

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.