REPORTS

(a) In General.—As part of each annual budget request for the Department of Defense, the Secretary shall transmit to the appropriate committees of Congress—

(1) a schedule of the closure and realignment actions to be carried out under this title in the fiscal year for which the request is made and an estimate of the total expenditures required and cost savings to be achieved by each such closure and realignment and of the time period in which these savings are to be achieved in each case, together with the Secretary's assessment of the environmental effects of such actions; and

(2) a description of the military installations, including those under construction and those planned for construction, to which functions are to be transferred as a result of such closures and realignments, together with the Secretary's assessment of the environmental effects of such transfers.

(b) Study.—(1) The Secretary shall conduct a study of the military installations of the United States outside the United States to determine if efficiencies can be realized through closure or realignment of the overseas base structure of the United States. Not later than October 15, 1988, the Secretary shall transmit a report of the findings and conclusions of such study to the Commission and to the Committees on Armed Services of the Senate and the House of Representatives. In developing its recommendations to the Secretary under this title, the Commission shall consider the Secretary's study.

(2) Upon request of the Commission, the Secretary shall provide the Commission with such information about overseas bases as may be helpful to the Commission in its deliberations.

(3) The Commission, based on its analysis of military installations in the United States and its review of the Secretary's study of the overseas base structure, may provide the Secretary with such comments and suggestions as it considers appropriate regarding the Secretary's study of the overseas base structure.

SEC. 207. FUNDING

(a) Account.—(1) There is hereby established on the books of the Treasury an account to be known as the "Department of Defense Base Closure Account" which shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account with respect to fiscal year 1990 and fiscal years beginning thereafter;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the appropriate committees of Congress; and

(C) proceeds described in section 204(b)(4)(A).

(3)(A) The Secretary may use the funds in the Account only for the purposes described in section 204(a).

(B) When a decision is made to use funds in the Account to carry out a construction project under section 204(a)(1) and the cost of the project will exceed the maximum amount authorized by law for a minor construction project, the Secretary shall notify in writing the appropriate committees of Congress of the nature of, and justifica-
tion for, the project and the amount of expenditures for such project. Any such construction project may be carried out without regard to section 2802(a) of title 10, United States Code.

(4) No later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this title, the Secretary shall transmit a report to the appropriate committees of Congress of the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year and of the amount and nature of other expenditures made pursuant to section 204(a) during such fiscal year.

(5) Unobligated funds which remain in the Account after the termination of the authority of the Secretary to carry out a closure or realignment under this title shall be held in the Account until transferred by law after the appropriate committees of Congress receive the report transmitted under paragraph (6).

(6) No later than 60 days after the termination of the authority of the Secretary to carry out a closure or realignment under this title, the Secretary shall transmit to the appropriate committees of Congress a report containing an accounting of—

(A) all the funds deposited into and expended from the Account or otherwise expended under this title; and

(B) any amount remaining in the Account.

SEC. 288. CONGRESSIONAL CONSIDERATION OF COMMISSION REPORT

(a) TERMS OF THE RESOLUTION.—For purposes of section 202(b), the term “joint resolution” means only a joint resolution which is introduced before March 15, 1989, and—

(1) which does not have a preamble;

(2) the matter after the resolving clause of which is as follows:

“That Congress disapproves the recommendations of the Commission on Base Realignment and Closure established by the Secretary of Defense as submitted to the Secretary of Defense on”, the blank space being appropriately filled in; and

(3) the title of which is as follows: “Joint resolution disapproving the recommendations of the Commission on Base Realignment and Closure.”.

(b) REFERRAL.—A resolution described in subsection (a), introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House of Representatives. A resolution described in subsection (a) introduced in the Senate shall be referred to the Committee on Armed Services of the Senate.

(c) DISCHARGE.—If the committee to which a resolution described in subsection (a) is referred has not reported such resolution (or an identical resolution) before March 15, 1989, such committee shall be, as of March 15, 1989, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) CONSIDERATION.—(1) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution (but only on the day after the calendar day on which such Member announces to the House concerned the Member’s intention to do so). All points of order against the resolution
(and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) Immediately following the conclusion of the debate on a resolution described in subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

(e) CONSIDERATION BY OTHER HOUSE.—(1) If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution described in subsection (a), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in sub-paragraph (B)(ii).

(B) With respect to a resolution described in subsection (a) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of
that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 209. DEFINITIONS

In this title:

(1) The term "Account" means the Department of Defense Base Closure Account established by section 207(a)(1).

(2) The term "appropriate committees of Congress" means the Committees on Armed Services and the Committees on Appropriations of the Senate and the House of Representatives.

(3) The terms "Commission on Base Realignment and Closure" and "Commission" mean the Commission established by the Secretary of Defense in the charter signed by the Secretary on May 3, 1988, and as altered thereafter with respect to the membership and voting.

(4) The term "charter establishing such Commission" means the charter referred to in paragraph (3).

(5) The term "initiate" includes any action reducing functions or civilian personnel positions but does not include studies, planning, or similar activities carried out before there is a reduction of such functions or positions.

(6) The term "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Secretary of a military department.

(7) The term "realignment" includes any action which both reduces and relocates functions and civilian personnel positions.

(8) The term "Secretary" means the Secretary of Defense.

(9) The term "United States" means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States.

CENTRAL CALIFORNIA COAST BIOSPHERE RESERVE

The Central California Coast Biosphere Reserve (CCCBR) is a partnership of 13 units including federal, state, county, municipal, and private properties in four counties of the San Francisco Bay area. It is the first biosphere reserve to span marine, coastal, and upland resources all within close proximity to a large metropolitan area. The Board of the Association for the CCCBR organizes the participants through councils representing managerial, educational, and scientific groups. CCCBR members have involved more than 40 organizations concerned with outreach and training of urban youth for environmental professions.

I. AREA DESCRIPTION

The 13 units of the Central California Coast Biosphere Reserve (CCCBR) include properties in Sonoma, Marin, San Francisco, and San Mateo Counties, California. The biosphere reserve (BR) includes a highly diverse complex of terrestrial, coastal, and marine ecosystems representing the Californian terrestrial and Californian-Temperate North Pacific coastal-marine biogeographic provinces. The terrestrial biome includes a large component of evergreen sclerophyllous woodland. The biosphere reserve includes the largest estuary in California.

The Pacific Coast of the U.S. is characterized by a steep slope from the coastline to deep water. A major upwelling of nutrient-rich marine waters along the California coast (one of only five eastern boundary current areas in the world) supports a great variety of marine life including 21 species of cetaceans. The Farallon Islands are host to the largest seabird and marine mammal colony in the continental U.S. The climate is Mediterranean, with mild dry summers, cool wet winters, and frequent coastal fog. Vegetation near the coast is a diverse mix of evergreen forests (primarily Douglas fir and coastal redwood including sequoia sempervirens), oak woodlands, and coastal grasslands. Inland, where it is warmer and drier, the landscape turns to chaparral and oak savanna.

The boundaries of Point Reyes National Seashore enclose a variety of terrain and vegetation with a rich biological and cultural diversity. Native land mammals number around 37 species along with another 12 species of marine mammals. In addition, over 430 species of avifauna have been recorded along this peninsula. That represents 45 percent of the species recorded in North America. Some 850 species of plants occur in this relatively small area of 71,000 acres. Historical sites abound on the peninsula. The Coast Miwok Indians have inhabited this area for nearly 5,000 years. Over 100 known village sites have been identified. In the early 1800s, the peninsula became a favorite landing place for the Spanish and several rancheros were established. The Spanish were followed by American ranching operations that continue to this day.

The cultural diversity of the greater San Francisco area parallels its biological diversity. American Indians lived in the area when the first Spanish colonists arrived in the early 1700s. Russians established fur trading outposts in the area in the late 1700s, followed by several waves of 19th century European immigration beginning with the Gold Rush (1850s). During the 20th century, San Francisco has been a major gateway for immigration to the United States of people representing the numerous racial, ethnic, and cultural groups of the Pacific Basin. The area includes large Chinese, Japanese, Filipino, Cambodian, Vietnamese, Thai, Korean, and Pacific Islander populations in addition to African Americans, Hispanics, and diverse peoples of European descent.

The San Francisco metropolitan area has a population of nine million people. The city is a focal point for Pacific Rim industry and trade and supports a large service industry. Tourism, some grazing and fisheries, transportation, manufacturing, military installations, and research and educational institutions are also important to the area economy.
II. MAJOR ISSUES

The most significant issue facing the CCCBR is to develop among the agencies managing the protected areas a commitment to ecosystem management and cooperation in supporting the BR program. The challenge of preserving the biological diversity of the reserve is formidable, given the intense human pressure. Of particular concern is developing awareness among diverse urban communities of the conditions and trends of biological resources, what problems exist in the biosphere reserve, and how they can become partners in solving them.

III. BACKGROUND

By the time the original 404,863 hectare CCCBR was designated by UNESCO in 1988, there was already a good understanding of biosphere reserve concepts and opportunities. Four additional management units subsequently requested nomination and were designated by UNESCO as units of the biosphere reserve, bringing the current number of designated units to 13 and doubling the area of the biosphere reserve to 857,103 hectares.

Formally established in 1991, the CCCBR Association works through councils which are forums for sharing information and for planning and coordinating the CCCBR program. The Management, Science, and Education Councils are established and actively involved in BR projects.

Appendix A provides a more detailed history of the CCCBR.

IV. IMPLEMENTATION

The current BR program consists of focused projects, primarily in the areas of research and education, that depend on partnerships with both public and private entities. These projects are demonstrating the role of local participation in BR activities that help support cooperative ecosystem management and sustainable development in an urban area where natural resource extraction and development are not controlling factors of the regional economy, as they are in most biosphere reserve areas.

The mission of the Science Council is to provide scientific advice for the conservation and sustainable use of the CCCBR based on periodic assessments of the status of biotic resources, ecosystem processes, abiotic inputs, and/or human influences within the biosphere reserve. The diversity of ecosystems and management authorities in the CCCBR has shaped the focus of the Science Council goals. It has proposed priorities for an integrated research program of basic and applied research that supports ecosystem management. The council has collected available information on existing data, research activities, and facilities, and is working with the Management Council to ensure that the proposed research meets management needs and to arrange financial and operational support for priority projects.

The biosphere reserve has a substantial record of scientific activity focusing on biological surveys and collections, ecosystem process and restoration.

### DESIGNATED UNITS OF CENTRAL CALIFORNIA COAST BIOSPHERE RESERVE

**Federal**

- Golden Gate National Recreation Area, National Park Service (NPS)
- Point Reyes National Seashore, NPS
- Gulf of the Farallones, National Marine Sanctuary (NMS), National Oceanic and Atmospheric Administration (NOAA)
- Farallon National Wildlife Sanctuary (NWR), U.S. Fish and Wildlife Service (USFWS)
- Cordell Bank NMS, NOAA

**State**

- Mt. Tamalpais State Park
- Samuel P. Taylor State Park
- Tomales Bay State Park
- Bodega Marine Reserve, University of California

**County and City**

- Marin Municipal Water District
- San Francisco Water District

**Private**

- Audubon Canyon Ranch
- Jasper Ridge Biological Preserve, Stanford University
marine/terrestrial interactions, rare/endangered species, traditional land-use systems, and wildlife population dynamics. Issues of particular concern in coastal/marine areas include pollution, the effects of sea level rise and erosion, habitat loss, sustaining the benefits of preservation of traditional marine and coastal uses, relationship of natural and human caused perturbations, and managing sustainable fisheries. The monitoring and research efforts in the BR units, which span as much as several decades, provide the foundation for the council's proposed program.

The Science Council's initial projects are well underway. The first is an assessment of the status of Geographical Information System (GIS) in the BR units. The second is a Symposium on Biodiversity of the Central California Coast, held March 13-15, 1995. The symposium brought together researchers, managers, and non-governmental organizations to assess status and trends in the region's biodiversity, identify resources at risk, and review management approaches for conserving and restoring biological diversity in the biosphere reserve.

**SCIENCE AND EDUCATION PROJECTS**

<table>
<thead>
<tr>
<th>Project:</th>
<th>Symposium on Biodiversity of the Central California Coast</th>
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<tbody>
<tr>
<td><strong>Purpose:</strong></td>
<td>Convene scientists, managers, non-governmental organizations to consider biodiversity issues.</td>
</tr>
<tr>
<td><strong>Sources of Support:</strong></td>
<td>Fred and Annette Gellert Foundation; Chevron Corporation; Pacific Gas and Electric; NOAA; University of California, Berkeley; The Gerbode Foundation</td>
</tr>
</tbody>
</table>
| **Topics:** | • Cultural, economic, and ecological importance of biodiversity in CCCBR and threats to natural systems  
• Status of biodiversity in CCCBR and human impacts on natural systems  
• How scientists, government agencies, politicians, activists, and business people can collectively contribute to the management of the region's biodiversity |
| **Activities:** |  |

**Project:** Tidal Pool Monitoring and Public Education

**Purpose:** Provide data on tidal pool status and trends.

**Partners:** NOAA, Mt. Tamalpais State Park

**Activities:**
- Park permitted NOAA to set up tidal pool monitoring plots using permanent markers adjacent to their sanctuary and restricted public access to the monitoring area.
- NOAA provided research results to state.
- Park provided facilities for conferences.
- Park and NOAA provided signage and interpretive literature to public about project; partners hope to co-produce educational poster.

**Project:** Comparison of Coastal Ecosystem Recovery after Human Use Changes, between Two International Biosphere Reserves

**Purpose:** To understand the ecological processes and refine management recommendations at a global scale by comparing coastal biodiversity at two study sites located in biosphere reserves, Ile d'Ouessant, mer d'Iroise, France, and the Marin Headlands, Central California Coast, United States.

**Partners:** National Park Service, University Bretagne, Occidentale, National Biological Survey, Earthwatch

**Activities:**
- Extend the inventory and monitoring program to similar habitats.
- Examine the relationships of changing human use patterns to the distribution and abundance of plants and animals in moderate to heavily visited parks.
- Apply the latest GIS technology to hypothesis development and testing.
- Integrate technological capabilities with research and resource management problem-solving methods.
- Share study methods and learn new techniques.
The BR managers are beginning to look at the regional system as an integrated whole and are working toward an agreement on what the integrated research agenda should be. They are sharing information to develop a common set of understandings and approaches to managing similar resources. The Management Council is planning the regional GIS, talking about integrated watershed issues, and developing common approaches to exotic plant and animal control and erosion.

**Workshop on Linking Community to Biosphere Reserve**

**Purpose:** Involve educators in environmental education opportunities in the CCCBR

**Source of Support:** San Francisco Foundation

**Participants:** Teachers, professors, scientists, environmental managers, non-profit educational organizations

**Objectives:**
- Inventory environmental education programs.
- Identify opportunities for cooperation.
- Develop shared agendas where possible.
- Provide connections between educational programs leading to opportunities in environmental careers.
- Encourage scientists and teachers to develop additional environmental education programs.
- Involve diverse cultural populations in environmental education.
- Bring more diversity to regional environmental leadership.

Public education is a major program component. Education and outreach in the biosphere reserve focus on fostering the appreciation of local people and visitors for the region's natural and cultural diversity, how human activities influence these values, and the benefits of conservation and sustainable uses of the biosphere reserve. An important goal is to engage people from different cultural communities, who have not been involved in environmental issues, as partners in the BR program through the creative use of educational media, programs, and networks. The outreach program is concentrating initially on inner city schools and neighborhoods, a new arena for the BR participants. The Education Council is planning a workshop to introduce teachers to more than 40 organizations concerned with outreach and training of urban youth for environmental professions. A principal concern of the workshop is to expand the diversity of the environmental work force to reflect the population diversity of this multi-cultural area.

**V. Benefits, Constraints, Opportunities**

The CCCBR Association has opened avenues for the participating agencies and organizations to meet, discuss mutual interests, and plan cooperative programs. Biosphere reserve designation provides recognition and a catalyst for these collaborative activities and partnerships. It is providing a forum for the managers of the diverse BR units to consider environmental issues that some have never considered previously. The CCCBR Association has attracted more than $200,000 of mostly private funds to support programs that are creating a sense of regional ecological and cultural identity among its members.

Stakeholders benefit differently from participation in the CCCBR. Smaller agencies benefit from pooling their limited resources with the larger agencies to achieve shared objectives. Scientists have a forum in the Science Council for sharing information, developing projects and developing a collective voice on regional issues of concern. Providers of environmental education and outreach programs benefit from developing a network for sharing experience and reaching additional people in the metropolitan area.

Shared management concerns have been more difficult to identify than research or education issues, owing to the great diversity of BR participants. Although many of the CCCBR's federal, state, and private members have participated in cooperative projects of the type advanced by the biosphere reserve, county and local government agencies are less familiar with these kinds of activities and are approaching partnerships cautiously. The Management Council particularly depends on these
partnerships and will require more time to develop its program goals and projects. The uneven status of the councils and their programs temporarily limits opportunities for developing activities, such as a regional GIS, that require cooperation among the councils.

The CCCBR operates without a secretariat or administrative budget and depends on the leadership of the NPS and NOAA and strong volunteer support from the board members. As the other councils get organized, permanent staff will be required to aid and coordinate the activities of the participants on a broad range of issues and projects. CCCBR board members, foundations, and other groups supportive of the CCCBR have legitimately questioned the importance of the BR designation if it carries no programmatic support for BR operations. Most of the CCCBR's public funding comes from the discretionary contributions of the participating BR management units. Lack of a secure base of support through regional or national sources to cover each agency's fair share of CCCBR costs remains an important constraint to developing the BR program.

The CCCBR is improving communication among educators, managers, scientists, and administrators so that each group understands the needs of other sectors from a regional perspective. To promote cooperative action on a regional level in the biosphere reserve and its program, the CCCBR Association plans to become a registered non-profit organization to address complex issues of conservation and development.

VI. OBSERVATION

The CCCBR program is an ambitious and innovative approach to implementing the BR concept—a bold effort to bring together managers as well as resource people, scientists, and educators. The program, managed by the non-profit CCCBR Association, is organized into interest areas—science, management, education—because these functions provide a way to find common ground among the 13 units in the biosphere reserve, which are administered for different and sometimes conflicting purposes.

Some BR managers have yet to find ways for the BR program to assist them. For example, water district managers are concerned about water quality and delivery. Research, education, biodiversity conservation, and recreational activities have not been major concerns, yet the water districts provide potentially important areas for these activities. As the units are linked with other areas through their science and education programs, the real and apparent differences among them should diminish and management decisions that affect the entire region can be made.

The CCCBR program has been successful because of:

- The dedication of the board of the association
- A long and robust history of research
- The outstanding academic and scientific capabilities of participating universities
- The many institutions and organizations providing environmental education programs
- The availability of private sources of financial support
- A high degree of environmental awareness among several sectors of the community.

The CCCBR's greatest challenge is to increase agency commitment and support. There must be strong, national-level policy and program support to make the biosphere reserve fully functional. The private sector has provided substantial financial support to initiate CCCBR activities. To obtain and expand the community's continued support requires proportionate commitments from participating agencies. The experience of the CCCBR underscores the important role of U.S. MAB and its participating agencies in strengthening national support for cooperative BR programs.

PRINCIPAL CONTRIBUTORS

Sally Fairfax, College of Natural Resources, University of California at Berkeley
Laurie Wayburn, the Pacific Forest Trust
Brian O'Neill, Superintendent, Golden Gate National Recreation Area
Ed Ueber, Director, Gulf of Farallones & Cordell Bank National Marine Sanctuaries
Nona Chiariello, Jasper Ridge Biological Preserve, Stanford University
APPENDIX A: A BRIEF HISTORY OF THE CENTRAL CALIFORNIA COAST BIOSPHERE RESERVE

In 1985 the National Park Service at Golden Gate prepared and submitted the proposal to the U.S. MAB National Committee for the creation of a biosphere reserve at the Golden Gate. From 1985 to 1988, an interdisciplinary panel of scientists and managers, convened by U.S. MAB, reviewed the Californian biogeographical province for candidate biosphere reserves. The province includes most of central and southern California west of the Sierras. Serious discussion of a biosphere reserve among potential participants began in 1987. By the time the original 404,863 hectare CCCBR was designated by UNESCO in 1988, there was already a good understanding of BR concepts and opportunities. Civic pride motivated support for a dedication ceremony held in 1989 that drew considerable media attention and prompted additional management units to become participants in planning the BR program. Four subsequently requested nomination and were designated by UNESCO as units of the biosphere reserve, bringing the current number of designated units to 13 and doubling the area of the biosphere reserve to 857,103 hectares. Other units are under consideration for inclusion in CCCBR.

The designated core areas of the biosphere reserve, all in coastal and upland areas, are strictly protected under the legal authorities of various federal, state, and local agencies. Designated zones of managed use include marine areas supporting shipping and both recreational and commercial fishing, as well as terrestrial areas supporting pastoral grazing and public recreation. Very few people live in the zones of managed use, and human uses are regulated in accordance with the conservation and management goals of the administering agencies. Parts of these zones are undergoing intensive efforts to restore damaged ecosystems. A small multiple-use area—including public beaches with some experimental restoration zones and two islands with just a few residents—is designated as a zone of cooperation. The large upland and coastal-marine area of multiple uses surrounding the core and zone of managed use constitutes an undesignated open-ended zone of cooperation.

In 1990, BR stakeholders, with seed funds from U.S. MAB and a major grant from a local foundation, prepared a feasibility study for the biosphere reserve. The study sets forth operational goals and objectives, an organizational structure framework, and a program development strategy for obtaining regional support for planning and implementing a BR program. The recommendations in the report reflected the results of surveys to determine the interests of many agencies, organizations, and other groups in, and their potential contributions to, the BR program. The report recommended an independent non-profit CCCBR Association to organize the many participating entities, establish the basis for collaboration through mutual interests, and select projects that best serve regional needs. The association, which was formally established in 1991, seeks to enlist the financial and technical assistance of program participants in research, educational, demonstration, and outreach activities in ways that fosters the shared ownership of the biosphere reserve and its projects. The association does not advocate policies and management practices, but provides a framework for making the best information and technology available to the participants.

The association is governed by a board of trustees, with representatives from important academic, political, conservation, and civic organizations of regional influence and from the CCCBR Councils. The board works with the councils to develop the general policy and funding for CCCBR activities. The councils are forums for sharing information and for planning and coordinating CCCBR activities. Each council is self-regulating in accordance with its own mission statement. Active councils, with broad agency and institutional representation, have been established for resource management (Management Council), monitoring and research (Science Council), and environmental education and professional training (Education Council). Additional councils—Economic Council and the Council of Associated Organizations—appear in the CCCBR organizational structure, but have not yet been organized.

A Memorandum of Understanding (MOU) provides a framework for cooperation among federal, state, and local entities in establishing and operating the CCCBR. As of October 1993, the MOU was signed by representatives of all the units of the Central California Coast Biosphere Reserve.
OBJECTIVES OF MEMORANDUM OF UNDERSTANDING

- Support ecologically sound management of natural and cultural resources.
- Identify principal environmental and economic development issues in the CCCBR.
- Develop and continue cooperative research and resource management initiatives.
- Promote environmental education programs and disseminate materials.
- Establish cooperative relationships with other public agencies in CCCBR.
Public Law 102–299
102d Congress

An Act

June 9, 1992
[S. 870]

To authorize inclusion of a tract of land in the Golden Gate National Recreation Area, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Golden Gate National Recreation Area Addition Act of 1992".

SEC. 2. ACQUISITION AND ADDITION TO GOLDEN GATE NATIONAL RECREATION AREA.

(a) ACQUISITION.—The Secretary of the Interior is authorized to acquire by donation or purchase with donated or appropriated funds approximately 1,232 acres of land in San Mateo County, California, known generally as the Phleger property, as generally depicted on the map entitled "1991 Addition to Golden Gate National Recreation Area (Phleger Estate)" and numbered GGNRA641/40062. The Federal share of the acquisition of the lands acquired pursuant to this Act may not exceed 50 percent of the purchase price of such lands.

(b) BOUNDARY REVISION.—(1) Section 2(a) of the Act entitled "An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes" (16 U.S.C. 460bb1(a)) is amended by adding at the end the following: "The recreation area shall also include those lands acquired pursuant to the Golden Gate National Recreation Area Addition Act of 1992."

(2) Upon acquisition of the land under subsection (a) and after publication of notice in the Federal Register, the Secretary shall—
(A) revise the boundary of Golden Gate National Recreation Area to reflect the inclusion of such land; and
(B) prepare and make available a map displaying such boundary revision in accordance with section 2(b) of such Act (16 U.S.C. 460bb-1(b)).

An Act

To provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE III—NATIONAL PARK SYSTEM ADVISORY COMMITTEES

SEC. 303. EXTENSION OF GOLDEN GATE NATIONAL RECREATION AREA ADVISORY COMMITTEE.

Section 5(g) of the Act approved October 27, 1972 (16 U.S.C. 460bb–4(g)), is amended by striking out "twenty years" and inserting in lieu thereof "thirty years".

PUBLIC LAW 102-580—OCT. 31, 1992

Public Law 102-580
102d Congress

An Act

Oct. 31, 1992
[H.R. 6167]

To provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers civil works program to construct various projects for improvements to the Nation's infrastructure, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Water Resources Development Act of 1992".

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TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * * *

SEC. 355. PRESIDIO OF SAN FRANCISCO, CALIFORNIA.

(a) TECHNICAL ASSISTANCE.—The Secretary is authorized and directed to offer technical assistance to the National Park Service on infrastructure repairs and improvements at the Presidio of San Francisco, California, during the transition period from Army to Park Service management and after its inclusion into the Golden Gate National Recreation Area.

(b) IDENTIFICATION OF OPPORTUNITIES.—The Secretary shall assist the National Park Service in identifying opportunities at the Presidio for demonstration and education programs of environmentally sustainable and innovative technologies, and shall make available a liaison from its Construction Engineering Research Laboratory for this purpose.

(c) COOPERATION.—The Secretary will cooperate with other Federal agencies (such as the Environmental Protection Agency and Department of Energy) which the National Park Service identifies as having an interest and role in such programs at the Presidio.

* * * * * * * *

PUBLIC LAW 103–160—NOV. 30, 1993

Public Law 103–160
103rd Congress

An Act

To authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.  

Nov. 30, 1993
[H.R. 2401]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 1994”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.
(2) Division B—Military Construction Authorizations.
(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 1994”.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle E—Other Matters
SEC. 2356. RESTRICTIONS ON LAND TRANSACTIONS RELATING TO THE
PRESIDIO OF SAN FRANCISCO, CALIFORNIA.

The Secretary of Defense (or the Secretary of the Army as the
designee of the Secretary of Defense) may not transfer any parcel of
real property (or any improvement thereon) located at the Presidio of
San Francisco, California, from the jurisdiction and control of the
Department of the Army to the jurisdiction and control of the
Department of the Interior unless and until—

(1) the Secretary of the Army determines that the parcel
proposed for transfer is excess to the needs of the Army; and

(2) the Secretary of Defense submits to the Committees on
Armed Services of the Senate and House of Representatives a
report describing the terms and conditions—

(A) under which transfers of real property at the Presidio
will take place; and

(B) under which the Army will continue to use facilities at
the Presidio after such transfers.

* * * * * * * * * * *

Public Law 103–175
103rd Congress

An Act

To authorize and direct the Secretary of the Interior to convey certain lands in Cameron Parish, Louisiana, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 2. LETTERMAN-LAIR COMPLEX AT PRESEDIIO.

The Secretary of the Interior is authorized to negotiate and enter into leases, at fair market rental and without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), for all or part of the Letterman-LAIR complex at the Presidio of San Francisco to be used for scientific, research or educational purposes. For 5 years from the date of enactment of this section, the proceeds from any such lease shall be retained by the Secretary and used for the preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties. For purposes of any such lease, the Secretary may adjust the rental by taking into account any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, repair and related expenses with respect to the leased properties.

Approved December 2, 1993.
Public Law 103–337
103d Congress

An Act

To authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 1995”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

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(2) Division B—Military Construction Authorizations.
(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

108 STAT. 3027
DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

108 STAT. 3050
TITLE XXVIII—GENERAL PROVISIONS

108 STAT. 3072
Subtitle E—Other Matters

108 STAT. 3073
SEC. 2853. REPEAL OF RESTRICTIONS ON LAND TRANSACTIONS RELATING TO PRESIDIO OF SAN FRANCISCO, CALIFORNIA


108 STAT. 3113
“Thence West 11 and one-half poles;
Thence North 19 degrees 15 minutes East 31 poles and
15 feet to the ‘true point of beginning’, containing 2 acres
or more.”.

SEC. 118. Refunds or rebates received on an on-going basis
from a credit card services provider under the Department of the
Interior’s charge card programs may be deposited to and retained
without fiscal year limitation in the Departmental Working Capital
Fund established under 43 U.S.C. 1467 and used to fund manage-
ment initiatives of general benefit to the Department of the Inter-
ior’s bureaus and offices as determined by the Secretary or his
designee.

SEC. 119. Appropriations made in this title under the headings
Bureau of Indian Affairs and Office of Special Trustee for American
Indians and any available unobligated balances from prior appro-
priations Acts made under the same headings, shall be available
for expenditure or transfer for Indian trust management activities
pursuant to the Trust Management Improvement Project High Leval
Implementation Plan.

SEC. 120. All properties administered by the National Park
Service at Fort Baker, Golden Gate National Recreation Area, and
leases, concessions, permits and other agreements associated with
those properties, hereafter shall be exempt from all taxes and
special assessments, except sales tax, by the State of California
and its political subdivisions, including the County of Marin and
the City of Sausalito. Such areas of Fort Baker shall remain under
exclusive Federal jurisdiction.

SEC. 121. Notwithstanding any provision of law, the Secretary
of the Interior is authorized to negotiate and enter into agreements
and leases, without regard to section 321 of chapter 314 of the
Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm,
association, organization, corporation, or governmental entity for
all or part of the property within Fort Baker administered by
the Secretary as part of Golden Gate National Recreation Area.
The proceeds of the agreements or leases shall be retained by
the Secretary and such proceeds shall be available, without future
appropriation, for the preservation, restoration, operation, mainte-
nance and interpretation and related expenses incurred with respect
to Fort Baker properties.

SEC. 122. Section 211(d) of division I of the Omnibus Parks
and Public Lands Management Act of 1996 (Public Law 104–333;
110 Stat. 4110; 16 U.S.C. 81p) is amended by striking “depicted
on the map dated August 1993, numbered 333/80031A,” and
inserting “depicted on the map dated August 1996, numbered 333/
80031B”.

SEC. 123. A grazing permit or lease that expires (or is trans-
ferred) during fiscal year 2000 shall be renewed under section
402 of the Federal Land Policy and Management Act of 1976,
as amended (43 U.S.C. 1752) or if applicable, section 510 of the
California Desert Protection Act (16 U.S.C. 410aaa–50). The terms
and conditions contained in the expiring permit or lease shall
continue in effect under the new permit or lease until such time
as the Secretary of the Interior completes processing of such permit
or lease in compliance with all applicable laws and regulations,
at which time such permit or lease may be canceled, suspended
or modified, in whole or in part, to meet the requirements of
States, or mutual (or other) funds registered with the Securities
and Exchange Commission and which only invest in obligations
of the United States or securities that are guaranteed or insured
by the United States; or
(2) deposited only into accounts that are insured by an
agency or instrumentality of the United States, or are fully
collateralized to ensure protection of the funds, even in the
event of a bank failure.

Sec. 112. Notwithstanding any other provisions of law, the
National Park Service shall not develop or implement a reduced
entrance fee program to accommodate non-local travel through a
unit. The Secretary may provide for and regulate local non-rec-
reational passage through units of the National Park System,
allowing each unit to develop guidelines and permits for such
activity appropriate to that unit.

Sec. 113. Refunds or rebates received on an on-going basis
from a credit card services provider under the Department of the
Interior's charge card programs, hereafter may be deposited to
and retained without fiscal year limitation in the Departmental
Working Capital Fund established under 43 U.S.C. 1467 and used
to fund management initiatives of general benefit to the Department
of the Interior's bureaus and offices as determined by the Secretary
or his designee.

Sec. 114. Appropriations made in this Act under the headings
Bureau of Indian Affairs and Office of Special Trustee for American
Indians and any available unobligated balances from prior appro-
priations Acts made under the same headings, shall be available
for expenditure or transfer for Indian trust management activities
pursuant to the Trust Management Improvement Project High Level
Implementation Plan.

Sec. 115. Notwithstanding any provision of law, hereafter the
Secretary of the Interior is authorized to negotiate and enter into
agreements and leases, without regard to section 321 of chapter
314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person,
firm, association, organization, corporation, or governmental entity
for all or part of the property within Fort Baker administered
by the Secretary as part of Golden Gate National Recreation Area.
The proceeds of the agreements or leases shall be retained by
the Secretary and such proceeds shall be available, without future
appropriation, for the preservation, restoration, operation, mainte-
nance and interpretation and related expenses incurred with respect
to Fort Baker properties.

Sec. 116. A grazing permit or lease that expires (or is trans-
ferred) during fiscal year 2001 shall be renewed under section
402 of the Federal Land Policy and Management Act of 1976,
as amended (43 U.S.C. 1752) or if applicable, section 510 of the
California Desert Protection Act (16 U.S.C. 410aaa-50). The terms
and conditions contained in the expiring permit or lease shall
continue in effect under the new permit or lease until such time
as the Secretary of the Interior completes processing of such permit
or lease in compliance with all applicable laws and regulations,
at which time such permit or lease may be canceled, suspended
or modified, in whole or in part, to meet the requirements of
such applicable laws and regulations. Nothing in this section shall
be deemed to alter the Secretary's statutory authority.

Sec. 117. Notwithstanding any other provision of law, for the
purpose of reducing the backlog of Indian probate cases in the

* * * * * * * * *
(1) the main stem of the road running east and west through sections 35 and 36, township 21 south, range 42 east, and section 31, township 21 south, range 43 east, Mount Diablo meridian, to the point where the main stem first divides into two branches to provide access to the parcel of private property described in subsection (a) from the east and the north; and
(2) each of the two branches of that road, as described in paragraph (1).

(c) LEGAL DESCRIPTION OF EXCLUDED AREA.—The exact acreage and legal description of the area to be excluded from the wilderness area pursuant to subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Secretary. In connection with the main stem of the roadway described in subsection (b)(1), the Secretary shall exclude, at a minimum, all lands within 50 feet of the center line of the roadway.

SEC. 138. (a) Pursuant to the provisions of section 4(a)(3) of the National Wildlife Refuge System Administration Act (16 U.S.C. 668dd(a)(3)), the Secretary of the Interior is directed to remove from the Columbia National Wildlife Refuge all right, title and interest of the United States in and to the following described properties:

Lots 1 and 2 of Block 144, in Othello Land Company's First Addition to Othello according to the recorded plat thereof, together with all lands presently or formerly occupied by public thoroughfares or rights of way abutting or adjoining the above described land, in the County of Adams, State of Washington, T.16 N., R.29E., W.M.,

and to transfer said property without compensation to the City of Othello, Washington.

(b) The property conveyed under this section shall be used for public housing or other public purpose, and all right, title and interest in and to such property shall revert to the United States if it is used for any other purpose.

(c) The City of Othello shall hold the United States harmless, and shall indemnify the United States, for all claims, costs, damages, and judgements arising out of any act or omission relating to the property conveyed under this section.

SEC. 139. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is amended by striking "2000" and inserting "2001".

SEC. 140. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

SEC. 141. The building housing the visitors center within the boundaries of the Chincoteague National Wildlife Refuge on Assateague Island, Virginia, shall be known and designated as the "Herbert H. Bateman Educational and Administrative Center" and shall hereafter be referred to in any law, map, regulation, document, paper, or other record of the United States as the "Herbert H. Bateman Educational and Administrative Center".

SEC. 142. Notwithstanding 31 U.S.C. 3302(b), sums received by the Bureau of Land Management for the sale of seeds or seedlings including those collected in fiscal year 2000, may be credited to the appropriation from which funds were expended to acquire
An Act

To revise the boundaries of the Golden Gate National Recreation Area, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Golden Gate National Recreation Area Boundary Adjustment Act of 2000”.

SEC. 2. ADDITIONS TO THE GOLDEN GATE NATIONAL RECREATION AREA.

Section 2(a) of the Act entitled “An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes” (16 U.S.C. 460bb-1(a)) is amended by adding at the end the following: “The recreation area shall also include the lands generally depicted on the map entitled ‘Additions to Golden Gate National Recreation Area’, numbered NPS–80,075, and dated July 2000/PWR–PLRPC.”.