

I thank the Congress for its support and ask that it continue this noble work on behalf of the American people.

GEORGE W. BUSH.
THE WHITE HOUSE, March 3, 2008.

**ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE**

The SPEAKER pro tempore (Mr. BLUMENAUER). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

AUTHORIZING SECRETARY OF INTERIOR TO LEASE LANDS IN VIRGIN ISLANDS NATIONAL PARK

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1143) to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1143

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

SECTION 1. DEFINITIONS.

In this Act, the following definitions apply:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **RUE.**—The term “RUE” means the retained use estate entered into by the Jackson Hole Preserve and the United States on September 30, 1983.

(3) **PARK.**—The term “park” means Virgin Islands National Park.

(4) **CBI.**—The term “CBI” means CBI Acquisitions, LLC.

(5) **RESORT.**—The term “Resort” means Caneel Bay Resort on the island of St. John in Virgin Islands National Park.

SEC. 2. LEASE AGREEMENT.

(a) **AUTHORIZATION.**—The Secretary may enter into a lease agreement with CBI governing the use of property for the continued management and operation of the Resort.

(b) **ADDITIONAL LANDS.**—Any lease entered into pursuant to this Act shall include the property covered by the RUE and any associated property owned by CBI donated to the National Park Service.

(c) **TERMS.**—The lease agreement authorized under subsection (a) shall—

(1) require that operations and maintenance of the Resort are conducted in a manner consistent with the preservation and conservation of the resources and values of the Park as well as the best interests of the Resort;

(2) be for the minimum number of years practicable to enable the lessee to secure financing for any necessary improvements to the Resort, taking into account the financial obligations of CBI, but in any event shall not exceed 40 years;

(3) prohibit any transfer, assignment or sale of the lease or otherwise convey or pledge any interest in the lease without prior written notification and approval by the Secretary;

(4) prohibit any increase in the number of guest accommodations available at the Resort;

(5) prohibit any increase in the overall size of the Resort;

(6) prohibit the sale of partial ownership shares or timeshares in the Resort;

(7) be designed to facilitate transfer of all property covered by the lease to Federal administration upon expiration of the lease; and

(8) include any other provisions determined by the Secretary to be necessary to protect the Park and the public interest.

(d) **APPRAISALS.**—The Secretary shall require appraisals to determine the fair market value of all property covered by the RUE and any property, including the value, if any, of the surrendered term of the RUE, owned by CBI to be donated, or otherwise conveyed, to the National Park Service. Such appraisals shall be conducted pursuant to the Uniform Appraisal Standards for Federal Land Acquisition.

(e) **COMPENSATION.**—

(1) **IN GENERAL.**—The lease authorized by this Act shall—

(A) require payment to the United States of the property’s fair market value rent, taking into account the value of any associated property transferred by CBI as well as the value, if any, of the surrendered term of the RUE;

(B) include a provision—

(i) allowing recalculation of the amount of the payment required under this subsection, at the request of the Secretary or CBI, in the event of extraordinary unanticipated changes in conditions anticipated at the time the lease was finalized; and

(ii) providing for binding arbitration in the event the Secretary and CBI are unable to agree upon an adjustment to the payment in these circumstances.

(2) **DISTRIBUTION.**—Eighty percent of the payment to the United States required by this subsection shall be available to the Secretary, without further appropriation, for expenditure within the Park. The remaining twenty percent shall be deposited in the Treasury.

(3) **APPLICABILITY OF CERTAIN LAW.**—Section 321 of the Act of June 30, 1932 (40 U.S.C. 1302), relating to the leasing of buildings and property of the United States, shall not apply to the lease entered into by the Secretary pursuant to this Act.

SEC. 3. RETAINED USE ESTATE.

As a condition of the lease, CBI shall relinquish to the Secretary all rights under the RUE and transfer, without compensation, ownership of improvements covered by the RUE to the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. BISHOP) will each 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. REYES. Mr. Speaker, I wish to commend our distinguished colleague from the Virgin Islands, a valuable member of our Committee on Natural Resources and the chairwoman of our Insular Affairs Subcommittee, DONNA CHRISTENSEN, for sponsoring the pending legislation, H.R. 1143.

The bill would authorize the National Park Service to continue its successful relationship with Caneel Bay Resort,

ensure that park resources are protected, and allow the resort to undertake needed maintenance and improvement programs that will benefit visitors to Virgin Islands National Park and the Caneel Bay Resort well into the future.

Congresswoman CHRISTENSEN deserves our thanks for her work in ensuring that visitor services at Virgin Islands National Park are available and that resources are protected.

I fully support passage of the pending bill and urge its adoption by the House today.

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

Mr. BISHOP of Utah. Mr. Speaker, I rise to speak on H.R. 1143 and yield myself such time as I may consume.

This has been adequately explained by Chairman RAHALL. We support this legislation.

Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. REYES. Mr. Speaker, I yield such time as she may consume to the gentlelady from the Virgin Islands, Dr. CHRISTENSEN.

Mrs. CHRISTENSEN. I thank the chairman for yielding.

Mr. Speaker, I rise in, of course, strong support of H.R. 1143, legislation I introduced to authorize the Secretary of the Interior to enter into a new arrangement, a lease with the owners of Caneel Bay Resort in my congressional district.

I want to also thank Chairman RAHALL as well as Chairman GRIJALVA for not only supporting the passage of this bill, but for traveling to my district to see for themselves the importance of Caneel Bay to the island and to the people of St. John.

Mr. Speaker, Caneel Bay traces its roots to Laurence Rockefeller’s coming to the island of St. John in 1952. He purchased the then-existing resort facilities and also acquired more than 5,000 surrounding acres to protect the area. In 1956, he donated the additional land to create the Virgin Islands National Park. At the same time, he created Caneel Bay Resort, comprising 170 acres, which continues to complement and to be environmentally consistent with the natural beauty of the park’s setting.

Mr. Rockefeller subsequently decided to transfer the land underlying Caneel Bay to the National Park Service, while retaining the improvements and continuing the Caneel Bay operations. He accomplished this through the execution of a series of unique agreements generally known as a retained use estate, or RUE.

H.R. 1143 became necessary because the RUE is slated to expire in 2023, and its current owners require more than the remaining 15 years to provide the capital and long-term financing necessary to reverse the decline of the facilities over the years and to return it to the grandeur and stature that it deserves.

Mr. Speaker, other than the Virgin Islands National Park, Caneel Bay Resort is perhaps the single most important entity to the tourism-based economy of St. John, and it's also important to the economy of the Virgin Islands in general. It is not an exaggeration to say that Caneel Bay helped to establish the U.S. Virgin Islands, and the Island of St. John in particular, as a major tourist destination point, playing a prominent role in the island's economic renaissance of the mid-1900s.

□ 1415

Since its founding in October of 1956, it has been and remains a paradise of choice for generations of families, many of whom return every year.

It's also the largest employer on St. John, employing approximately 475 workers, many of whom spend their entire career spanning two or three decades, and some even more than that as employees of Caneel.

In conclusion, Mr. Speaker, I want to thank the Natural Resources staff director, Jim Zoia, and the staff of the National Parks, Forest and Public Lands Subcommittee, in particular former staff director Rick Healy and current staff director Dave Watkins, for their hard work in making it possible for H.R. 1143 to be on the floor today. I also want to thank the full committee ranking member, DON YOUNG, and subcommittee ranking member, ROB BISHOP, and their staffs for their support as well.

I urge my colleagues to support the passage of this bill, which is very important to the economy of the Virgin Islands.

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. 1143, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

NEVADA CANCER INSTITUTE EXPANSION ACT

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1311) to direct the Secretary of the Interior to convey the Alta-Hualapai Site to the city of Las Vegas, Nevada, for the development of a cancer treatment facility, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1311

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 "Nevada Cancer Institute Expansion Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) ALTA-HUALAPAI SITE.—The term "Alta-Hualapai Site" means the approximately 80 acres of land that is—

(A) patented to the City under the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.); and

(B) identified on the map as the "Alta-Hualapai Site".

(2) CITY.—The term "City" means the city of Las Vegas, Nevada.

(3) INSTITUTE.—The term "Institute" means the Nevada Cancer Institute, a non-profit organization described under section 501(c)(3) of the Internal Revenue Code of 1986, the principal place of business of which is at 10441 West Twain Avenue, Las Vegas, Nevada.

(4) MAP.—The term "map" means the map titled "Nevada Cancer Institute Expansion Act" and dated July 17, 2006.

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(6) WATER DISTRICT.—The term "Water District" means the Las Vegas Valley Water District.

SEC. 3. LAND CONVEYANCE.

(a) SURVEY AND LEGAL DESCRIPTION.—The city shall prepare a survey and legal description of Alta-Hualapai site. The survey shall conform to the Bureau of Land Management cadastral survey standards and be subject to approval by the Secretary.

(b) ACCEPTANCE.—The Secretary may accept the relinquishment by the City of all or part of the Alta-Hualapai Site.

(c) CONVEYANCE FOR USE AS NON-PROFIT CANCER INSTITUTE.—After relinquishment of all or part of the Alta-Hualapai Site to the Secretary, and not later than 180 days after request of the Institute, the Secretary shall convey to the Institute, subject to valid existing rights, the portion of the Alta-Hualapai Site that is necessary for the development of a non-profit cancer institute.

(d) ADDITIONAL CONVEYANCES.—Not later than 180 days after a request from the City, the Secretary shall convey to the City, subject to valid existing rights, any remaining portion of the Alta-Hualapai site necessary for ancillary medical or non-profit use compatible with the mission of the Institute.

(e) APPLICABLE LAW.—Any conveyance by the City of any portion of the land received under this Act shall be for no less than fair market value and the proceeds shall be distributed in accordance with section 4(e)(1) of Public Law 105-263 (112 Stat. 2345).

(f) TRANSACTION COSTS.—All land conveyed by the Secretary under this Act shall be at no cost, except that the Secretary may require the recipient to bear any costs associated with transfer of title or any necessary land surveys.

(g) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on all transactions conducted under Public Law 105-263 (112 Stat. 2345).

SEC. 4. RIGHTS-OF-WAY.

Consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), the Secretary may grant rights of way to the Water District on a portion of the Alta-Hualapai Site for a flood control project and a water pumping facility.

SEC. 5. REVERSION.

Any property conveyed pursuant to this Act which ceases to be used for the purposes

specified in this Act shall, at the discretion of the Secretary, revert to the United States, along with any improvements thereon or thereto.

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, H.R. 1311, introduced by our colleague from Nevada, Representative SHELLEY BERKLEY, authorizes the Secretary of the Interior to convey 80 acres of land in Las Vegas, Nevada, to the nonprofit Nevada Cancer Institute. The bill also authorizes a limited conveyance to the city of Las Vegas for the development of medical facilities affiliated with the cancer institute.

I commend our colleague, Representative BERKLEY, for her leadership on this matter and her willingness to work with the committee to address a number of issues raised with the legislation.

I support passage of H.R. 1311 and urge its adoption by the House.

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

Mr. BISHOP of Utah. Mr. Speaker, I rise to speak on H.R. 1311, and I yield myself such time as I may consume.

This has also been adequately explained by Chairman RAHALL. We support this legislation. I would like to note that this legislation is an example of how local control of public land benefits our communities, and I hope the majority will support us as we explore similar ways to empower our constituents.

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. 1311, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.