

make available for lease, to those persons designated by the Secretary of the Army and for such length of time as requested by the Secretary of the Army, 22 housing units located within the Presidio that are under the administrative jurisdiction of the Trust and specified in the agreement between the Trust and the Secretary of the Army in existence as of the date of the enactment of this section [Dec. 28, 2001].

“(b) LEASE AMOUNT.—The monthly amount charged by the Trust for the lease of a housing unit under this section shall be equivalent to the monthly rate of the basic allowance for housing that the occupant of the housing unit is entitled to receive under section 403 of title 37, United States Code.

“(c) CONDITION ON CONTINUED AVAILABILITY OF HOUSING UNITS.—Effective after the end of the four-year period beginning on the date of the enactment of this section, the Trust shall have no obligation to make housing units available under subsection (a) unless, during that four-year period, the Secretary of the Treasury purchases new obligations of at least \$80,000,000 issued by the Trust under section 104(d)(2). In the event that this condition is not satisfied, the existing agreement referred to in subsection (a) shall be renewed on the same terms and conditions for an additional five years.”

### § 460bb-1. Composition and boundaries

#### (a) Areas included and excluded

##### (1) Initial lands

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-80,003-K and dated October 1978, plus those areas depicted on the map entitled “Point Reyes and GGNRA Amendments and dated October 25, 1979”. The authority of the Secretary to acquire lands in the tract known as San Francisco Assessor’s Block number 1592 shall be limited to an area of not more than one and nine-tenths acres. Notwithstanding any other provision of this subchapter, 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. For the purposes of this subchapter, the southern end of the town of Marshall shall be considered to be the Marshall Boat Works.

##### (2) Additional lands

In addition to the lands described in paragraph (1), the recreation area shall include the following:

(A) The parcels numbered by the Assessor of Marin County, California, 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.

(B) 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.

(C) Lands acquired under the Golden Gate National Recreation Area Addition Act of 1992 (16 U.S.C. 460bb-1 note; Public Law 102-299).

(D) Lands generally depicted on the map entitled “Additions to Golden Gate National

Recreation Area”, numbered NPS-80-076, and dated July 2000/PWR-PLRPC.

(E) Lands generally depicted on the map entitled “Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area”, numbered NPS-80,079E, and dated March 2004.

#### (3) Acquisition limitation

The Secretary may acquire land described in paragraph (2)(E) only from a willing seller.

#### (b) Boundary revisions; notification of Congressional committees; publication in Federal Register

The maps 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 Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the 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.

(Pub. L. 92-589, §2, Oct. 27, 1972, 86 Stat. 1299; Pub. L. 93-544, Dec. 26, 1974, 88 Stat. 1741; Pub. L. 95-625, title III, §317(a), Nov. 10, 1978, 92 Stat. 3484; Pub. L. 96-199, title I, §103(a), Mar. 5, 1980, 94 Stat. 68; Pub. L. 96-344, §4(1), Sept. 8, 1980, 94 Stat. 1134; Pub. L. 96-607, title X, §1001(1), (2), Dec. 28, 1980, 94 Stat. 3544; Pub. L. 102-299, §2(b)(1), June 9, 1992, 106 Stat. 236; Pub. L. 103-437, §6(n)(2), Nov. 2, 1994, 108 Stat. 4586; Pub. L. 106-350, §2, Oct. 24, 2000, 114 Stat. 1361; Pub. L. 109-131, title II, §202, Dec. 20, 2005, 119 Stat. 2568.)

#### REFERENCES IN TEXT

The Golden Gate National Recreational Area Addition Act of 1992, referred to in subsec. (a)(2)(C), is Pub. L. 102-299, June 9, 1992, 106 Stat. 236, which amended this section and enacted provisions set out as a note below. For complete classification of this Act to the Code, see Short Title of 1992 Amendment note below and Tables.

#### AMENDMENTS

2005—Subsec. (a). Pub. L. 109-131 designated first four sentences of existing provisions as par. (1), inserted par. (1) heading, struck out at end “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. 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. The recreation area shall also include those lands acquired pursuant to the Golden Gate National Recreation Area Addition Act of 1992. The recreation area shall also include the lands generally depicted on the map entitled ‘Additions to Golden Gate National Recreation Area’, numbered NPS-80,076, and dated July 2000/PWR-PLRPC.”, and added pars. (2) and (3).

2000—Subsec. (a). Pub. L. 106-350 inserted at end “The recreation area shall also include the lands generally depicted on the map entitled ‘Additions to Golden Gate National Recreation Area’, numbered NPS-80,076, and dated July 2000/PWR-PLRPC.”

1994—Subsec. (b). Pub. L. 103-437 substituted “Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate” for “Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate”.

1992—Subsec. (a). Pub. L. 102-299, §2(b)(1), inserted at end “The recreation area shall also include those lands acquired pursuant to the Golden Gate National Recreation Area Addition Act of 1992.”

1980—Subsec. (a). Pub. L. 96-607, §1001(1), included within the recreation area the lands and waters in San Mateo County depicted on the map entitled Sweeney Ridge Addition, Golden Gate National Recreation Area, numbered NRA GG-80,000-A, dated May 1980.

Pub. L. 96-344 designated the southern end of the town of Marshall as the Marshall Boat Works and specified additional lands to be included within the boundaries of the recreation area.

Pub. L. 96-199 inserted “, plus those areas depicted on the map entitled ‘Point Reyes and GGNRA Amendments and dated October 25, 1979’” after “and dated October 1978”.

Subsec. (b). Pub. L. 96-607, §1001(2), substituted “maps” for “map”.

1978—Subsec. (a). Pub. L. 95-625 substituted as a description of the recreation area the lands, etc., generally depicted on Revised Boundary Map, Golden Gate National Recreation Area, numbered NRA-GG-80,003-K and dated October 1978 for prior such depiction on predecessor Boundary Map numbered NRA-GG-80,003-G, and dated September 1974; limited amount of acquisition in the tract known as San Francisco Assessor’s Block number 1592; prohibited acquisition of Marin County Assessor’s parcels located in the Muir Beach area; and deleted provisions including certain Marin and San Francisco County properties and excluding certain Marin County properties.

1974—Subsec. (a). Pub. L. 93-544 substituted the Revised Boundary Map numbered NRA-GG-80,003-G, dated September 1974, with a list of additional properties for the Boundary Map numbered NRA-GG-80,003A, sheets 1 through 3, dated July 1972, as the description of the land comprising the recreation area.

#### PHLEGER ESTATE ADDITION

Section 2(a) and (b)(2) of Pub. L. 102-299 authorized Secretary of the Interior 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 map entitled “1991 addition to Golden Gate National Recreation Area (Phleger Estate)” and numbered GGNRA<sup>641/40062</sup>, with Federal share of acquisition of land not to exceed 50 percent of purchase price of land, and directed Secretary, upon acquisition of the land and after publication of notice in the Federal Register, to revise boundary of Golden Gate National Recreation Area to reflect inclusion of such land, and to prepare and make available a map displaying such boundary revision in accordance with subsection (b) of this section.

#### § 460bb-2. Acquisition policy

##### (a) Authority of Secretary; exchange of property; disposal of certain lands; transfer from Federal agency to administrative jurisdiction of Secretary; facilities and improvements under permit from Secretary of the Army

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 Sec-

retary 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 chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41: *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 subchapter, 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 subchapter 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) Transfer of certain properties to administrative jurisdiction of Secretary; military properties, reservation of use and occupancy by Secretary of the Army; radio receiver station, retention of jurisdiction when not superfluous

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 1972, 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 subchapter, 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 subchapter.

##### (c) Military property; public service facilities: construction, maintenance, and determinations of identity and location by Secretary of the Army

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 subchapter. 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