

Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

□ 1530

#### VIRGIN ISLANDS NATIONAL PARK LAND LEASE

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 714) to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 714

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

#### SECTION 1. CANEEL BAY LEASE AUTHORIZATION.

(a) DEFINITIONS.—In this section:

(1) PARK.—The term “Park” means the Virgin Islands National Park.

(2) RESORT.—The term “resort” means the Caneel Bay resort on the island of St. John in the Park.

(3) RETAINED USE ESTATE.—The term “retained use estate” means the retained use estate for the Caneel Bay property on the island of St. John entered into between the Jackson Hole Preserve and the United States on September 30, 1983.

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

(b) LEASE AUTHORIZATION.—

(1) IN GENERAL.—If the Secretary determines that the long-term benefit to the Park would be greater by entering into a lease with the owner of the retained use estate than by authorizing a concession contract upon the termination of the retained use estate, the Secretary may enter into a lease for the operation and management of the resort.

(2) ACQUISITIONS.—The Secretary may—

(A) acquire associated property from the owner of the retained use estate; and

(B) on the acquisition of property under subparagraph (A), administer the property as part of the Park.

(3) AUTHORITY.—Except as otherwise provided by this section, a lease shall be in accordance with subsection (k) of section 3 of Public Law 91-383 (16 U.S.C. 1a-2(k)), notwithstanding paragraph (2) of that subsection.

(4) TERMS AND CONDITIONS.—A lease authorized under this section shall—

(A) be for the minimum number of years practicable, taking into consideration the need for the lessee to secure financing for necessary capital improvements to the resort, but in no event shall the term of the lease exceed 40 years;

(B) prohibit any transfer, assignment, or sale of the lease or otherwise convey or pledge any interest in the lease with prior written notification to, and approval by the Secretary;

(C) ensure that the general character of the resort property remains unchanged, including a prohibition against—

(i) any increase in the overall size of the resort; or

(ii) any increase in the number of guest accommodations available at the resort;

(D) prohibit the sale of partial ownership shares or timeshares in the resort; and

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

(5) RENTAL AMOUNTS.—In determining the fair market value rental of the lease required under section 3(k)(4) of Public Law 91-383 (16 U.S.C. 1a-2(k)(4)), the Secretary shall take into consideration—

(A) the value of any associated property conveyed to the United States; and

(B) the value, if any, of the relinquished term of the retained use estate.

(6) USE OF PROCEEDS.—Rental amounts paid to the United States under a lease shall be available to the Secretary, without further appropriation, for visitor services and resource protection within the Park.

(7) CONGRESSIONAL NOTIFICATION.—The Secretary shall submit a proposed lease under this section to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives at least 60 days before the effective date of the lease.

(8) RENEWAL.—A lease entered into under this section may not be extended or renewed.

(9) TERMINATION.—Upon the termination of a lease entered into under this section, if the Secretary determines the continuation of commercial services at the resort to be appropriate, the services shall be provided in accordance with the National Park Service Concessions Management Improvement Act of 1998 (16 U.S.C. 5951 et seq.).

(c) RETAINED USE ESTATE.—

(1) IN GENERAL.—As a condition of the lease, the owner of the retained use estate shall terminate, extinguish, and relinquish to the Secretary all rights under the retained use estate and shall transfer, without consideration, ownership of improvements on the retained use estate to the National Park Service.

(2) APPRAISAL.—

(A) IN GENERAL.—The Secretary shall require an appraisal by an independent, qualified appraiser that is agreed to by the Secretary and the owner of the retained use estate to determine the value, if any, of the relinquished term of the retained use estate.

(B) REQUIREMENTS.—An appraisal under paragraph (1) shall be conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. 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 bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to commend our distinguished colleague from the Virgin Islands, a valuable member of the Committee on Natural Resources, DONNA CHRISTENSEN, for sponsoring H.R. 714. This legislation 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 the Virgin Islands National Park and the Caneel Bay Resort well into the future.

Mr. Speaker, this legislation was approved by the House in the previous Congress, but was not considered in the other body. It should be noted, however, that H.R. 714 includes some technical changes suggested by our colleagues in the Senate after hearings were conducted on the bill last year.

Congresswoman CHRISTENSEN deserves our thanks for her work in ensuring that visitor services at the Virgin Islands National Park are available and that the park's stunning natural resources are always protected.

I urge my colleagues to support the passage of H.R. 714.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill has been adequately explained by the other side and we support this legislation.

I reserve my time.

Ms. BORDALLO. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the author of this legislation.

Mrs. CHRISTENSEN. Mr. Speaker, I thank Congresswoman BORDALLO for those kind words and for yielding me time.

I rise, of course, in strong support of H.R. 714, legislation that I introduced to authorize the Secretary of the Interior to enter into a lease with the owners of Caneel Bay Resort in my congressional district. I want to begin by thanking Chairman RAHALL, as well as Chairman GRIJALVA, for their strong and steadfast support of this bill. Chairman GRIJALVA actually traveled to my district to see for himself how important the resort is to the island and the people of St. John and to meet with not only the management, but the employees, because it is important to the entire Virgin Islands.

Mr. Speaker, Caneel Bay traces its roots to Lawrence 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 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.

The bill before us is 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. It has been impossible for them to get that financing with just 15 years remaining in the RUE.

Mr. Speaker, I have spent the last 4 years meeting with the National Park Service officials, representatives of the Rockefeller group, and various public officials and business partners to work out an equitable framework for the long-term lease with the National Park Service which will ensure the viability of the Caneel Bay Resort, the largest employer on St. John in the U.S. Virgin Islands.

In return for a long-term lease needed to ensure the infusion of capital funds, the owners have agreed to pay consideration to the government based on independent appraisals commissioned by the parties, which will include valuable land and buildings held by them outside the park but which are necessary for resort operations. No consideration is currently being paid to the government under the existing retained use estate which expires in 2023.

Mr. Speaker, Caneel Bay, along with virtually every business in the Virgin Islands, and I would say across the country, has suffered a dramatic decline in revenue and, in our case, future bookings. The company is being forced to make some very difficult decisions in an attempt to preserve its solvency so that it may survive this economic downturn. They are currently reducing employees' hours, have been forced to eliminate some positions and are laying off employees. They are making every effort to minimize losses due to the deepening economic recession as well as alleviate the impact on our long-term employees who are also struggling in this economic environment.

The bill was supported by the administration at hearings both in the House and Senate as the best means of conclusively addressing this issue.

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. 714 to be on the floor today. I also want to thank the full committee ranking member, DOC HASTINGS, 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 my district and the U.S. Virgin Islands.

Mr. BISHOP Of Utah. Mr. Speaker, I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support H.R. 714, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 714.

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.

#### HONORING APACHE LEADER GOYATHLAY

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 132) honoring the life and memory of the Chiricahua Apache leader Goyathlay or Goyaale, also known as Geronimo, and recognizing the 100th anniversary of his death on February 17, 2009, as a time of reflection and the commencement of a "Healing" for all Apache people.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 132

Whereas Goyathlay or Goyaale, called Geronimo by the soldiers against whom he fought, was born in June 1829 to the Bedonkohe band of the Apache people in Nodoyohn Canyon on the Gila River, which was then part of Mexico;

Whereas in 1858, Mexican soldiers attacked the Bedonkohe people within the current borders of Mexico, setting in motion a war between that nation and the Apache that would last for three decades;

Whereas Goyathlay, a spiritual and intellectual leader, became recognized as a great military leader by his people because of his courage, determination, and skill;

Whereas Goyathlay led his people in a war of self-defense as their homeland was invaded by the citizens and armies first of Mexico, and then of the United States;

Whereas that homeland was healthy, thriving, and beautiful with ample running water, extensive grasslands, and ancient forests and was a place beloved and revered by the Apache people, who had lived there for countless generations;

Whereas Goyathlay's band, along with other Apache peoples, were forcibly removed by the United States Army, interned at San Carlos, Arizona, subjugated, and deprived of their rights as a free people, including the right to practice their traditional spiritual beliefs and maintain long-standing political and social structures;

Whereas Goyathlay led fewer than 150 men, women, and children out of captivity and for several years evaded fighting forces consisting of one-quarter of the standing United States Army, as well as thousands of Mexican soldiers;

Whereas upon surrendering to United States forces, Goyathlay and his band were promised a return to their homeland but were instead interned in military prisons in Florida and Alabama, far from their homeland;

Whereas Goyathlay, promised respect as a prisoner of war, was put to hard labor for eight years;

Whereas Goyathlay and other Apache prisoners of war were removed to Fort Sill, Oklahoma, in 1894;

Whereas after his death on February 17, 1909, Goyathlay was not granted the promised return to his homeland but instead was buried in the military cemetery at Fort Sill;

Whereas Goyathlay's byname, "Geronimo", became a war cry uttered by paratroopers fighting against the totalitarian enemies of the United States during World War II, a name used with respect and honor for a great warrior and leader;

Whereas to this day, the Apache people continue to honor and hold sacred what Goyathlay represented to a people separated and destroyed by historic and disruptive United States governmental policies of the past; and

Whereas there still exists a need for spiritual healing among Apache people, stemming from the captivity and mistreatment of their ancestors under past policies of the United States Government, that can commence by honoring the memory of Goyathlay and his valiant efforts to preserve traditional Apache ways of life and the health of Ni'goshdzá'n, the Earth: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) honors the life of Goyathlay, his extraordinary bravery, and his commitment to the defense of his homeland, his people, and Apache ways of life; and

(2) recognizes the 100 anniversary of the death of Goyathlay as a time of reflection of his deeds on behalf of his people.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

#### GENERAL LEAVE

Ms. BORDALLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days 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 gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 132 honors the life and the memory of the great Apache leader known to many of us as Geronimo. Last week, February 17 marked the 100th anniversary of his death.

Geronimo began as the spiritual and intellectual leader of his people. Circumstance, in the manner of attack by the armies of first Mexico and then the United States, cultivated his keen military skill and determination.

The story of Geronimo shows us some of the paradox that is the United States. We hunted this man as a perceived threat to the security of our young, developing Nation in the West. When he surrendered, we broke promises and mistreated him, ensuring he would never see his homeland again. Yet, half a century later, our U.S. paratroopers used the name of Geronimo as a battle cry against our enemies in World War II. Using the name "Geronimo" was meant to instill fear in