

108TH CONGRESS
2D SESSION

H. R. 4027

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2004

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center.

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. AVAILABILITY OF NOAA REAL PROPERTY ON**
4 **VIRGINIA KEY, FLORIDA.**

5 (a) IN GENERAL.—The Secretary of Commerce may
6 make available to the University of Miami real property
7 under the administrative jurisdiction of the National Oce-
8 anic and Atmospheric Administration on Virginia Key,
9 Florida, for development by the University of a Marine
10 Life Science Center.

11 (b) MANNER OF AVAILABILITY.—The Secretary may
12 make property available under this section by easement,
13 lease, license, or long-term agreement with the University.

14 (c) AUTHORIZED USES BY UNIVERSITY.—

15 (1) IN GENERAL.—Property made available
16 under this section may be used by the University
17 (subject to paragraph (2)) to develop and operate fa-
18 cilities for multidisciplinary environmental and fish-
19 eries research, assessment, management, and edu-
20 cational activities.

21 (2) AGREEMENT.—Property made available
22 under this section may not be used by the University
23 (including any affiliate of the University) except in
24 accordance with an agreement with the Secretary
25 that—

1 (A) specifies—

2 (i) the conditions for non-Federal use
3 of the property; and

4 (ii) the retained Federal interests in
5 the property, including interests in access
6 to and egress from the property by Federal
7 personnel and preservation of existing
8 rights-of-way;

9 (B) establishes conditions for joint occu-
10 pancy of buildings and other facilities on the
11 property by the University and Federal agen-
12 cies; and

13 (C) includes provisions that ensure—

14 (i) that there is no diminishment of
15 existing National Oceanic and Atmospheric
16 Administration programs and services at
17 Virginia Key; and

18 (ii) the availability of the property for
19 planning, development, and construction of
20 future Federal buildings and facilities.

21 (3) TERMINATION OF AVAILABILITY.—The
22 availability of property under this section shall ter-
23minate immediately upon use of the property by the
24 University—

1 (A) for any purpose other than as de-
2 scribed in paragraph (1); or

3 (B) in violation of the agreement under
4 paragraph (2).

5 (d) USE OF FACILITIES BY SECRETARY.—The Sec-
6 retary may—

7 (1) subject to the availability of funding, enter
8 into an agreement to occupy facilities constructed by
9 the University on property made available under this
10 section; and

11 (2) participate with the University in collabo-
12 rative research at, or administered through, such fa-
13 cilities.

14 (e) NO CONVEYANCE OF TITLE.—This section shall
15 not be construed to convey or authorize conveyance of any
16 interest of the United States in title to property made
17 available under this section.

Passed the House of Representatives September 13,
2004.

Attest:

JEFF TRANDAHL,

Clerk.