

103^D CONGRESS
2^D SESSION

H. R. 3976

To amend the Act establishing the Gateway National Recreation Area to provide for the management of Fort Wadsworth by the Secretary of the Interior, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1994

Ms. MOLINARI introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Act establishing the Gateway National Recreation Area to provide for the management of Fort Wadsworth by the Secretary of the Interior, and for other purposes.

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

3 **SECTION 1. AMENDMENT OF ACT ESTABLISHING GATEWAY**
4 **NATIONAL RECREATION AREA.**

5 (a) STATEMENT OF PURPOSES.—The first section of
6 the Act entitled “An Act to establish the Gateway Na-
7 tional Recreation Area in the States of New York, and
8 New Jersey, and for other purposes”, approved October

1 27, 1972 (16 U.S.C. 460cc), is amended by inserting the
2 following after the first sentence: “In addition, the Sec-
3 retary may utilize the resources of Fort Wadsworth in the
4 Staten Island Unit, Fort Hancock in the Sandy Hook
5 Unit, and Floyd Bennett Field in the Jamaica Bay and
6 Breezy Point Units of the recreation area to provide for
7 and support programs and activities that foster research,
8 education, and demonstration projects concerning the en-
9 vironment, international affairs, cultural understanding,
10 and health and science. The Secretary may also utilize the
11 resources of Fort Wadsworth for any other purposes con-
12 sistent with the community reuse plan or other initiatives
13 for Naval Station New York, and is encouraged to do so
14 to the greatest extent possible.”.

15 (b) ADMINISTRATION.—Section 3 of such Act (16
16 U.S.C. 460cc–2) is amended by adding the following new
17 subsection at the end thereof:

18 “(j)(1) In addition to other available authorities, the
19 Secretary may, in his discretion, negotiate and enter into
20 leases or other agreements, as appropriate, with any per-
21 son, firm, association, organization, corporation, or gov-
22 ernmental entity for the use of any property within Fort
23 Wadsworth, Fort Hancock, and Floyd Bennett Field in
24 accordance with the general management plan or for any
25 of the purposes set forth in the first section of this Act.

1 The Secretary may further, in his discretion, negotiate
2 and enter into leases or other agreements, as appropriate,
3 with any Federal agency to house employees of the agency
4 engaged in activities or programs at Fort Wadsworth,
5 Fort Hancock, Floyd Bennett Field or in the New York
6 City metropolitan area.

7 “(2) In addition to other available authorities, the
8 Secretary may, in his discretion, enter into interagency
9 permitting agreements or other appropriate agreements
10 with the Secretary of Defense, Secretary of Transpor-
11 tation, and other Federal agencies to locate their activities
12 and house their employees at Fort Wadsworth, Fort Han-
13 cock, and Floyd Bennett Field.

14 “(3) Any leases or other appropriate agreements en-
15 tered into under this subsection shall be subject to such
16 procedures, terms, conditions, and restrictions as the Sec-
17 retary deems necessary. Leases shall be entered into at
18 fair market value, which shall be calculated taking into
19 account the uses permitted by the general management
20 plan or under this Act. The preceding sentence shall not
21 apply to (A) any interagency permitting agreement en-
22 tered into between the Secretary and the Secretary of De-
23 fense or other Federal agencies regarding the location of
24 activities or housing of employees at Fort Wadsworth,
25 Fort Hancock, and Floyd Bennett Field; (B) leases en-

1 tered into in accordance with a community reuse plan for
2 Naval Station New York; (C) any lease or use agreement
3 entered into with any State or local governmental unit or
4 instrumentality for a public purpose; or (D) leases entered
5 into with nonprofit organizations.

6 “(4) The Secretary shall establish competitive bid-
7 ding procedures to be used for the issuance of leases under
8 this section. For leases and other appropriate agreements
9 under this subsection, the Secretary may waive any re-
10 quirement of any law or regulation otherwise applicable
11 to the leasing of Federal properties if the Secretary deter-
12 mines that such waiver is necessary to carry out the pur-
13 poses of this Act. The Secretary shall provide written no-
14 tice of any such waiver to the United States Congress.
15 The notice to Congress shall contain an explanation of the
16 reasons for such determination.

17 “(5) The proceeds from leases under this subsection,
18 and from concession and other use authorizations and
19 from other services that may be provided by the recreation
20 area under this subsection, shall be retained by the Sec-
21 retary and be credited to the appropriation bearing the
22 cost of preservation, restoration, maintenance, improve-
23 ment, repair, and related expenses including administra-
24 tion of the above, incurred by the Secretary with respect
25 to Fort Wadsworth, Fort Hancock, and Floyd Bennett

1 Field properties, with the balance used to defray other
2 costs incurred by the Secretary in the administration of
3 Fort Wadsworth, Fort Hancock, and Floyd Bennett Field.

4 “(6) Each lessee and sublessee of a lease entered into
5 under this subsection shall keep such records as the Sec-
6 retary may prescribe to enable the Secretary to determine
7 that all terms of the lease or sublease have been and are
8 being faithfully performed. The Secretary and the Comp-
9 troller General of the United States and their duly author-
10 ized representatives shall, for the purpose of audit and ex-
11 amination, have access to all records and to other books,
12 documents, and papers of the lessee and sublessee perti-
13 nent to the lease or sublease and all the terms and condi-
14 tions thereof.

15 “(7) The Secretary shall annually prepare and submit
16 to Congress a report on property leased under this sub-
17 section.

18 “(8) In addition to other available authorities, the
19 Secretary may, in his discretion, enter into cooperative
20 agreements and permits for any of the purposes of the
21 recreation area set out in the first section of this Act.”.

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