

**PORT CHICAGO NAVAL MAGAZINE  
NATIONAL MEMORIAL ENHANCE-  
MENT ACT OF 2008**

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3111) to provide for the administration of Port Chicago Naval Magazine National Memorial as a unit of the National Park System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3111

*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 "Port Chicago Naval Magazine National Memorial Enhancement Act of 2008".

**SEC. 2. PORT CHICAGO NAVAL MAGAZINE NATIONAL MEMORIAL.**

Section 203 of the Port Chicago National Memorial Act of 1992 (Public Law 102-562; 16 U.S.C. 431; 106 Stat. 4235) is amended—

(1) by redesignating subsection (c) as subsection (f);

(2) by inserting after subsection (b) the following new subsections:

"(c) ADMINISTRATION.—The Secretary of the Interior shall administer the Port Chicago Naval Magazine National Memorial as a unit of the National Park System in accordance with this Act and laws generally applicable to units of the National Park System, including the National Park Service Organic Act (39 Stat. 535; 16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.). Land transferred to the administrative jurisdiction of the Secretary of the Interior under subsection (d) shall be administered in accordance with this subsection.

"(d) TRANSFER OF LAND.—The Secretary of Defense shall transfer a parcel of land, consisting of approximately 5 acres, depicted within the proposed boundary on the map titled 'Port Chicago Naval Magazine National Memorial, Proposed Boundary', numbered 018/80,001, and dated August 2005, to the administrative jurisdiction of the Secretary of the Interior if the Secretary of Defense determines that—

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

"(2) all environmental remediation actions necessary to respond to environmental contamination related to the land have been completed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and other applicable laws.

"(e) AGREEMENT WITH CITY OF CONCORD AND EAST BAY REGIONAL PARK DISTRICT.—The Secretary of the Interior is authorized to enter into an agreement with the City of Concord, California, and the East Bay Regional Park District, to establish and operate a facility for visitor orientation and parking, administrative offices, and curatorial storage for the Memorial."; and

(3) in subsection (f), (as redesignated by paragraph (1)), by striking "Secretary of the Navy to provide public access to the Memorial." and inserting "Secretary of Defense to provide as much public access as possible to the Memorial without interfering with military needs.".

**SEC. 3. SENSE OF CONGRESS ON REMEDIATION AND REPAIR OF PORT CHICAGO NAVAL MAGAZINE NATIONAL MEMORIAL.**

(a) REMEDIATION.—It is the sense of Congress that, in order to facilitate the land transfer described in subsection (d) of section 203 of the Port Chicago National Memo-

rial Act of 1992, as added by section 2, the Secretary of Defense should promptly remediate remaining environmental contamination related to the land.

(b) REPAIR.—It is the sense of Congress that, in order to preserve the Port Chicago Naval Magazine National Memorial for future generations, the Secretary of Defense and the Secretary of the Interior should work together to—

(1) repair storm damage to the Port Chicago site; and

(2) develop a process by which future repairs and necessary modifications to the site can be achieved in as timely and cost-effective a manner as possible.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

**GENERAL LEAVE**

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RAHALL. Mr. Speaker, I am pleased to bring to the House for its consideration this legislation that's sponsored by the former chairman of the Committee on Natural Resources and current chairman of the Committee on Education and Labor, Representative GEORGE MILLER.

This bill provides that the Port Chicago Naval Magazine Memorial be managed as a unit of the National Park System. Currently, the area is managed as an affiliated site by the National Park Service.

On July 17, 1944, 320 men, 202 of whom were African American sailors, were killed in an explosion at the Port Chicago Navy ammunition loading base in the San Francisco Bay area. This was the largest homeland disaster during World War II.

In 1992, Congress designated the Port Chicago Naval Magazine Memorial. The pending measure furthers that commitment by providing that the Port Chicago Naval Magazine Memorial be managed as a unit of the National Park System.

Mr. Speaker, I urge support for H.R. 3111, and I submit the following exchange of letters for the RECORD.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, January 31, 2008.

Hon. NICK J. RAHALL II,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR MR. CHAIRMAN: On October 10, 2007, the Committee on Natural Resources ordered H.R. 3111, the "Port Chicago Naval Magazine National Memorial Enhancement Act of 2007," to be reported. As you know, this measure contains certain provisions that are within the jurisdiction of the Committee on Armed Services, and thus, was sequentially referred to the Committee on Armed Services by the Parliamentarian for the House.

Our Committee recognizes the importance of H.R. 3111 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this legislation, the Committee on Armed Services will waive further consideration of H.R. 3111. I do so with the understanding that by waiving further consideration of the bill, the Committee does not waive any future jurisdictional claims over similar measures. In the event of a conference with the Senate on this bill, the Committee on Armed Services reserves the right to seek the appointment of conferees.

I would appreciate the inclusion of this letter and a copy of the response in your Committee's report on H.R. 3111 and the Congressional Record during consideration of the measure on the House floor.

Very truly yours,

IKE SKELTON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, February 5, 2008.

Hon. IKE SKELTON,  
Chairman, Committee on Armed Services,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your willingness to expedite floor consideration of H.R. 3111, which provides for the administration of the Port Chicago Naval Magazine National Memorial as a unit of the National Park System.

I appreciate your willingness to waive rights to further consideration of H.R. 3111, and am pleased that mutually agreed upon language was developed for this legislation. Of course, this waiver does not prejudice any further jurisdictional claims by your Committee over this legislation or similar language. Furthermore, I agree to support your request for appointment of conferees from the Committee on Armed Services if a conference is held on this matter.

Although the Committee's report on H.R. 3111 has already been filed, this exchange of letters will be inserted in the Congressional Record as part of the consideration of the bill on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am

Sincerely,

NICK J. RAHALL II,  
Chairman.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I rise to speak on H.R. 3111, and I yield myself 15 seconds.

The chairman has adequately explained the bill. It's a good bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of the Port Chicago Naval Magazine National Memorial Enhancement Act, a bill that ensures that the stories of Port Chicago will be preserved and that the site will be properly maintained for generations to come. This bill will increase the National Memorial's accessibility, provide additional visitor services, and help ensure long-term preservation of the site.

The legislation before us today is the result of months of diligent and collaborative effort, for which I want to thank: Chairman NICK RAHALL of the Natural Resources Committee, and ranking member DON YOUNG; Chairman RAÚL GRIJALVA of the National Parks, Forests, and Public Lands Subcommittee, and ranking member ROB BISHOP; Chairman IKE SKELTON of the Armed Services Committee, and ranking member DUNCAN HUNTER; and the

thoughtful and hard-working staff for the two committees, including Meghan Conklin, Dave Watkins, and David Sienicki, and my own legislative director, Ben Miller.

The Port Chicago memorial, which is in my district, commemorates a very important story in American history.

The deadly munitions explosion there on the night of July 17, 1944, killed more than 300 people—the worst homefront disaster of World War II.

When sailors were ordered to resume work a few weeks later, most of them refused to return to their dangerous tasks until supervision, training, and working conditions were improved.

In response, the Navy charged 50 men with conspiring to mutiny—all were convicted.

The majority of the men killed while handling ordnance at Port Chicago, and all of those convicted of mutiny, were African-American.

The Port Chicago story was a turning point in American history. The injustice strongly influenced the Navy's move toward desegregation in 1945.

The Port Chicago memorial tells that story, and I am proud to have authored the legislation designating the memorial, as I am proud to be involved in enhancing it with this legislation.

At our hearing in Mr. GRIJALVA's subcommittee last fall, we heard from the National Park Service, in support of this bill; from Dr. Robert Allen, who literally wrote the book on Port Chicago and is a board member of the Friends of Port Chicago; and Mr. Eugene Sayles, who was a seaman first class at Port Chicago and helped to get injured men out of the barracks after the explosion.

As they and others have said, the Port Chicago Naval Magazine National Memorial tells a critical story in our civil rights and military history, and with this legislation, we are ensuring that more Americans will hear the Port Chicago story.

The National Parks Conservation Association has also strongly supported this legislation, pointing to the "broad local and national support" for the effort, and noting that the Port Chicago memorial deserves elevation to its "rightful place as a fully-fledged unit of the National Park System."

The new designation under this bill brings with it increased stature—and more importantly, the Park Service will be able to budget for the memorial's needs.

In addition, the bill provides for an interpretive center for the Memorial—this facility will allow school groups, families, and other visitors to learn about Port Chicago even if they can't access the site, which is located within the Concord Naval Weapons Station.

Again, I want to thank Chairman GRIJALVA, Chairman RAHALL, Chairman SKELTON, and their staff for helping us bring this important legislation to the floor today.

Mr. BISHOP of Utah. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, H.R. 3111, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### HUNTING IN NEW RIVER GORGE NATIONAL RIVER

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5137) to ensure that hunting remains a purpose of the New River Gorge National River.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5137

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

#### SECTION 1. HUNTING IN NEW RIVER GORGE NATIONAL RIVER.

Section 1106 of the National Parks and Recreation Act of 1978 (16 U.S.C. 460m-20) is amended in the first sentence by striking "may" and inserting "shall".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

#### GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RAHALL. Mr. Speaker, the New River Gorge National River in southern West Virginia was designated as a unit of the National Park System in 1978. At times referred to as the "Grand Canyon of the East," we in West Virginia refer to the Grand Canyon as the "New River Gorge of the West."

The national river is comprised of over 70,000 acres of mostly rugged terrain and is renowned as a destination for its world-class whitewater recreation, rock climbing, and other outdoor activities. But it is also a place where generations of West Virginians have hunted and fished.

Unfortunately, the National Park Service, as part of the development of a new general management plan for the park unit, has included a no-hunting alternative. It is doing so because legislation which establishes the New River Gorge National River states that hunting "may" be permitted.

The enabling statute for the nearby Gauley River National Recreation Area, on the other hand, states that hunting "shall" be allowed. In fact, this is the case for the vast majority of the 62 units of the National Park System in which hunting is permitted.

The bill we are considering today simply changes the "may" to a "shall"

in the law which established the New River Gorge National River. While there is no doubt in my mind that the current superintendent of this park unit will do the right thing and allow hunting to continue in the final general management plan, this is too important of an issue to remain at the discretion of future managers of the park unit.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I rise to speak on H.R. 5137, and I yield myself such time as I may consume.

When credit is earned, credit needs to be given where it is due, and Chairman RAHALL has a wonderful bill. I am totally supportive of his efforts, and it's an excellent bill.

This ensures that hunting rights will continue in this great area, the New River Gorge National River. I am encouraged to see that many of my colleagues on the other side appreciate the importance of hunting and the benefit it has on public lands even within the Park Service System. And I hope that the chairman will join with us as we work to ensure second amendment hunting rights on Federal lands are secured in the other 49 States as well. I am confident that we can build a consensus around State and local control of hunting and deliver the rights that this legislation ensures to the Federal land around this particular entity.

As I said, I am totally in support of this bill. I think it's an excellent bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, H.R. 5137.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### RECOGNIZING THE 60TH ANNIVERSARY OF EVERGLADES NATIONAL PARK

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 845) recognizing the 60th anniversary of Everglades National Park, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 845

Whereas Everglades National Park celebrated its 60th anniversary on December 6, 2007;

Whereas when President Harry S. Truman dedicated Everglades National Park on December 6, 1947, he stated: "Here is land, tranquil in its quiet beauty, serving not as the source of water, but as the last receiver of it."