

105TH CONGRESS
2D SESSION

H. R. 3884

To provide for the disposition of Governors Island, New York.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1998

Mr. NADLER (for himself, Mrs. MALONEY of New York, Mr. MANTON, Mr. HINCHEY, Mr. TOWNS, Mr. LAFALCE, and Mr. SCHUMER) introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the disposition of Governors Island, New York.

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. SHORT TITLE.**

4 This Act may be cited as the “Governors Island Pres-
5 ervation and Development Act of 1998”.

1 **SEC. 2. GOVERNORS ISLAND COMMISSION.**

2 Title I of the Federal Property and Administrative
3 Services Act of 1949 (40 U.S.C. 751 et seq.) is amended
4 by adding at the end the following:

5 **“SEC. 113. GOVERNORS ISLAND COMMISSION.**

6 “(a) **ESTABLISHMENT.**—There is established a com-
7 mission to be known as the ‘Governors Island Commission’
8 (referred to in this section as the ‘Commission’).

9 “(b) **MEMBERSHIP.**—

10 “(1) **IN GENERAL.**—The Commission shall be
11 composed of 11 members, of whom—

12 “(A) 1 shall be the Administrator of Gen-
13 eral Services (or a designee);

14 “(B) 1 shall be the Secretary of the Inte-
15 rior (or a designee);

16 “(C) 1 shall be the Commandant of the
17 Coast Guard (or a designee); and

18 “(D) 8 shall be individuals appointed by
19 the President not later than 60 days after the
20 date of enactment of this section, of whom—

21 “(i) 2 shall be appointed from among
22 individuals recommended, not later than
23 30 days after the date of enactment of this
24 section, by the Governor of the State of
25 New York;

1 “(ii) 2 shall be appointed from among
2 individuals recommended, not later than
3 30 days after the date of enactment of this
4 section, by the mayor of the city of New
5 York, New York;

6 “(iii) 1 shall be appointed from among
7 individuals recommended, not later than
8 30 days after the date of enactment of this
9 section, by the speaker of the city council
10 of the city of New York, New York;

11 “(iv) 1 shall be a representative of a
12 national historic preservation organization;
13 and

14 “(v) 2 shall be other individuals that
15 meet the qualifications stated in paragraph
16 (3).

17 “(2) FAILURE TO MAKE RECOMMENDATIONS.—
18 If the Governor of the State of New York, mayor of
19 the city of New York, New York, or speaker of the
20 city council of the city of New York, New York, fails
21 to submit recommendations under clause (i), (ii), or
22 (iii) of paragraph (1)(D) on or before the date that
23 is 30 days after the date of enactment of this sec-
24 tion, the President shall proceed expeditiously to ap-
25 point a member or members, as the case may be,

1 under that clause and may do so without regard to
2 any recommendation that may be made under that
3 clause after that date.

4 “(3) QUALIFICATIONS TO BE CONSIDERED.—In
5 appointing members of the Commission under para-
6 graph (1), the President shall consider New York
7 State residents residing in the metropolitan New
8 York City area with expertise in economic develop-
9 ment, the real estate industry, the environment,
10 tourism, education, historic properties, and civic un-
11 dertakings.

12 “(c) CHAIRPERSON.—The Administrator of General
13 Services shall serve as chairperson of the Commission.

14 “(d) COMPENSATION; TRAVEL EXPENSES.—

15 “(1) IN GENERAL.—Subject to paragraph (2), a
16 member of the Commission shall serve without com-
17 pensation.

18 “(2) TRAVEL EXPENSES.—A member of the
19 Commission shall be allowed travel expenses, includ-
20 ing per diem in lieu of subsistence, at rates author-
21 ized for employees of agencies under subchapter I of
22 chapter 57 of title 5, United States Code, while
23 away from the home or regular place of business of
24 the member in the performance of the duties of the
25 Commission.

1 “(e) ADMINISTRATIVE SUPPORT SERVICES.—The
2 Administrator of General Services and the heads of other
3 Federal, State, and local public agencies represented on
4 the Commission shall provide such administrative and
5 other support services and facilities as the Commission
6 may require to perform the duties of the Commission.

7 “(f) DUTIES.—The Commission shall—

8 “(1) conduct meetings and hold hearings in ac-
9 cordance with subsection (g);

10 “(2) consider each plan for the disposition of
11 Governors Island, New York, that any person or en-
12 tity may submit to the Commission; and

13 “(3) not later than 180 days after the date on
14 which all of the members of the Commission have
15 been appointed, submit to the President a rec-
16 ommendation for the disposition of Governors Is-
17 land, New York.

18 “(g) MEETINGS; HEARINGS.—

19 “(1) MEETINGS.—The Commission shall con-
20 duct its first meeting not later than the date that is
21 15 days after the date on which all of the members
22 of the Commission have been appointed and at such
23 other times as the chairperson shall direct.

24 “(2) HEARINGS.—The Commission shall con-
25 duct at least 4 hearings at which members of the

1 public shall be entitled to present views on the ap-
2 propriate disposition of Governors Island.

3 “(3) LOCATION.—All meetings and hearings
4 conducted by the Commission shall be conducted in
5 the city of New York, New York.

6 “(h) RECOMMENDATION.—The recommendation of
7 the Commission for disposition of Governors Island shall
8 include specific proposals for—

9 “(1) the retention of ownership, in whole or in
10 part, by the United States or the sale or transfer to
11 State, city, or local public or private entities of all
12 of or portions of the Island;

13 “(2) the rehabilitation, maintenance, and man-
14 agement of structures of national historic signifi-
15 cance by the National Park Service or other public
16 or private entities;

17 “(3) the use of portions of the Island for com-
18 mercial activities, recreational activities, or private
19 or public educational or residential purposes and
20 other uses;

21 “(4) the appropriate proportions of Federal,
22 State, and local public and private transitional fund-
23 ing and other assistance that will be required to
24 make the recommended disposition economically fea-
25 sible;

1 “(5) waiver of any provision of this Act or any
2 other law the application of which the Commission
3 determines would preclude or unduly interfere with
4 the optimum future use of Governors Island; and

5 “(6) any Federal, State, or local legislation or
6 regulation that may be necessary to allow implemen-
7 tation of the recommendation.

8 “(i) IMPLEMENTATION.—Notwithstanding or any
9 other provision of this Act or any other law—

10 “(1) the President shall have authority to im-
11 plement a recommendation under subsection (f)(2);
12 and

13 “(2) not later than 30 days after the date on
14 which the Commission submits the recommendation,
15 the President shall proceed to implement the rec-
16 ommendation, with such modifications as the Presi-
17 dent considers appropriate.

18 “(j) TERMINATION.—The Commission shall cease to
19 exist on the date that is 30 days after the date on which
20 the Commission submits a recommendation under sub-
21 section (f)(2).”.

22 **SEC. 3. REPEAL.**

23 The Balanced Budget Act of 1997 is amended by
24 striking section 9101 (111 Stat. 670).

1 **SEC. 4. TRANSFER OF SIGNIFICANT HISTORIC STRUC-**
2 **TURES TO THE NATIONAL PARK SERVICE.**

3 (a) IN GENERAL.—Administrative jurisdiction over
4 the structures described in subsection (b) and adjacent
5 grounds is transferred to the Secretary of the Interior,
6 acting through the Director of the National Park Service
7 (referred to in this section as the “Secretary”).

8 (b) HISTORIC STRUCTURES.—The structures re-
9 ferred to in subsection (a) are the following structures on
10 Governors Island, New York:

- 11 (1) Castle Williams.
- 12 (2) Fort Jay.
- 13 (3) The Admiral’s Headquarters.
- 14 (4) The Governor’s House.
- 15 (5) The Block House.

16 (c) PLAN.—Not later than the date on which the Gov-
17 ernors Island Commission submits its recommendation to
18 the President under section 113(f)(2) of the Federal Prop-
19 erty and Administrative Services Act of 1949, as added
20 by section 2, the Secretary shall submit to Congress a plan
21 for inclusion of the structures described in subsection (b)
22 in the National Park System.

23 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

24 There are authorized to be appropriated, for mainte-
25 nance and preservation of Governors Island and its struc-
26 tures by the Coast Guard and the National Park Service—

- 1 (1) \$12,000,000 for fiscal year 1999; and
- 2 (2) such sums as are necessary for fiscal year
- 3 2000 and each fiscal year thereafter.

○