TOP

Film Identification

Century

1303 Geneva Avenue
St. Paul, MN 55119

PRECISION[SM] RESOLUTION TARGETS

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PM-3 8½″x11″ PHOTOGRAPHIC GENERAL TARGET
NBS 1010a ANSI/ISO #2 EQUIVALENT

Public Law 102-247
102d Congress

An Act

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

Feb. 24, 1992
[H.R. 2927]

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

Omnibus Insular Areas Act of 1992.
16 USC 410tt note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Omnibus Insular Areas Act of 1992".

TITLE I—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS

Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992.
16 USC 410tt note.

SEC. 101. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992".

16 USC 410tt.

SEC. 102. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 B.C., and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

16 USC 410tt-1.

SEC. 103. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled "Salt River Study Area—Alternative 'C'" in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands", prepared by the National Park Service and dated June 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

16 USC 410tt-2.

SEC. 104. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the United States Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

16 USC 410tt-3.

SEC. 105. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 106 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date funds are made available for this subsection, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) TRAINING ASSISTANCE.—During the 10-year period beginning on the date of enactment of this title, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: *Provided, however,* That in no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 106. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION. 16 USC 410tt-4.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed

by the governments of the United States Virgin Islands and the United States in accordance with this title;

(2) consult with the Secretary on the development of the general management plan required by section 105 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the United States Virgin Islands, at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

Federal Register, publication.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS. 16 USC 410tt-5.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—INSULAR AREAS DISASTER SURVIVAL AND RECOVERY

SEC. 201. DEFINITIONS. 42 USC 5204.

As used in this title—

(1) the term "insular area" means any of the following: American Samoa, the Federated States of Micronesia, Guam, the Marshall Islands, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 202. AUTHORIZATION. 42 USC 5204a.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to—

(1) reconstruct essential public facilities damaged by disasters in the insular areas that occurred prior to the date of the enactment of this Act; and

(2) enhance the survivability of essential public facilities in the event of disasters in the insular areas,

except that with respect to the disaster declared by the President in the case of Hurricane Hugo, September 1989, amounts for any fiscal year shall not exceed 25 percent of the estimated aggregate amount of grants to be made under sections 403 and 406 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172) for such disaster. Such sums shall remain available until expended.

SEC. 203. TECHNICAL ASSISTANCE. 42 USC 5204b.

(a) Upon the declaration by the President of a disaster in an insular area, the President, acting through the Director of the Federal Emergency Management Agency, shall assess, in cooperation with the Secretary and chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort. President.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary, in consultation with the Director of the Federal Emergency Management Agency, shall Reports.

submit to the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs a report on the status of the recovery effort, including an audit of Federal funds expended in the recovery effort and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

42 USC 5204c.

SEC. 204. HAZARD MITIGATION.

The total of contributions under the last sentence of section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) for the insular areas shall not exceed 10 percent of the estimated aggregate amounts of grants to be made under sections 403, 406, 407, 408, and 411 of such Act for any disaster: *Provided*, That the President shall require a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

President.

SEC. 205. TECHNICAL AMENDMENT.

Paragraphs (3) and (4) of section 102 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) are each amended by inserting after "American Samoa," the following: "the Northern Mariana Islands,".

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. AMERICAN SAMOA WATER AND POWER STUDY.

(a) The Secretary of the Interior shall undertake a comprehensive study, or as appropriate review and update existing studies, to determine the current and long-term water, power, and wastewater needs of American Samoa. Such study shall be conducted in consultation with the American Samoa government, and in consultation with those Federal agencies which have recent experience with the water, power and wastewater needs of American Samoa.

Reports.

(b) The Secretary of the Interior shall report the results of this study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, before December 31, 1992. The report shall include—

(1) an assessment of the water, power and wastewater needs of American Samoa both currently, and for the year 2000;

(2) an assessment of, and recommendations regarding, how these needs can be met;

(3) an assessment of, and recommendations regarding, any additional legal authority or funding which may be necessary to meet these needs; and

(4) an assessment of, and recommendations regarding, the respective roles of the Federal and American Samoa governments in meeting these needs.

48 USC 1469e.

SEC. 302. INSULAR GOVERNMENT PURCHASES.

The Governments of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands are authorized to make purchases through the General Services Administration.

SEC. 303. FREELY ASSOCIATED STATE CARRIER.

Transportation.
48 USC 1681 note.

(a) In furtherance of the objectives of the Compact of Free Association Act of 1985 (Public Law 99–239) and notwithstanding any other provision of law, a Freely Associated State Air Carrier shall not be precluded from providing transportation, between a place in the United States and a place in a state in free association with the United States or between two places in such a freely associated state, by air of persons (and their personal effects) and property procured, contracted for, or otherwise obtained by any executive department or other agency or instrumentality of the United States for its own account or in furtherance of the purposes or pursuant to the terms of any contract, agreement, or other special arrangement made or entered into under which payment is made by the United States or payment is made from funds appropriated, owned, controlled, granted, or conditionally granted, or utilized by or otherwise established for the account of the United States, or shall be furnished to or for the account of any foreign nation, or any international agency, or other organization of whatever nationality, without provisions for reimbursement.

(b) The term "Freely Associated State Air Carrier" shall apply exclusively to a carrier referred to in Article IX(5)(b) of the Federal Programs and Services Agreement concluded pursuant to Article II of Title Two and Section 232 of the Compact of Free Association.

SEC. 304. MARSHALL ISLANDS FOOD ASSISTANCE.

Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681 note) is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 305. NORTHERN MARIANAS COLLEGE.

Section 9(a) of Public Law 99–396 is amended by striking out the period at the end and inserting in lieu thereof the following: "and in subsection (b), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands' and by striking out 'and to Micronesia' and inserting in lieu thereof ', Micronesia, and to the Northern Mariana Islands'.". 7 USC 301 note.

Approved February 24, 1992.

LEGISLATIVE HISTORY—H.R. 2927:

HOUSE REPORTS: No. 102-285 (Comm. on Interior and Insular Affairs).
SENATE REPORTS: No. 102-243 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 137 (1991): Nov. 5, considered and passed House.
Vol. 138 (1992): Jan. 31, considered and passed Senate, amended.
Feb. 4, House concurred in Senate amendment.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):
Feb. 24, Presidential statement.

Signed 2/24/92
P.L. 102-247

H. R. 2927

One Hundred Second Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Friday, the third day of January, one thousand nine hundred and ninety-two

An Act

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

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 "Omnibus Insular Areas Act of 1992".

TITLE I—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS

SEC. 101. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992".

SEC. 102. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 B.C., and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 103. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled "Salt River Study Area—Alternative 'C'" in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands", prepared by the National Park Service and dated June 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 104. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the United States Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 105. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 106 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date funds are made available for this subsection, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) TRAINING ASSISTANCE.—During the 10-year period beginning on the date of enactment of this title, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: *Provided, however,* That in no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 106. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed

by the governments of the United States Virgin Islands and the United States in accordance with this title;

(2) consult with the Secretary on the development of the general management plan required by section 105 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the United States Virgin Islands, at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—INSULAR AREAS DISASTER SURVIVAL AND RECOVERY

SEC. 201. DEFINITIONS.

As used in this title—

(1) the term "insular area" means any of the following: American Samoa, the Federated States of Micronesia, Guam, the Marshall Islands, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 202. AUTHORIZATION.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to—

(1) reconstruct essential public facilities damaged by disasters in the insular areas that occurred prior to the date of the enactment of this Act; and

(2) enhance the survivability of essential public facilities in the event of disasters in the insular areas,

except that with respect to the disaster declared by the President in the case of Hurricane Hugo, September 1989, amounts for any fiscal year shall not exceed 25 percent of the estimated aggregate amount of grants to be made under sections 403 and 406 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172) for such disaster. Such sums shall remain available until expended.

SEC. 203. TECHNICAL ASSISTANCE.

(a) Upon the declaration by the President of a disaster in an insular area, the President, acting through the Director of the Federal Emergency Management Agency, shall assess, in cooperation with the Secretary and chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary, in consultation with the Director of the Federal Emergency Management Agency, shall

submit to the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs a report on the status of the recovery effort, including an audit of Federal funds expended in the recovery effort and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

SEC. 204. HAZARD MITIGATION.

The total of contributions under the last sentence of section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) for the insular areas shall not exceed 10 percent of the estimated aggregate amounts of grants to be made under sections 403, 406, 407, 408, and 411 of such Act for any disaster: *Provided*, That the President shall require a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

SEC. 205. TECHNICAL AMENDMENT.

Paragraphs (3) and (4) of section 102 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) are each amended by inserting after "American Samoa," the following: "the Northern Mariana Islands,".

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. AMERICAN SAMOA WATER AND POWER STUDY.

(a) The Secretary of the Interior shall undertake a comprehensive study, or as appropriate review and update existing studies, to determine the current and long-term water, power, and wastewater needs of American Samoa. Such study shall be conducted in consultation with the American Samoa government, and in consultation with those Federal agencies which have recent experience with the water, power and wastewater needs of American Samoa.

(b) The Secretary of the Interior shall report the results of this study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, before December 31, 1992. The report shall include—

(1) an assessment of the water, power and wastewater needs of American Samoa both currently, and for the year 2000;

(2) an assessment of, and recommendations regarding, how these needs can be met;

(3) an assessment of, and recommendations regarding, any additional legal authority or funding which may be necessary to meet there needs; and

(4) an assessment of, and recommendations regarding, the respective roles of the Federal and American Samoa governments in meeting these needs.

SEC. 302. INSULAR GOVERNMENT PURCHASES.

The Governments of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands are authorized to make purchases through the General Services Administration.

SEC. 303. FREELY ASSOCIATED STATE CARRIER.

(a) In furtherance of the objectives of the Compact of Free Association Act of 1985 (Public Law 99–239) and notwithstanding any other provision of law, a Freely Associated State Air Carrier shall not be precluded from providing transportation, between a place in the United States and a place in a state in free association with the United States or between two places in such a freely associated state, by air of persons (and their personal effects) and property procured, contracted for, or otherwise obtained by any executive department or other agency or instrumentality of the United States for its own account or in furtherance of the purposes or pursuant to the terms of any contract, agreement, or other special arrangement made or entered into under which payment is made by the United States or payment is made from funds appropriated, owned, controlled, granted, or conditionally granted, or utilized by or otherwise established for the account of the United States, or shall be furnished to or for the account of any foreign nation, or any international agency, or other organization of whatever nationality, without provisions for reimbursement.

(b) The term "Freely Associated State Air Carrier" shall apply exclusively to a carrier referred to in Article IX(5)(b) of the Federal Programs and Services Agreement concluded pursuant to Article II of Title Two and Section 232 of the Compact of Free Association.

SEC. 304. MARSHALL ISLANDS FOOD ASSISTANCE.

Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681 note) is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 305. NORTHERN MARIANAS COLLEGE.

Section 9(a) of Public Law 99–396 is amended by striking out the period at the end and inserting in lieu thereof the following: "and in subsection (b), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands' and by striking out 'and to Micronesia' and inserting in lieu thereof ', Micronesia, and to the Northern Mariana Islands'.".

Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

Reported out by Senate E&NR Committee 11/20/91.

PROPOSED JOINT STAFF AMENDMENT TO H.R. 2927

SALT RIVER BAY NATIONAL HISTORICAL PARK AND PRESERVE

Strike all after the enacting clause and insert the following:

TITLE I -- SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

SECTION 101. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 102. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands--

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact

of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 103. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.--In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.--The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled "Salt River Study Area -- Alternative 'C' in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands", prepared by the National Park Service and

dated June 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 104. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.--The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.--Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the United States Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 105. ADMINISTRATION.

(a) IN GENERAL.--The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National

Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS.--The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 106 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.--(1) Not later than 3 years after the date funds are made available for this subsection, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e). ← (d) ?

(d) **TRAINING ASSISTANCE.**--During the 10-year period beginning on the date of enactment of this title, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: Provided, however, That in no event shall the Secretary provide more than 50

percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 106. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.--There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.--The Commission shall--

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the United States Virgin Islands and the United States in accordance with this title;

(2) consult with the Secretary on the development of the general management plan required by section 105 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) MEMBERSHIP.--The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the United States Virgin Islands,

at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.--The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.--The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.--The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.--Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of

subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.--Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.--The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II -- INSULAR AREAS DISASTER SURVIVAL AND RECOVERY.

SEC. 201. DEFINITIONS.

As used in this title --

(1) the term "insular area" means any of the following: American Samoa, the Federated States of Micronesia, Guam, the Marshall Islands, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant

to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 202. AUTHORIZATION.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to construct facilities to protect public health and safety and to enhance the survivability of essential infrastructure in the event of disasters in the insular areas. Such sums shall remain available until expended.

SEC. 203. TECHNICAL ASSISTANCE.

(a) Upon the declaration by the President of a disaster in an insular area, the President shall assess, in cooperation with the Secretary and chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary shall submit to the Senate Committee on Energy and Natural Resources and the House

Committee on Interior and Insular Affairs a report on the status of the recovery effort, including an audit of Federal funds expended in the recovery effort and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

SEC. 204. HAZARD MITIGATION.

Upon determination by the President, the total of contributions under section 404 of the Disaster Relief and Emergency Assistance Amendments of 1988 (42 U.S.C. 4121 et seq.) for insular areas shall not exceed 10 percent of the estimated aggregate amounts of grants to be made under sections 403, 406, 407, 408, and 411 of such Act for any disaster: Provided, That the President shall require a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

SEC. 205. TECHNICAL AMENDMENT.

Paragraphs (3) and (4) of section 102 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) are each amended by inserting after "American Samoa," the following: "the Northern Mariana Islands,".

TITLE III -- MISCELLANEOUS PROVISIONS.

SEC. 301. AMERICAN SAMOA WATER AND POWER STUDY.

(a) The Secretary of the Interior shall undertake a comprehensive study, or as appropriate review and update existing studies, to determine the current and long-term water, power, and waste-water needs of American Samoa. Such study shall be conducted in consultation with the American Samoa government, and

in consultation with those Federal agencies which have recent experience with the water, power and waste-water needs of American Samoa.

(b) The Secretary of the Interior shall report the results of this study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, before December 31, 1992. The report shall include:

(1) an assessment of the water, power and waste-water needs of American Samoa both currently, and for the year 2000;

(2) an assessment and recommendations on how these needs can be met;

(3) an assessment and recommendations for any additional legal authority or funding which may be necessary to meet these needs; and

(4) an assessment and recommendations on the respective roles of the Federal and American Samoa governments in meeting these needs.

SEC. 302. INSULAR GOVERNMENT PURCHASES.

The Governments of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands are authorized to make purchases through the General Services Administration.

SEC. 303. FREELY ASSOCIATED STATE CARRIER.

(a) In furtherance of the objectives of the Compact of Free Association Act of 1985 (Public Law 99-239) and notwithstanding any other provision of law, a Freely Associated State Air Carrier

shall not be precluded from providing transportation, between a place in the United States and a place in a state in free association with the United States or between two places in such a freely associated state, by air of persons (and their personal effects) and property procured, contracted for, or otherwise obtained by any executive department or other agency or instrumentality of the United States for its own account or in furtherance of the purposes or pursuant to the terms of any contract, agreement, or other special arrangement made or entered into under which payment is made by the United States or payment is made from funds appropriated, owned, controlled, granted, or conditionally granted, or utilized by or otherwise established for the account of the United States, or shall be furnished to or for the account of any foreign nation, or any international agency, or other organization of whatever nationality, without provisions for reimbursement.

(b) The term "Freely Associated State Air Carrier" shall apply exclusively to a carrier referred to in Article IX(5)(b) of the Federal Programs and Services Agreement concluded pursuant to Article II of Title Two and Section 232 of the Compact of Free Association.

SEC. 304. MARSHALL ISLANDS FOOD ASSISTANCE.

Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681 note) is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 305. NORTHERN MARIANAS COLLEGE.

Section 9(a) of the Act approved August 27, 1986 (Public Law 99-396), is amended by striking out the period at the end and

inserting in lieu thereof the following: ", by striking out `and Micronesia' each place it appears and inserting in lieu thereof `Micronesia, and the Northern Mariana Islands'; and, in subsection (b), by striking out `and to Micronesia' and inserting in lieu thereof `, Micronesia, and to the Northern Mariana Islands'.".

102D CONGRESS
1ST SESSION

H. R. 2927

IN THE SENATE OF THE UNITED STATES

NOVEMBER 6 (legislative day, OCTOBER 29), 1991
Received; read twice and referred to the Committee on Energy and Natural Resources

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AN ACT

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

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 "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark s[illegible] February 1980 and has been nominated for acqui[illegible] tion as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 3. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 1,046 acres of land, waters, and interests therein within the area generally depicted on the map enti-

tled "St. Croix, Virgin Islands Historical Park and Ecological Preserve", numbered NA–SCHP–80,001, and dated July 1991. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 4. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this Act referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park only by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the Virgin Islands, that the land is being developed or

proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this Act and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS WITH UNITED STATES VIRGIN ISLANDS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 6, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this Act.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for vistor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act

of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) INTERIM PROTECTION.—Prior to the adoption of the park's general management plan, the Secretary, the Governor, and the Commission shall monitor all land and water use activities within the area to ensure that such activities are in keeping with the purposes of this Act and shall advise and cooperate with the appropriate Federal, territorial, and local governmental entities to minimize adverse impacts on the values for which the park is established.

(e) ASSISTANCE TO PROMOTE A VIRGIN ISLANDS TERRITORIAL PARK SYSTEM.—During the 10-year period beginning on the date of enactment of this Act, the Secretary shall provide the funds for the employees of the Government of the Virgin Islands directly engaged in the

joint management of the park and shall implement, in consultation with the Government of the Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management. A primary objective of such program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 6. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the Virgin Islands and the United States in accordance with this Act;

(2) consult with the Secretary on the development of the general management plan required by section 5; and

(3) provide advice and recommendations to the Government of the Virgin Islands, upon request of the Government of the Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the Virgin Islands, at least one of whom shall be a member of the Legislature of the Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this Act, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the origi-

nal appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel ex-

penses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this Act, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this Act unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

Passed the House of Representatives November 5, 1991.

Attest: DONNALD K. ANDERSON,

Clerk.

Calendar No. 374

102D CONGRESS *1st Session* | SENATE | REPORT 102-243

SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, ACT OF 1991

NOVEMBER 25, (legislative day, NOVEMBER 23), 1991.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 2927]

The Committee on Energy and Natural Resources to which was referred the Act (H.R. 2927), to provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the Act as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

TITLE I—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS

SECTION 101. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 102. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 103. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled "Salt River Study Area—Alternative 'C' in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands", prepared by the National Park Service and dated June 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 104. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the United States Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 105. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 106 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date funds are made available for this subsection, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee

on Interior and Insular Affairs of the United States House of Representatives a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) TRAINING ASSISTANCE.—During the 10-year period beginning on the date of enactment of this title, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: *Provided, however,* That in no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 106. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the United States Virgin Islands and the United States in accordance with this title:

(2) consult with the Secretary on the development of the general management plan required by section 105 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the United States Virgin Islands, at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—INSULAR AREAS DISASTER SURVIVAL AND RECOVERY

SEC. 201. DEFINITIONS.

As used in this title—

(1) the term "insular area" means any of the following: American Samoa, the Federated States of Micronesia, Guam, the Marshall Islands, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 202. AUTHORIZATION.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to construct facilities to protect public health and safety and to enhance the survivability of essential infrastructure in the event of disasters in the insular areas. Such sums shall remain available until expended.

SEC. 203. TECHNICAL ASSISTANCE.

(a) Upon the declaration by the President of a disaster in an insular area, the President shall assess, in cooperation with the Secretary and Chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary shall submit to the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs a report on the status of the recovery effort, including an audit of Federal funds expended in the recovery effort and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

SEC. 204. HAZARD MITIGATION.

Upon determination by the President, the total of contributions under section 404 of the Disaster Relief and Emergency Assistance Amendments of 1988 (42 U.S.C.

4121 et seq.) for insular areas shall not exceed 10 percent of the estimated aggregate amounts of grants to be made under sections 403, 406, 407, 408, and 411 of such Act for any disaster: *Provided*, That the President shall require a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

SEC. 205. TECHNICAL AMENDMENT.

Paragraphs (3) and (4) of section 102 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) are each amended by inserting after "American Samoa," the following: "the Northern Mariana Islands,".

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. AMERICAN SAMOA WATER AND POWER STUDY.

Sec. a. The Secretary of the Interior shall undertake a comprehensive study, or as appropriate review and update existing studies, to determine the current and long-term water, power, and waste-water needs of American Samoa. Such study shall be conducted in consultation with the American Samoa government, and in consultation with those Federal agencies which have recent experience with water, power and waste-water needs of American Samoa.

(b) The Secretary of the Interior shall report the results of this study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, before December 31, 1992. The report shall include:

(1) an assessment of the water, power and waste-water needs of American Samoa both currently, and for the year 2000;

(2) an assessment and recommendations on how these needs can be met;

(3) an assessment and recommendations for any additional legal authority or funding which may be necessary to meet these needs; and

(4) an assessment and recommendations on the respective roles of the Federal and American Samoa governments in meeting these needs.

SEC. 302. INSULAR GOVERNMENT PURCHASES.

The Governments of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands are authorized to make purchases through the General Services Administration.

SEC. 303. FREELY ASSOCIATED STATE CARRIER.

(a) In furtherance of the objectives of the Compact of Free Association Act of 1985 (Public Law 99-239) and nothwithstanding any other provision of law, a Freely Associated State Air Carrier shall not be precluded from providing transportation, between a place in the United States and a place in a state in free association with the United States or between two places in such a freely associated state, by air of persons (and their personal effects) and property procured, contracted for, or otherwise obtained by any executive department or other agency or instrumentality of the United States for its own account or in furtherance of the purposes or pursuant to the terms of any contract, agreement, or other special arrangement made or entered into under which payment is made by the United States or payment is made from funds appropriated, owned, controlled, granted, or conditionally granted, or utilized by or otherwise established for the account of the United States, or shall be furnished to or for the account of any foreign nation, or any international agency, or other organization of whatever nationality, without provisions for reimbursement.

(b) The term "Freely Associated State Air Carrier" shall apply exclusively to a carrier referred to in Article IX(5)(b) of the Federal Programs and Services Agreement concluded pursuant to Article II of Title Two and Section 232 of the Compact of Free Association.

SEC. 304. MARSHALL ISLANDS FOOD ASSISTANCE.

Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681 note) is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 305. NORTHERN MARIANAS COLLEGE.

Section 9(a) of the Act approved August 27, 1986 (Public Law 99-396), is amended by striking out "subsection (a)." at the end and inserting in lieu thereof the following: "subsection (a), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands'; and, in sub-

section (b), by striking out 'and to Micronesia' and inserting in lieu thereof ', Micronesia, and to the Northern Mariana Islands'.".

Purpose of the Measure

The purpose of H.R. 2927, as ordered reported, is to establish the 912-acre Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, to provide greater flexibility to Federal agencies in responding to the needs of the insular areas in the event of a major disaster, and to modify the application of certain Federal policies and programs to meet the special needs of the insular areas.

Background and Need

Salt River Bay is located along the north-central shore of St. Croix, in the U.S. Virgin Islands, approximately 4 miles west of Christiansted. In November of 1493, during his second expedition to the New World, Christopher Columbus anchored his fleet off the bay and sent a party of soldiers ashore, making Salt River Bay the only known site where a Columbus-led expedition landed on what is now United States territory.

Although the site is perhaps best known for the landing of the Columbus expedition, the area has a long and varied archeological history. There is evidence that man has inhabited the island dating back possibly as far as 2000 B.C. The site contains the only ceremonial ball court ever discovered in the Lesser Antilles, along with village middens, burial grounds, and other archeological deposits providing evidence of the island's aboriginal cultures.

Following the landing by the Columbus party, St. Croix was also the location of Spanish, French, Dutch, English, and Danish settlements. Salt River Bay is one of the few single sites in the U.S. Virgin Islands containing archeological evidence from each of the many periods in the islands' political and cultural history.

The Salt River Bay is also rich in natural resources. The site contains the largest remaining mangrove forest in the U.S. Virgin Islands which provides important habitat for many plants and animals including the endangered West Indian Whistling Duck.

The bay is the largest and most significant relatively undisturbed estuary remaining on St. Croix. The bay contains a submarine canyon which begins 15 feet offshore and continues seaward to a depth of 270 feet, where it plummets to a depth of over 12,000 feet. The canyon is rich in coral and other marine life.

In 1960, the Department of the Interior designated 5 acres at Salt River Bay as a National Historic Landmark. In 1980, the entire bay and shoreline, totalling 690 acres, were designated as a National Natural Landmark.

In 1990 the National Park Service prepared a study detailing preservation alternatives for protecting the Salt River area. Based in part on the study, the Governor of the Virgin Islands, the Islands' Delegate to Congress and Secretary of the Interior Lujan began discussions to consider the possibility of designating the site as a park to be managed by the National Park Service and the U.S. Virgin Islands.

LEGISLATIVE HISTORY

H.R. 2927 passed the House of Representatives by a voice vote on November 5, 1991. Companion legislation, S. 1495, was introduced in the Senate by Senator Johnston on July 18, 1991. The Subcommittee on Public Lands, National Parks and Forests held a hearing on S. 1495 on September 26, 1991.

At the business meeting on November 20, 1991, the Committee on Energy and Natural Resources ordered H.R. 2927, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on November 20, 1991, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 2927, if amended as described herein.

The roll call vote on reporting the measure was 20 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman*	
Mr. Wirth	
Mr. Conrad*	
Mr. Akaka*	
Mr. Fowler*	
Mr. Shelby*	
Mr. Wellstone	
Mr. Wallop	
Mr. Hatfield*	
Mr. Domenici	
Mr. Murkowski	
Mr. Nickles	
Mr. Burns	
Mr. Seymour	
Mr. Garn	

*Indicates voted by proxy.

COMMITTEE AMENDMENTS

During the consideration of H.R. 2927, the Committee adopted an amendment in the nature of a substitute. Title I of the amendment would establish the Salt River Bay National Historical Park and Ecological Park at St. Croix, U.S. Virgin Islands. The amendment modifies the park boundaries to conform to recommendations contained in a National Park Service study. In addition, the amendment deletes a provision setting forth interim management guidelines for the park. The Committee notes that all statutory authority available to the Secretary of the Interior to protect the park will be available immediately upon designation of the park. In the Committee's view, additional legislative language is unnecessary and inconsistent with the administration and management require-

ments of subsection 105(a) of the Committee amendment. Finally, the Committee amendment requires that the training program established by subsection 105(d) be funded equally by the Federal and U.S. Virgin Islands governments.

Title II of the amendment is similar to S. 2362, the Insular Areas Recovery Act of 1990. S. 2362 was reported by the Committee during the 101st Congress on July 12, 1990, and subsequently passed the Senate on October 10, 1990, and again on October 27, 1990. The text of title II of the Committee amendment differs from S. 2362 as previously passed by the Senate in only one respect—under section 204, and at the request of the Office of Management and Budget, the President "shall" require a local match for certain hazard mitigation grants, instead of "may" require such a match.

Title III includes several miscellaneous provisions regarding the application of programs in the territories. Two of the five sections also passed the Senate during the 101st Congress as a part of S. 2362. The other three sections, based on provisions passed by the House of Representatives at that time, would: require the Secretary of the Interior to undertake a study of the water, power and waste-water needs of American Samoa; extend the food assistance program from 5 to 10 years for those atolls in the Marshall Islands affected by the U.S. nuclear testing program during the 1940's to 1960's; and authorize the Northern Mariana College to receive an endowment as a Land Grant institution.

The amendment is explained in detail in the Section-by-Section analysis, below.

Section-By-Section Analysis

Section 101 entitles the Act the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991."

Section 102 contains the Congressional findings.

Section 103 establishes the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (the "park") in order to preserve and protect the historical, cultural, and natural sites and resources located within the park.

Subsection (b) states that the park is to consist of approximately 912 acres of lands, waters, submerged lands, and interests therein as generally depicted on the referenced map.

Section 104 authorizes the Secretary to acquire lands and interests in land within the boundaries of the park by purchase with donated or appropriated funds, donation, or exchange. Subsection (a) makes clear that enactment of this Act will not prevent the Virgin Islands government from acquiring lands or interests in lands within the park boundaries.

Subsection (b) provides that any lands or interests in lands within the park boundaries that are owned by the U.S. Virgin Islands (USVI), or any political subdivison thereof, many only be acquired by donation or exchange. The subsection also states that any lands or interests containing dwellings located within the park boundary and in existence as of July 1, 1991, may not be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the USVI, that the land

is being developed or is proposed to be developed in a manner detrimental to the values for which the park was established.

Section 105 sets forth the administrative requirements for the park. Subsection (a) provides that the park is to be administered pursuant to this Act and to laws generally applicable to units of the National Park System.

Subsection (b) authorizes the Secretary, after consulting with the Commission established by section 106, to enter into cooperative agreements with the USVI to provide for the management of the park and for other purposes.

Subsection (c) sets forth the requirements for the preparation of the park's general management plan. The plan is required to be completed within 3 years after the date funds are made available.

Subsection (d) directs the Secretary to provide funds, not to exceed 50 percent of the funding, to the USVI for USVI employees directly engaged in the joint management of the park. Such funding is to continue for a ten year period beginning on the date of enactment of this Act.

Section 106 provides for the establishment of a 10 member Salt River Historical Park and Ecological Preserve at St Croix, Virgin Islands, Commission to make recommendations to the Secretary concerning the joint management of the park and the preparation of the general management plan.

Section 107 authorizes the appropriation of such sums as may be necessary to carry out this title.

TITLE II—INSULAR AREAS DISASTER AND RECOVERY

Section 201. Definitions. These are self-explanatory. It is important to note, however, that although the Freely Associated States are not explicitly covered by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), they are eligible to receive the programs of the Federal Emergency Management Agency pursuant to paragraph 221(a)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681). This provision would expand the amount of funding which the U.S. territories could receive under the Stafford Act, and it would provide the same treatment to the Freely Associated States.

Section 202. Authorization. This section provides an authorization for appropriations for such sums as may be necessary to construct facilities to (1) protect public health and safety, or (2) enhance the survivability of essential infrastructure in the event of disasters in the insular areas. The section further provides that such sums shall remain available until expended.

Funds appropriated under this authorization are intended to be expended for capital projects, either prior to or following a disaster. Funds may be appropriated to any of several Federal agencies that may have facilities in the insular areas, or that could assist in any reconstruction effort.

In the insular areas, construction of public health and public safety facilities would qualify for funding under this section. In addition, essential public utilities, such a water, electrical, waste disposal and treatment, communications, and fuel service systems would also qualify as projects to protect public health and safety.

Other governmental facilities adversely affected by major disasters such as airports, docks and roads could qualify, assuming that the facilities to be constructed would further the purposes of the Act.

This section also authorizes construction of facilities to enhance the survivability of essential infrastructure in the event of major disasters in the insular areas. The phrase is intended to mean those facilities which require improvement or "hardening" for hazard mitigation, as that term is understood under section 404 of the Stafford Act. In the normal circumstance, as Interagency Hazard Mitigation Task Force will be assembled following a major disaster in an insular area. The Task Force, using expertise from the Departments of the Interior, Housing and Urban Development, Health and Human Services, and the U.S. Army Corps of Engineers, the Federal Emergency Management Agency, the Environmental Protection Agency, and other Federal departments and agencies, will identify and document those hazard mitigation projects that are important to the survivability of essential public facilities. To the extent that regular Federal Emergency Management Agency assistance is inadequate to accomplish these projects, this section provides an authorization for supplemental funding, to be administered by those agencies and departments with special expertise either in the insular areas generally, or with respect to specific construction projects of importance to hazard mitigation. Obviously, many projects will contribute to meeting both objectives under the authorization. However, a project only needs to meet one of two objectives in order to be eligible for funding.

Sums are authorized to be appropriated to improve public-sector infrastructure regardless of its purpose, as all public-sector facilities are eligible for reconstruction assistance under the Stafford Act. Thus, the funds appropriated to this section for hazard mitigation are intended to reduce future Federal disaster-relief costs in the insular areas.

Section 203. Technical Assistance. Subsection (a) provides that the President, following the declaration of a major disaster in an insular area, shall assess, in cooperation with the Secretary of the Interior and the chief executive of the affected insular area, the capability of the insular area government to respond to the disaster. This assessment shall include the ability of the insular area government to assess damages; coordinate activities with other agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including hazard mitigation plans; negotiate and manage reconstruction contracts; and prevent misuse of funds. If the President finds that an insular area lacks these or other capabilities essential to the recovery effort, then the President shall provide technical assistance, through the appropriate Federal agency, to the insular area government as necessary to the recovery effort. Because many insular area governments are underdeveloped, and are therefore less able than State governments to manage the contracts and funding that come with disaster recovery, this subsection is intended to ensure that the local government's capabilities are specifically considered and assistance will be provided when necessary.

Subsection (b) provides that 1 year following the declaration by the President of a major disaster in an insular area, the Secretary

of the Interior shall, in cooperation with the Administrator of the Federal Emergency Management Agency, report to Congress on the status of the recovery effort, including an audit of federal funds expended on the recovery effort; and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

Section 204. Hazard Mitigation. This section gives the President the authority to increase the total contributions to an insular area for hazard mitigation under section 404 of the Stafford Act, if the President determines that such an increase would promote reconstruction in the disaster area so as to enhance the survivability of essential infrastructure, or to enhance public health and safety, in the event of future disasters. Such an increase in contributions is limited to 10 percent of the estimated aggregate amount of grants to be made under sections 403, 406, 407, 408 and 411 of the Stafford Act; and is contingent upon the President requiring a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

The Committee notes that the administering authority of any department or agency may waive any requirement for matching funds to be provided by an insular area pursuant to 48 U.S.C. 1469a(d). It is intended that this discretion to waive a matching grant requirement would continue to apply to those grants for which an insular area was eligible prior to the enactment of this section, but that it does not apply to any increase in contributions authorized under this section.

This section is intended to give the President the flexibility to increase assistance for hazard mitigation projects if such an increase world enhance public health and safety, or would reduce damage and federal costs in the event of future disasters.

Section 205. Technical Amendment. This section would make a technical amendment to the Stafford Act by amending the definitions in subsections 102 (3) and (4) of such Act, to include the Northern Mariana Islands.

TITLE III - MISCELLANEOUS PROVISIONS

Section 301. American Samoa Water and Power Study. Subsection (a) requires the Secretary of the Interior to undertake a comprehensive study, or as appropriate, to review and update existing studies, to determine the current and long-term water, power, and waste-water needs of American Samoa. It is required that the Secretary conduct this study in consultation with the American Samoa government and with those Federal agencies, such as the Army Corps of Engineers, which have recent experience with the water, power and waste-water needs of American Samoa.

Subsection (b) requires that the Secretary report the results of the study to the appropriate committees of Congress, and it identifies specific assessments and recommendations to be included in the report.

Section 302. Insular Government Purchases. This section authorizes the insular governments of American Samoa, Guam, the

Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands, to make purchases through the General Services Administration. This provision would codify a long standing Federal Government policy which has been enacted annually in the legislation to provide appropriations for the Department of the Interior and related agencies.

Section 303. Freely Associated State Carrier. This section would allow an air carrier of the Republic of the Marshall Islands, a freely associated state, to be contracted by Federal agencies to carry persons and cargo within the Marshall Islands and between the Marshall Islands and the United States. This provision is designed to allow the U.S. military to contract with Air Marshall Islands (AMI) to transport people and cargo between Hawaii and the U.S. Army Base at Kwajalein Atoll in the Marshall Islands. At times, The Military Airlift Command (MAC) has difficulty in accommodating the transportation needs between those points and it is interested in contracting with AMI for additional service. This provision would authorize such a contract.

Section 304. Marshall Island Food Assistance. This section would extend, for 5 years, the food assistance program operated by the United States Department of Agriculture and which provides food to the people of the Marshall Islands who were affected by the United States nuclear testing program conducted in the northern Marshall Islands during the 1950's. This food assistance program was established to provide assistance because the testing program, and related clean-up activities reduced the amount of local food that was available for local consumption. Recent studies by the Department of the Interior indicate that local foods continue to be in short supply, thus the need for supplemental food continues. The report also indicated, however, that local food production is on the increase and it is therefore expected that this program will be phased-out as local food production meets the local food needs.

Section 305. Northern Marianas College. This section would authorize the Northern Marianas College to receive the same endowment as a Land Grant College, as was previously authorized for the land grant colleges of the other insular areas.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the Congressional Record for the advice of the Senate.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Stading Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 2927. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 2927, as ordered reported.

EXECUTIVE COMMUNICATIONS

On September 12, 1991, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting fourth Executive agency recommendations and S. 1495. These reports had not been received at the time the report on S. 1495 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Department of the Interior at the Subcommittee hearing following:

STATEMENT OF THE HONORABLE MANUEL LUJAN, JR., SECRETARY OF THE INTERIOR

Thank you for the opportunity to offer the Department of the Interior's views on S. 1495, a bill to provide for the establishment of St. Croix, Virgin Islands Historical Park and Ecological Preserve.

Protection of the Salt River Bay area is one of my personal priorities and a goal of the National Park Service. I have visited the site, and I am pleased to have had the opportunity to work with Senator J. Bennett Johnston, Chairman of the full committee, and Representative de Lugo as they were crafting the bill now before the Subcommittee. Senator Johnston and Representative de Lugo should be commended for their continuing strong commitment to perserving the unique national and cultural resources of Salt River Bay.

We support the establishment of a unit of the National Park System at Salt River Bay.

Mr. Chairman, if enacted, S. 1495 will establish a new park unit that will include approximately 440 acres of land and 606 acres of water surface. The park will be managed in a partnership between the Interior Department and the Virgin Islands Government, and the General Management Plan for the park will be developed in consultation with the Virgin Islands Government. An appointed commission, half of whose members will be representatives of, or nominated by, the Virgin Islands, will provide the Department and the Virgin Islands Government with advice and recommendations regarding the planning and management of the park. There will also be a program to provide training to Virgin Islands park employees in the special skills needed in park management and operations.

Mr. Chairman, the proposed park is located at Salt River Bay on the north-central Caribbean coast of St. Croix, U.S. Virgin Islands, approximately 4 miles west of the town of Christiansted. This site has long been recognized as an area with important cultural remains. It contains evidence of prehistoric habitation encompassing the

major cultural periods in the Virgin Islands. It also contains the only site of a ceremonial ball court plaza identified to date in the Lesser Antilles. Excavations of village middens, ball court features and other archeological features have provided evidence for the interpretation of Caribbean life prior to European settlement. Such sites are rare and, therefore, have special significance.

It was at Salt River Bay, in 1493, on the second of his four voyages to the New World, that Christopher Columbus anchored his ships outside the entrance to the bay and sent men to find a source of fresh water and to make contact with the residents of St. Croix. This is the only known site where members of a Columbus party set foot on what is now territory of the United States. Subsequently, the area was a focal point of various European attempts to colonize St. Croix in the 17th century.

In addition to these cultural resources, the Salt River Bay area includes prime examples of several types of ecosystems, including mangrove fringe forest, mangrove basin forest, salt pond, and freshwater marsh. The area contains a most significant, high-energy tropical reef system and a biologically rich submarine canyon that has been a principal study site for NOAA's National Undersea Research Program.

In summary, Mr. Chairman, Salt River offers a unique combination of natural and cultural values, including plants and animals rarely observed in other parts of the Virgin Islands, together with archeological and historic sites. In addition, the area has high potential for recreational and educational activities and scientific research.

Unfortunately, these values have been placed at risk by proposed commercial development along the shoreline, dredging of the bay, and an increasing level of uncontrolled visitor use. Without the protection offered by this bill we can expect the loss of irreplaceable archeological data, the beautiful historic setting, and important wildlife habitat.

Mr. Chairman, we support the creation of this unit of the National Park System and look forward to working with the Subcommittee in finalizing the provisions of this legislation.

Mr. Chairman, we strongly support the bill's intent to create a partnership between the Federal Government and the Virgin Islands Government in the management of this important site. Key elements of the partnership are joint management of the park, cooperative development of the park General Management Plan, and the park advisory committee.

Section 6(d) provides for a 10-year program under which the Secretary would fund the cost of Virgin Islands management employees and other park employees who would participate in a training program in park operations and management. We support the concept of providing training

in park operations and management for Virgin Islands park personnel.

Again Mr. Chairman, we look forward to working with you and your subcommittee to iron out any remaining details regarding this bill so that early enactment will be possible.

Mr. Chairman, thank you for inviting us to give the Department's view on this new park proposal that could result in the long-term protection of outstanding cultural and natural resources. It is imperative that we act quickly to protect those resources. At this time I would be delighted to answer any questions you might have for me.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 2927, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 99-239

Joint Resolution To approve the "Compact of Free Association", and for other purposes.

* * * * * * *

TITLE I—APPROVAL OF COMPACT; INTERPRETATION OF, AND UNITED STATES POLICIES REGARDING, COMPACT; SUPPLEMENTAL PROVISIONS

* * * * * * *

SEC. 103. AGREEMENTS WITH AND OTHER PROVISIONS RELATED TO THE MARSHALL ISLANDS.

* * * * * * *

(h) DOE RADIOLOGICAL HEALTH CARE PROGRAM; USDA AGRICULTURAL AND FOOD PROGRAMS.—

(1) MARSHALL ISLANDS PROGRAM.—Notwithstanding any other provision of law, upon the request of the Government of the Marshall Islands, the President (either through an appropriate department or agency of the United States or by contract with a United States firm) shall continue to provide special medical care and logistical support thereto for the remaining 174 members of the population of Rongelap and Utrik who were exposed to radiation resulting from the 1954 United States thermonuclear "Bravo" test, pursuant to Public Laws 95-134 and 96-205. Such medical care and its accompanying logistical support shall total $22,500,000 over the first 11 years of the Compact.

(2) AGRICULTURAL AND FOOD PROGRAMS.—Notwithstanding any other provision of law, upon the request of the Govern-

ment of the Marshall Islands, for the first [five] *ten* years after the effective date of the Compact, the President (either through an appropriate department or agency of the United States or by contract with a United States firm) shall provide technical and other assistance—

* * * * * * *

PUBLIC LAW 99-396

An Act To amend the Revised Organic Act of the Virgin Islands, to amend the Covenant to Establish a Commonwealth of the Northern Mariana Islands, to amend the Organic Act of Guam, to provide for the governance of the insular areas of the United States, and for other purposes.

* * * * * * *

SEC. 9. (a) Section 506 of the Education Amendments of 1972, Public Law 92-318 (86 Stat. 235) is further amended by inserting; "the Northern Marianas College", after "the College of Micronesia" in [subsection (a).] *subsection (a),* by striking out "and Micronesia" each place it appears and inserting in lieu thereof "Micronesia, and the Northern Mariana Islands"; and, in subsection (b), by striking out "and to Micronesia" and inserting in lieu thereof ", Micronesia, and to the Northern Mariana Islands".

ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT

TITLE I—FINDINGS, DECLARATIONS, AND DEFINITIONS

FINDINGS AND DECLARATIONS

* * * * * * *

DEFINITIONS

SEC. 102. As used in this Act

(1) "Emergency" means any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.

(2) "Major disaster" means any natural catastrophe (including any hurricane, tornado, storm, high water, winddriven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

(3) "United States" means the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American

Samoa, *the Northern Mariana Islands,* and the Trust Territory of the Pacific Islands.

(4) "State" means any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, *the Northern Mariana Islands,* or the Trust Territory of the Pacific Islands.

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Calendar No. 374

102D CONGRESS
1ST SESSION

H. R. 2927

[Report No. 102–243]

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 6 (legislative day, OCTOBER 29), 1991

Received; read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 25 (legislative day, NOVEMBER 23), 1991

Reported by Mr. Johnston, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

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 "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 3. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park

and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 1,046 acres of land, waters, and interests therein within the area generally depicted on the map entitled "St. Croix, Virgin Islands Historical Park and Ecological Preserve", numbered NA–SCHP–80,001, and dated July 1991. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 4. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this Act referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park only by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange.

No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this Act and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS WITH UNITED STATES VIRGIN ISLANDS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commis-

sion'') established by section 6, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this Act.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for vistor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and

natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (c).

(d) INTERIM PROTECTION.—Prior to the adoption of the park's general management plan, the Secretary, the Governor, and the Commission shall monitor all land and water use activities within the area to ensure that such activities are in keeping with the purposes of this Act and shall advise and cooperate with the appropriate Federal, territorial, and local governmental entities to minimize adverse impacts on the values for which the park is established.

(c) ASSISTANCE TO PROMOTE A VIRGIN ISLANDS TERRITORIAL PARK SYSTEM.—During the 10-year period beginning on the date of enactment of this Act, the Secretary shall provide the funds for the employees of the Government of the Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management. A primary objective of such program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 6. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the Virgin Islands and the United States in accordance with this Act;

(2) consult with the Secretary on the development of the general management plan required by section 5; and

(3) provide advice and recommendations to the Government of the Virgin Islands, upon request of the Government of the Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the Virgin Islands, at least one of whom shall be a member of the Legislature of the Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this Act, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite

term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by

~~reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.~~

~~(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this Act, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.~~

~~(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this Act unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this Act.~~

~~SEC. 7. AUTHORIZATION OF APPROPRIATIONS.~~

~~There is authorized to be appropriated such sums as may be necessary to carry out this Act.~~

TITLE I—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

SEC. 101. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 102. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 103. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on

the map entitled "Salt River Study Area—Alternative 'C' in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands", prepared by the National Park Service and dated June 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 104. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Gov-

ernment of the United States Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 105. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 106 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date funds are made available for this sub-

section, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park.

The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and support of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) TRAINING ASSISTANCE.—During the 10-year period beginning on the date of enactment of this title, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: Provided, however, That in no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 106. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the United States Virgin Islands and the United States in accordance with this title;

(2) consult with the Secretary on the development of the general management plan required by section 105 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the United States Virgin Islands, at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—INSULAR AREAS DISASTER SURVIVAL AND RECOVERY.

SEC. 201. DEFINITIONS.

As used in this title—

(1) the term "insular area" means any of the following: American Samoa, the Federated States of Micronesia, Guam, the Marshall Islands, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 202. AUTHORIZATION.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to construct facilities to protect public health and safety and to enhance the survivability of essential infrastructure in the event of disasters in the insular areas. Such sums shall remain available until expended.

SEC. 203. TECHNICAL ASSISTANCE.

(a) Upon the declaration by the President of a disaster in an insular area, the President shall assess, in cooperation with the Secretary and chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary shall submit to the Senate Committee on Energy and Natural Resources

and the House Committee on Interior and Insular Affairs a report on the status of the recovery effort, including an audit of Federal funds expended in the recovery effort and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

SEC. 204. HAZARD MITIGATION.

Upon determination by the President, the total of contributions under section 404 of the Disaster Relief and Emergency Assistance Amendments of 1988 (42 U.S.C. 4121 et seq.) for insular areas shall not exceed 10 percent of the estimated aggregate amounts of grants to be made under sections 403, 406, 407, 408, and 411 of such Act for any disaster: Provided, That the President shall require a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

SEC. 205. TECHNICAL AMENDMENT.

Paragraphs (3) and (4) of section 102 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) are each amended by inserting after "American Samoa," the following: "the Northern Mariana Islands,".

TITLE III–MISCELLANEOUS PROVISIONS.

SEC. 301. AMERICAN SAMOA WATER AND POWER STUDY.

(a) The Secretary of the Interior shall undertake a comprehensive study, or as appropriate review and update existing studies, to determine the current and long-term water, power, and waste-water needs of American Samoa. Such study shall be conducted in consultation with the American Samoa government, and in consultation with those Federal agencies which have recent experience with the water, power and waste-water needs of American Samoa.

(b) The Secretary of the Interior shall report the results of this study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, before December 31, 1992. The report shall include:

(1) an assessment of the water, power and waste-water needs of American Samoa both currently, and for the year 2000;

(2) an assessment and recommendations on how these needs can be met;

(3) an assessment and recommendations for any additional legal authority or funding which may be necessary to meet these needs; and

(4) an assessment and recommendations on the respective roles of the Federal and American Samoa governments in meeting these needs.

SEC. 302. INSULAR GOVERNMENT PURCHASES.

The Governments of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands are authorized to make purchases through the General Services Administration.

SEC. 303. FREELY ASSOCIATED STATE CARRIER.

(a) In furtherance of the objectives of the Compact of Free Association Act of 1985 (Public Law 99–239) and notwithstanding any other provision of law, a Freely Associated State Air Carrier shall not be precluded from providing transportation, between a place in the United States and a place in a state in free association with the United States or between two places in such a freely associated state, by air of persons (and their personal effects) and property procured, contracted for, or otherwise obtained by any executive department or other agency or instrumentality of the United States for its own account or in furtherance of the purposes or pursuant to the terms of any contract, agreement, or other special arrangement made or entered into under which payment is made by the United States or payment is made from funds appropriated, owned, controlled, granted, or conditionally granted, or uti-

lized by or otherwise established for the account of the United States, or shall be furnished to or for the account of any foreign nation, or any international agency, or other organization of whatever nationality, without provisions for reimbursement.

(b) The term "Freely Associated State Air Carrier" shall apply exclusively to a carrier referred to in Article IX(5)(b) of the Federal Programs and Services Agreement concluded pursuant to Article II of Title Two and Section 232 of the Compact of Free Association.

SEC. 304. MARSHALL ISLANDS FOOD ASSISTANCE.

Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681 note) is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 305. NORTHERN MARIANAS COLLEGE.

Section 9(a) of the Act approved August 27, 1986 (Public Law 99–396), is amended by striking out "subsection (a)." at the end and inserting in lieu thereof the following: "subsection (a), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands'; and, in subsection (b), by striking out 'and to Micronesia' and inserting in

lieu thereof ', Micronesia, and to the Northern Mariana Islands'.".

Passed the House of Representatives November 5, 1991.

Attest: DONNALD K. ANDERSON,
Clerk.

Calendar No. 374

102D CONGRESS
1ST SESSION

H. R. 2927

[Report No. 102–243]

AN ACT

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

NOVEMBER 25 (legislative day, NOVEMBER 23), 1991

Reported with an amendment

102D CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
102-285

SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, ACT OF 1991

NOVEMBER 5, 1991.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. MILLER of California, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.R. 2927]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 2927) to provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, Eng-

lish, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 3. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 1,046 acres of land, waters, and interests therein within the area generally depicted on the map entitled "St. Croix, Virgin Islands Historical Park and Ecological Preserve", numbered NA-SCHP-80,001, and dated July 1991. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor on St. Thomas and St. Croix, Virgin Islands.

SEC. 4. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this Act referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park only by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with Government of the Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this Act and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS WITH UNITED STATES VI.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve in St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 6, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of Senate a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this Act.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) INTERIM PROTECTION.—Prior to the adoption of the park's general management plan, the Secretary, the Governor, and the Commission shall monitor all land and water use activities within the area to ensure that such activities are in keeping with the purposes of this Act and shall advise and cooperate with the appropriate Federal, territorial, and local governmental entities to minimize adverse impacts on the values for which the park is established.

(e) ASSISTANCE TO PROMOTE A VIRGIN ISLANDS TERRITORIAL PARK SYSTEM.—During the 10-year period beginning on the date of enactment of this Act, the Secretary shall provide the funds for the employees of the Government of the Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management. A primary objective of such program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 6. SALT RIVER BAY NATIONAL HISTORIC PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the Virgin Islands and the United States in accordance with this Act;

(2) consult with the Secretary on the development of the general management plan required by section 5; and

(3) provide advice and recommendations to the Government of the Virgin Islands, upon request of the Government of the Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the Virgin Islands, at least one of whom shall be a member of the Legislature of the Virgin islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this Act, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States

Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this Act, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this Act unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

PURPOSE

The purpose of H.R. 2927 [1] as amended is to establish the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands.

BACKGROUND

Salt River Bay is located approximately four miles west of Christiansted on the north-central coast of the island of St. Croix, United States Virgin Islands. The Salt River Bay area has long been recognized for its combination of significant natural and cultural resources. Archeological investigations have produced evidence of continuous prehistoric occupation of the site for at least 1500 years. This occupation is represented by village middens, burial remains and the only ceremonial ball court found in the Lesser Antilles. The site is also the focal point of various European attempts to colonize the Caribbean area.

Salt River Bay is the only known site where members of the expeditions of Christopher Columbus landed on what was to become United States territory. While Columbus is also known to have landed in Puerto Rico as well, the exact location of that landing is unknown. In 1493, on his second of four voyages to the New World, Columbus anchored his 17 ships outside the reef and sent his soldiers to investigate an Indian village on the western side of the bay. The five acre Columbus Landing Site was designated a National Historic Landmark in 1960. This site is currently owned by the Virgin Islands government.

Natural features at Salt River Bay include a variety of tropical marine and terrestrial ecosystems including the largest remaining mangrove forest in the United States Virgin Islands, a significant tropical reef system and a submarine canyon. The area is important for breeding white-crowned pigeons and a variety of North American song birds. The 690 acre Salt River Bay area was designated a National Natural Landmark in 1980.

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[1] H.R. 2927 was introduced by Delegate Ron de Lugo on July 17, 1991.

The National Park Service conducted an Alternatives Study and Environmental Assessment of Salt River Bay at the request of Representative Ron de Lugo and the Virgin Islands Legislature. The study, which was completed in June, 1990, stated that, "The outstanding cultural and natural resources of the site, together with its significance as the only known Columbus associated site on the U.S. soil, has merit as a proposed territorial park or unit of the National Park System." National significance of the site has already been established by the fact that large parts of the site have already been designated as both a National Historic Landmark and a National Natural Landmark. The study contained three alternatives for development at the site and four alternatives addressing park management but no preferred alternatives.

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill as amended provides that this Act may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991."

Section 2 presents various findings about the natural, archeological and historical significance of the Salt River Bay area of the north central coast of St. Croix, Virgin Islands.

Section 3 provides for the establishment of the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands in order to preserve, protect and interpret for the benefit of present and future generations certain nationally significant historical, cultural and natural resources in the Virgin Islands. The park will consist of approximately 1,046 acres of land, waters and interests within the area generally depicted on a map referenced by the legislation. The Committee notes that while this boundary includes the most important historic, pre-historic and natural features of the area, the park's water and habitat quality will be directly affected by the condition of the watershed outside the park boundaries and therefore encourages cooperative efforts between the National Park Service and the Virgin Islands Government to protect the adjacent watershed. The Committee also notes that the boundary contained in the legislation is slightly larger than the Alternative C contained in the Alternative Study and Environmental Assessment prepared by the National Park Service. The Committee notes the strong interest expressed by the Secretary of the Interior in having this expanded boundary for natural resource and visual integrity reasons.

Section 4 provides that the Secretary may acquire land and interests in land within the boundaries of the park only by donation, purchase with donated or appropriated funds, or exchange. The Committee notes that nothing in this section is to be construed as prohibiting the government of the Virgin Islands from acquiring land or interests in land within the boundaries of the park. The Virgin Islands Government has the authority to acquire lands or interests in land within the park boundaries without this being specifically provided for in this Act. The Committee understands the interest on the part of the Virgin Islands Government in being an active participant in various aspects of the park. The Committee is also aware of the interest expressed by some of the private land-

owners located within the park in donating land or interests in land for the purposes of the park and encourages such donation.

This section further provides that lands and interests in lands within the boundaries of the park which are owned by the Virgin Islands or any political subdivision thereof may be acquired only by donation or exchange. No lands or interests therein containing dwellings lying within the park boundary as of July 31, 1991, maybe acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic and other values for which the park was established. The Committee does not intend this provisions to mean that minor modifications to dwellings located within the park should trigger the possible exercise of eminent domain authority but rather that such changes or proposed changes be of a nature or extent which is determined by the Secretary to be detrimental to the various values for which the park was established.

The Committee is aware of concerns about the potential costs involved in acquiring the dwellings located within the park boundaries. The Committee believes that potential donations and the use of scenic easements, landscape screening and other means could significantly reduce the need to acquire these dwellings in fee title. Furthermore, since the bill only provides for acquisition of these dwellings on a willing seller basis unless an incompatible development is proposed, there is a strong likelihood that the acquisition costs, if necessary, would be spread out over a long period of time.

Section 5 provides that the park shall be administered in accordance with this Act and with the provisions of law generally applicable to units of the National Park System. In the case of a conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act govern.

This Section makes clear that the area is to be a unit of the National Park System and that it shall be administered according to this Act and laws generally applicable to units of the National Park System including but not limited to the 1916 Organic Act. The bill as introduced did not make reference to these underlying Acts and there was confusion about the exact status of the proposed park and about the authority of the National Park Service to manage and administer the lands within the park boundaries.

This Section also provides that the Secretary may enter into cooperative agreements with the United States Virgin Islands or any political subdivision thereof for management of the park and for other purposes.

The Committee would note the bill's emphasis on creating a partnership between the government of the Virgin Islands and the National Park Service in various aspects of the park's establishment, development and management. The Committee appreciates the strong support for this partnership approach which has been expressed by the Secretary of the Interior and the Governor of the Virgin Islands. Actions taken by the Virgin Islands Legislature including denying permits for proposed developments which would have been destructive to the Salt River Bay area also indicate the depth of support for this approach among Virgin Islands elected of-

ficials. Partnership approaches to park management are not unique in the National Park System and in this case the Committee believes it is an appropriate way to proceed with benefits to accrue to the national and Virgin Islands governments. Cooperation between the Virgin Islands Government and the National Park Service in the management of this unit will not only be beneficial, but in the Committee opinion, it will be essential. The park contains a relatively small area and over half of the acreage of the park including all of the submerged lands are owned by the Virgin Islands Government. The federal government will be acquiring much of the remaining land so the result will likely be a mixed pattern of land ownership with the park. The viability of the natural and cultural resources, the preservation of visual integrity and the provision of quality interpretation and visitor programs will depend in large measure on management issues being worked out in a cooperative fashion by the Virgin Islands Government and the National Park Service. One of the primary means of achieving this goal will be the use of cooperative agreements provided for by this Section. The Committee believes that these agreements should serve to prevent either the Federal Government or the Virgin Islands Government from taking any unilateral actions which are incompatible with the purposes for which the park was established while at the same time ensuring that all lands and waters within the park are managed in accordance with this Act, the General Management Plan adopted for the park and standards generally applicable to units of the National Park System. The Committee notes that the bill provide for consultation and participation by Virgin Islands citizens and government officials throughout the planning and management process.

Section 5(c) provides that not later than three years after the date of enactment of the Act the Secretary shall develop and submit to the relevant Committees of Congress a General Management Plan describing the appropriate protection, management, uses and development of the park consistent with the purposes of the Act. The subsection lists several subjects the General Management Plan shall address but does not limit the plan to those subjects. One of these is proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses. The Committee does not intend the General Management Plan to include explicit details about how the concessions would be managed by a specific business or businesses but rather should contain a more general evaluation and assessment of the potential operation of concessions by such business or businesses if such concessions were found to be necessary and appropriate as a result of the planning process.

Section 5(d) directs the Secretary, the Governor of the Virgin Islands and the Commission to monitor land and water use activity within the park area to ensure that such activities are in keeping with the purposes of the Act prior to the adoption of the General Management Plan. It encourages cooperation between appropriate federal, territorial, and local governmental entities to minimize adverse impacts on the values for which the park was established. While this subsection does not provide additional authority to the Secretary other than is provided in other sections of this Act, its

intent is to emphasize the importance of protecting natural and cultural resources as soon as the park is established and until a more formal management plan is adopted. Local, national and international attention will be focused on this site as the 500th Anniversary of the voyages of Christopher Columbus is commemorated in 1992 and 1993 and it is important to provide protection for this interim period.

Section 5(e) provides that during the 10 year period beginning on the date of enactment of this Act, the Secretary shall provide the funds for the employees of the Government of the Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management. The bill provides that a primary objective of this program is to train employees in the skills necessary for managing and operating a Virgin Islands Territorial Park System.

The Committee has received estimates from the National Park Service about the number of Virgin Islands Government employees it would expect to need under this provision and believes it is a small amount with a correspondingly modest amount of funding required to pay salaries. The Committee believes that since these employees will be directly involved in the management of the park and doing work for the benefit of this park, this is a reasonable and good-faith provision which will help promote the partnership approach which is essential to the success of the park. The Committee does not intend funds to be used to pay the salaries for any Virgin Islands Government employee who is not directly involved in management or operation of this particular park. The Committee expects the goals and scope of the training program to be further delineated in the planning process and encourages the use of the Intergovernmental Personnel Act as a potential means of achieving the intent of the subsection.

Section 6 establishes the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission. Among other duties, the Commission is directed to make recommendations on how all lands within the park can be jointly managed by the Virgin Islands and the United States in accordance with this Act and consult with the Secretary on the development of the General Management Plan, land use planning and related disciplines. This Section provides further description of the duties, terms, meetings, expenses and other aspects of the Commission. The 10-member Commission would consist of the Secretary, the Governor of the Virgin Islands, four members appointed by the Secretary and four members appointed by the Secretary from a list provided by the Governor of the Virgin Islands, at least one of whom shall be a member of the Legislature of the Virgin Islands. The Committee intends that the representative from the Virgin Islands Legislature be a sitting member of that Legislature while he or she is serving on the Commission. The Committee believes and would encourage that the members of the Commission include but not be limited to representatives competent in the fields of history, archaeology, natural science.

Section 7 authorizes to be appropriated such sums as may be necessary to carry out the Act.

LEGISLATIVE HISTORY AND COMMITTEE RECOMMENDATION

A hearing on H.R. 2927 was held before the Subcommittee on National Parks and Public Lands on September 24, 1991. At the meeting of the Subcommittee on October 10, 1991, an amendment in the nature of a substitute was adopted by the Subcommittee and H.R. 2927, as amended, was favorably recommended to the Committee on Interior and Insular Affairs. The Committee on Interior and Insular Affairs ordered the bill as amended favorably reported to the House on October 16, 1991 by a voice vote.

CHANGES IN EXISTING LAW

If enacted, H.R. 2927 would make no changes in existing law.

OVERSIGHT STATEMENT

The Committee intends to carefully monitor the implementation of the legislation to assure compliance with the intent of the Act, but no specific oversight hearings have been conducted on this matter. No recommendations were submitted to the Committee pursuant to rule X, clause 2(b)(2).

INFLATIONARY IMPACT STATEMENT

The Committee finds that enactment of this measure would have no inflationary impact on the national economy.

COST AND BUDGET ACT COMPLIANCE

The Committee believes that the funding involved is reasonable for the benefits that will be derived. No analysis was received from the Congressional Budget Office prior to filing this report.

DISSENTING VIEWS

Overall, we agree that the establishment of a federal park unit (in addition to the existing territorial park) commemorating the location where a small party of Christopher Columbus' men are reported to have landed on American soil does have some merit. However, we find many aspects of the present bill to be as unnecessary and unworkable as the proposed 13-word name of the area. Our objections include the unnecessary park size which includes all lands within the viewshed, the requirements for the Federal government to come up with all funds for this "partnership" park and the unclear park management framework.

Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands is fortunately in the minority of new areas proposed by Congress over the last 20 years, in that it has actually been preceded by a new area study. However, like virtually every other new area study prepared by the Administration in recent years, this study has no recommendations. It does analyze 3 different alternatives, ranging from a 20-acre park focusing on historic resource preservation to a 912-acre park focusing on natural and cultural resources. As is virtually always case, sponsors of this bill have rejected the smaller and more reasonable alternatives studied by the Administration. In fact, sponsors of this measure are proposing a park more than 50 times larger than the minimum area found suitable by the NPS study. They opted for an alternative 145 acres larger than the largest alternative studied. This additional 145 acres will cost the taxpayers an estimated $12.5 million!

The justification for this additional 145 acres is to preserve the viewshed from an interpretive site within the existing Virgin Islands territorial park, at the approximate location of the landing site. The reason this 145 acres costs about three times the amount per acre as compared to other lands proposed for acquisition in this bill is because the additional 145 acres includes about 20 very large homes, costing upwards of $200–300,000 each. The proponents of this boundary would have the government purchase these homes at a cost of millions of dollars only to bulldoze them into the ground.

We reject arguments for drawing the park boundary along the viewshed boundary and support a smaller boundary as outlined in the NPS study. In fact, the professional planners from the agency considered and rejected this larger boundary for two primary reasons. First, NPS planners rejected it because it did not include significant natural or cultural resource values. A review of the information on pages 109 through 111 of the NPS study reveals that the only natural resource in this proposed park which is substantially unrepresented is the existing National Park System is the offshore, submarine canyon. Second, NPS rejected it because of the cost. Further, there is no evidence that the mere observation of homes on ridges up to ½ mile away from the landing site would have any impact on the park visitor experience.

We also object to the philosophy of drawing *entire* park boundaries on the basis of viewshed considerations. While it is true that

there are certain views which may be important to the park visitor experience and that those views should be addressed in park plans, that is a very different concept from drawing the entire park boundary to exclude views of any non-historic development. Drawing the park boundary in the manner suggested in this bill is certain to give ammunition to proposals to expand virtually all of the several hundred existing historic sites where some non-historic structure may be visible on the distant horizon.

Visitors to the site will experience a wide variety of non-historic sites and sounds regardless of whether the park boundary is drawn to protect the viewshed. These intrusions include other park visitors, traffic, visitor-related developments, boats on Salt River Bay, etc. Do sponsors of this measure envision proposals to eliminate all these other non-historic influences? That is the only way the historic scene would truly be restored.

After arguing so forcefully for a park boundary to include the entire viewshed, the bill's sponsors have included language prohibiting condemnation of private dwellings. Normally, we would applaud such a provision, but the inconsistency of drawing a boundary to include all properties within the viewshed and then allowing those same houses to remain in perpetuity is inescapable. The provisions in this bill are certain to force private property owners to endure perpetual harassment by park managers who will want to control all development within the viewshed, but will have no money to pay for it.

We also object to language in this bill regarding the management of the site. Sponsors of the bill claim that this is to be a partnership park, but examination of the bill shows that while joint management between the Virgin Islands and Federal governments is called for, the federal government is expected to provide all funding for land acquisition, development and operation. Further, while the bill has been revised to establish the area as a unit of the park system, it contains broad exemptions from the National Park Service management policies and standards and fails to provide adequate resource protection safeguards.

This bill should be revised to (1) include the minimum amount of land necessary for a viable park proposal and (2) clearly indicate what the respective roles of the Federal and Virgin Islands governments are and what financial contributions will be made to this joint effort by the Virgin Islands government. If these changes were made, we could support this bill.

Sincerely,

JOHN J. RHODES.
ELTON GALLEGLY.
JOEL HEFLEY.
RON MARLENEE.
WAYNE ALLARD.
BARBARA F. VUCANOVICH.
BOB SMITH.
JOHN T. DOOLITTLE.
CHARLES H. TAYLOR.
JAMES V. HANSEN.
JOHN J. DUNCAN, Jr.
CRAIG THOMAS.

○

Union Calendar No. 170

102D CONGRESS
1ST SESSION

H. R. 2927

[Report No. 102–285]

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1991

Mr. DE LUGO (for himself, Mr. MILLER of California, Mr. YOUNG of Alaska, Mr. SHARP, Mr. VENTO, Mr. LAGOMARSINO, Mr. MARKEY, Mr. MURPHY, Mr. RAHALL, Mr. WILLIAMS, Mrs. BYRON, Mr. GEJDENSON, Mr. KOSTMAYER, Mr. LEHMAN of California, Mr. RICHARDSON, Mr. DARDEN, Mr. VISCLOSKY, Mr. LEVINE of California, Mr. OWENS of Utah, Mr. LEWIS of Georgia, Mr. CAMPBELL of Colorado, Mr. DEFAZIO, Mr. FALEOMAVAEGA, Mr. JOHNSON of South Dakota, Mr. SCHUMER, Mr. JONTZ, Mr. HOAGLAND, Mr. JOHNSTON of Florida, Mr. LAROCCO, Mr. HANSEN, Mr. BLAZ, Mr. RHODES, Mr. GALLEGLY, Mr. SCHULZE, and Mr. TAYLOR of North Carolina) introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

NOVEMBER 5, 1991

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on July 17, 1991]

A BILL

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

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 "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale,

one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 3. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is

established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 1,046 acres of land, waters, and interests therein within the area generally depicted on the map entitled "St. Croix, Virgin Islands Historical Park and Ecological Preserve", numbered NA–SCHP–80,001, and dated July 1991. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor on St. Thomas and St. Croix, Virgin Islands.

SEC. 4. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this Act referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park only by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No

lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this Act and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS WITH UNITED STATES VIRGIN ISLANDS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 6, is authorized to enter into coopera-

tive agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Interior and Insular affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this Act.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high

priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the Natural Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) INTERIM PROTECTION.—Prior to the adoption of the park's general management plan, the Secretary, the Governor, and the Commission shall monitor all land and water use activities within the area to ensure that such activities are in keeping with the purposes of this Act and shall advise and cooperate with the appropriate Federal, territorial, and local governmental entities to minimize adverse impacts on the values for which the park is established.

(e) ASSISTANCE TO PROMOTE A VIRGIN ISLANDS TERRITORIAL PARK SYSTEM.—During the 10-year period beginning on the date of enactment of this Act, the Secretary

shall provide the funds for the employees of the Government of the Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management. A primary objective of such program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 6. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the Governments of the Virgin Islands and the United States in accordance with this Act;

(2) consult with the Secretary on the development of the general management plan required by section 5; and

(3) provide advice and recommendations to the Government of the Virgin Islands, upon request of the Government of the Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the Virgin Islands, at least one of whom shall be a member of the Legislature of the Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this Act, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original

appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and

staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this Act, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this Act unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

Union Calendar No. 170

102D CONGRESS
1ST SESSION

H. R. 2927

[Report No. 102–285]

A BILL

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

NOVEMBER 5, 1991

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

102D CONGRESS
1ST SESSION

H. R. 2927

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1991

Mr. DE LUGO (for himself, Mr. MILLER of California, Mr. YOUNG of Alaska, Mr. SHARP, Mr. VENTO, Mr. LAGOMARSINO, Mr. MARKEY, Mr. MURPHY, Mr. RAHALL, Mr. WILLIAMS, Mrs. BYRON, Mr. GEJDENSON, Mr. KOSTMAYER, Mr LEHMAN of California, Mr. RICHARDSON, Mr. DARDEN, Mr. VISCLOSKY, Mr. LEVINE of California, Mr. OWENS of Utah, Mr. LEWIS of Georgia, Mr. CAMPBELL of Colorado, Mr. DEFAZIO, Mr. FALEOMAVAEGA, Mr. JOHNSON of South Dakota, Mr. SCHUMER, Mr. JONTZ, Mr. HOAGLAND, Mr. JOHNSTON of Florida, Mr. LAROCCO, Mr. HANSEN, Mr. BLAZ, Mr. RHODES, Mr. GALLEGLY, Mr. SCHULZE, and Mr. TAYLOR of North Carolina) introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

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A BILL

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

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 "St. Croix, Virgin Islands Historical Park and Ecological Preserve Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining mudwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture,

including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 3. DEFINITIONS.

As used in this Act—

(1) The term "Commission" means the St. Croix, Virgin Islands Historical Park and Ecological Preserve Commission established by section 7.

(2) The term "park" means the St. Croix, Virgin Islands Historical Park and Ecological Preserve established by section 4.

(3) The term "Secretary" means the Secretary of the Interior.

SEC. 4. ST. CROIX, VIRGIN ISLANDS HISTORICAL PARK AND ECOLOGICAL PRESERVE.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the St. Croix, Virgin Islands Historical Park and Ecological Preserve.

(b) AREA INCLUDED.—The park shall consist of approximately 1,046 acres of land, waters, and interests therein within the area generally depicted on the map entitled "St. Croix, Virgin Islands Historical Park and Ecological Preserve", numbered NA–SCHP–80,001, and dated July 1991. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor on St. Thomas and St. Croix, Virgin Islands.

SEC. 5. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary may acquire land and interests in land within the boundaries of the park only by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner.

SEC. 6. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered pursuant to this Act and to the standards generally applicable to units of the National Park System.

(b) COOPERATIVE AGREEMENTS WITH UNITED STATES VIRGIN ISLANDS.—The Secretary, after consulting with the Commission, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Commission and with public involvement, shall develop and submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park. The general management plan shall describe

the appropriate protection, management, uses, and development of the park consistent with the purposes of this Act.

(2) The general management plan shall include (but not be limited to) the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific use of archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (d).

(d) ASSISTANT TO PROMOTE A VIRGIN ISLANDS TERRITORIAL PARK SYSTEM.—During the 10-year period beginning on the date of enactment of this Act, the Secretary shall provide the funds for the employees of the Government of the Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management. A primary objective of such program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

(e) TRANSFER AUTHORITY.—The Secretary is authorized to transfer within the Department of the Interior administrative jurisdiction over portions of the park.

SEC. 7. ST. CROIX, VIRGIN ISLANDS HISTORICAL PARK AND ECOLOGICAL PRESERVE COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the St. Croix, Virgin Islands Historical Park and Ecological Preserve Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands within the boundaries of the park can be jointly

managed by the Government of the Virgin Islands and the United States in accordance with this Act;

(2) consult with the Secretary on the development of the general management plan required by section 6; and

(3) provide advice and recommendations to the Government of the Virgin Islands, upon request of the Government of the Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the Virgin Islands, ex officio.

(2) The Secretary, ex officio.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the Virgin Islands, at least one of whom shall be a member of the Legislature of the Virgin Islands.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the origi-

nal appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel ex-

penses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this Act, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this Act unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this Act.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

O

out that the Oregon Trail was crowded with wagon trains, army units, missionaries, hunting parties, traders, and even sightseeing tours. Some travelers complained that, just like today, they had to stop early to find a good campsite ahead of the crowd.

The Oregon Trail wound 2,000 miles through prairies and deserts, and across mountains and hills that must have seemed as high as the mountains the travelers had known back East. After gathering at Independence, these early settlers followed the Oregon trail as it ran in a northwesterly course to Fort Kearny, NE, then continued on through Nebraska, Wyoming, Idaho, and ultimately to Oregon. Imagine the joy these travelers felt as their wagons came rolling off Holcomb Hill near present-day Baker City, OR to the end of their journey, for they had made it and were about to embark on a new life for themselves and their families in beautiful Oregon territory.

Mr. President, I am sure that these pioneers who traveled the Oregon Trail thought that they were just ordinary, hard-working blokes, but let me assure you that they were not. They were the backbone of the movement to settle the Northwest. They are the reason that my home town, the great city of Portland, exists today. They are the ancestors of those same conscientious Oregonians who contribute so much even now to their country, whether they work in the timber industry or serve in our Armed Forces. I would like to applaud them all today for making our country into the great Nation that it now is as we near the sesquicentennial anniversary of the Oregon Trail.●

ST. CROIX, VIRGIN ISLANDS HISTORICAL PARK AND ECOLOGICAL PRESERVE

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 374, H.R. 2927, the Omnibus Insular Areas Act of 1992.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 2927) to provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

TITLE I—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS

SECTION 101. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 102 FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 103. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled "Salt River Study Area—Alternative 'C' in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands", prepared by the National Park Service and dated June 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 104. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS OF AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the United States Virgin Islands, that the land is begin developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 105. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 106 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date funds are made available for this subsection, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Island Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) TRAINING ASSISTANCE.—During the 10-year period beginning on the date of enactment of this title, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: *Provided, however,* That is no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 106. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(d) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the United States Virgin Islands and the United States in accordance with this title;

(2) consult with the Secretary on the development of the general management plan required by section 105 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the United States Virgin Islands, at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—INSULAR AREAS DISASTER SURVIVAL AND RECOVERY

SEC. 201 DEFINITIONS.

As used in this title—

(1) the term "insular area" means any of the following: American Samoa, the Federated States of Micronesia, Guam, the Marshall Islands, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 202. AUTHORIZATION.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to construct facilities to protect public health and safety and to enhance the survivability of essential infrastructure in the event of disasters in the insular areas. Such sums shall remain available until expended.

SEC. 203. TECHNICAL ASSISTANCE.

(A) Upon the declaration by the President of a disaster in an insular area, the President shall assess, in cooperation with the Secretary and chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary shall submit to the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs a report on the status of the recovery effort, including an audit of Federal funds expended in the recovery effort and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

SEC. 204. HAZARD MITIGATION.

Upon determination by the President, the total of contributions under section 404 of the Disaster Relief and Emergency Assistance Amendments of 1988 (42 U.S.C. 4121 et seq.) for insular areas shall not exceed 10 percent of the estimated aggregate amounts of grants to be made under sections 403, 406, 407, 408, and 411 of such Act for any disaster: *Provided,* That the President shall require a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

SEC. 205. TECHNICAL AMENDMENT.

Paragraphs (3) and (4) of section 102 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) are each amended by inserting after "American Samoa," the following: "The Northern Mariana Islands,".

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. AMERICAN SAMOA WATER AND POWER STUDY.

(a) The Secretary of the Interior shall undertake a comprehensive study, or as appropriate review and update existing studies, to determine the current and long-term water, power, and waste-water needs of American Samoa. Such study shall be conducted in consultation with the American Samoa government, and in consultation with those Federal agencies which have recent experience with the water, power and waste-water needs of American Samoa.

(b) The Secretary of the Interior shall report the results of this study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, before December 31, 1992. The report shall include:

(1) an assessment of the water, power and waste-water needs of American Samoa both currently, and for the year 2000;

(2) an assessment and recommendations on how these needs can be met;

(3) an assessment and recommendations for any additional legal authority or funding which may be necessary to meet these needs; and

(4) an assessment and recommendations on the respective roles of the Federal and American Samoa governments in meeting these needs.

SEC. 302. INSULAR GOVERNMENT PURCHASES.

The Governments of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands are authorized to make purchases through the General Services Administration.

SEC. 303. FREELY ASSOCIATED STATE CARRIER.

(a) In furtherance of the objectives of the Compact of Free Association Act of 1985 (Public Law 99-239) and notwithstanding any other provision of law, a Freely Associated State Air Carrier shall not be precluded from providing transportation, between a place in the United States and a place in a state in free association with the United States or between two places in such a freely associated state, by air or persons

(and their personal effects) and property procured, contracted for, or otherwise obtained by any executive department or other agency or instrumentality of the United States for its own account or in furtherance of the purposes or pursuant to the terms of any contract, agreement, or other special arrangement made or entered into under which payment is made by the United States or payment is made from funds appropriated, owned, controlled, granted, or conditionally granted, or utilized by or otherwise established for the account of the United States, or shall be furnished to or for the account of any foreign nation, or any international agency, or other organization of whatever nationality, without provisions for reimbursement.

(b) The term "Freely Associated State Air Carrier" shall apply exclusively to a carrier referred to in Article IX(5)(b) of the Federal Programs and Services Agreement concluded pursuant to Article II of Title Two and Section 232 of the Compact of Free Association.

SEC. 304. MARSHALL ISLANDS FOOD ASSISTANCE.

Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681 note) is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 305. NORTHERN MARIANAS COLLEGE.

Section 9(a) of the Act approved August 27, 1986 (Public Law 99-396), is amended by striking out "subsection (a)." at the end and inserting in lieu thereof the following: "subsection (a), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands'; and, in subsection (b), by striking out 'and to Micronesia' and inserting in lieu thereof ', Micronesia, and to the Northern Mariana Islands'.".

AMENDMENT NO. 1523

Mr. MITCHELL. Mr. President, in behalf of Senator JOHNSTON, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL], for Mr. Johnston, proposes an amendment numbered 1523.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

1. Insert after the enabling clause: "SECTION 1. SHORT TITLE. This Act may be cited as the Omnibus Insular Areas Act of 1992.".

2. In section 202, strike the existing text and insert in lieu thereof the following:

"There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to—

(1) reconstruct essential public facilities damaged by disasters in the insular areas that occurred prior to the date of the enactment of this Act; and

(2) enhance the survivability of essential public facilities in the event of disasters in the insular areas.

except that with respect to the disaster declared by the President in the case of Hurricane Hugo, September 1989, amounts for any fiscal year shall not exceed 25 percent of the estimated aggregate amount of grants to be made under sections 403 and 406 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172) for such disaster. Such sums shall remain available until expended.".

3. In subsection 203(a), strike the phrase "the President shall assess," and insert in lieu thereof, "the President, acting through the Director of the Federal Emergency Management Agency, shall assess,".

4. In subsection 203(b), strike the phrase, "the Secretary shall submit", and insert in lieu thereof, "the Secretary, in consultation with the Director of the Federal Emergency Management Agency, shall submit"

5. In section 204, strike all up to and including the phrase "(42 U.S.C. 4121 et seq.) for" and insert in lieu thereof, "The total of contributions under the last sentence of section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) for the".

6. In section 301 strike the word "wastewater" and insert in lieu thereof "wastewater" each place it occurs.

7. In subsection 301(b), paragraphs (2) and (4), strike the phrase "an assessment and recommendations on" and insert in lieu thereof, "an assessment of, and recommendations regarding,"; and in paragraph (3) strike the phrase "an assessment and recommendations for" and insert in lieu thereof "an assessment of, and recommendations regarding,".

8. In Section 305, strike the existing text and insert in lieu thereof the following:

"Section 9(a) of Public Law 99-396 is amended by striking out the period at the end and inserting in lieu thereof the following: "and in subsection (b), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands' and by striking out 'and to Micronesia' and inserting in lieu thereof', Micronesia, and to the Northern Mariana Islands'.".

Mr. AKAKA. Mr. President, I rise in support of the Senate amendment to H.R. 2927. The Energy and Natural Resources Committee has proposed a number of changes to the House bill, and most of these changes are technical in nature.

There is one change, however, that deserves special attention. The committee has recommended that the Federal Emergency Management Agency [FEMA] be permitted to enhance the survivability of certain essential public utilities when a natural disaster strikes the U.S. territories.

There are sound reasons for this change. It is an unfortunate fact of life that the territories suffer more than their share of natural disasters. For example, there have been three Presidentially declared disasters in the Republic of the Marshall Islands in the last 2 years. In the aftermath of each storm, FEMA provided assistance to RMI to repair water, electric, sewage treatment, and other essential public utilities as required by law. Unfortunately, much of the work to repair these facilities is often undone as soon as the next disaster strikes.

Unless we harden these facilities, we will never interrupt the unfortunate cycle of storm destruction and repair. I can personally attest to the value of enhancing the ability of these essential public facilities to survive future storms. In last December, I traveled to the Pacific and witnessed the devastation that occurs when a tropical storm strikes.

Two weeks before my arrival at Kwajalein Atoll in the Republic of the Marshall Islands, these islands were hit by Tropical Storm Zelda. When a low-lying island such as this is hit by the high winds and wave surge that accompanies a tropical storm, the devastation is unusually great. There is very little to shelter telephone poles, communication infrastructure and waste treatment facilities from the full force of such a storm. Although the initial outlay to harden these facilities may be higher, the savings in the long term will be significant because they will be able to withstand future disasters with little or no damage.

Our amendment represents sound public policy and a prudent use of Federal resources. As a cosponsor, I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1523) was agreed to.

Mr. JOHNSTON. Mr. President, I am pleased to speak today in support of Senate passage of H.R. 2927 with amendments to the committee amendment. The Committee on Energy and Natural Resources reported this bill on November 25, 1991, with an amendment in the nature of a substitute. On the same day, the House of Representatives passed nearly identical legislation, H.R. 1688. Both bills contain three titles which would: First, establish the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, VI; second, provide additional flexibility and resources to Federal agencies and local governments in preparing for and responding to major disasters in the insular areas; and third, enact several miscellaneous provisions regarding the application of Federal policies and programs in the insular areas.

I will not go into a detailed discussion of the provisions of this bill now. I refer those who are interested in the specifics to the committee's report, Senate Report No. 102-243.

On November 22, 1991, and just prior to House passage of H.R. 1688, the administration transmitted a revised statement of policy which identified five issues of concern regarding the bill's provisions on disaster relief: First, that Puerto Rico, Micronesia and the Marshall Islands should be removed from the definition of "insular area"; second, that a 50-percent local match should be required for any increase in Federal hazard mitigation assistance; third, that non-cost-shared hazard mitigation assistance should not be expanded beyond 10 percent; fourth, that responsibility for disaster assistance in the insular areas should be placed with the Federal Emergency Management Agency; and fifth, that the reporting requirement of the Sec-

retary of the Interior should not be duplicative of current FEMA responsibilities. The House modified H.R. 1688 to respond to these concerns of the Administration.

Mr. President, in response to these concerns, I offer a package of amendments to H.R. 2927 which would, with one exception, essentially conform H.R. 2927 to the text of H.R. 1688 as it passed the House of Representatives, and as it was modified to meet the administration concerns.

The disaster provisions of H.R. 1688, as passed by the House, and in response to the administration, would not apply to Puerto Rico, nor to the Freely Associated States—the Marshall Islands, and the Federated States of Micronesia. While I understand the administration's concern regarding the application of these provisions to Puerto Rico, an island with a size and population in excess of that of many States, I do not agree with the objection to the inclusion of the Freely Associated States.

The islands of Micronesia are hit by disastrous storms with a frequency greater than any other area under the jurisdiction of the Federal Emergency Management Agency [FEMA]. In fact, it is possible for certain islands to experience two disaster declarations within a single year. This is currently the case with Kwajalein Atoll in the Marshall Islands. The disaster relief provisions of this legislation were intended to reduce Federal disaster reconstruction costs in such areas by having facilities hardened to resist storm damage, instead of being continually rebuilt.

Currently, FEMA rebuilds facilities to the condition which existed prior to the disaster. In most cases, this is a reasonable and cost-effective approach. However, in areas which are repeatedly struck by storms, such as Micronesia and the South Pacific, it is cost effective to harden facilities so that they will resist damage in the event of future storms. It has been the experience in Guam that spending more resources during construction or reconstruction to enhance the survivability of facilities will substantially reduce future damage, and therefore, will substantially reduce future reconstruction costs.

The administration has raised several valid concerns regarding H.R. 1688, and H.R. 2927 would be modified substantially, by the committee amendment and by these amendments, to respond to those concerns. However, I urge the administration to reconsider its position regarding the application of the disaster relief provisions of this legislation to the Freely Associated States. Continuing the costly cycle of destruction and reconstruction in areas which are repeatedly damaged in disastrous storms simply makes no sense.

Finally, with respect to section 303 regarding air service in the Freely Associated States, I would like to state for the record that this provision is not intended to provide a competitive advantage of any airline of the Free Associated States. It is, instead, intended to provide an authorization for an agreement to allow such an airline to have the opportunity to compete with other airlines in providing service between the Freely Associated States and the United States.

Mr. President, passage of H.R. 2927, as amended, will complete years of work on a broad range of ideas conceived to respond to particular problems and opportunities in the insular areas. These provisions range from improving air service, to developing parks. There are many people who have been involved in this effort and I would particularly like to recognize the contributions of the chairman and ranking minority member of the House Subcommittee on Insular and International Affairs, Mr. RON DE LUGO and Mr. BOB LAGOMARSINO and their very able staffs. I would also like to acknowledge Ms. Janet Hale and Mr. Bob Grady at OMB for their help in fashioning the disaster relief provisions. I believe that this title will save dollars, and lives.

Finally, I would like to acknowledge the assistance of the Secretary of the Interior, of Brad Northrup and Na Williams of the Nature Conservancy, and of David Simon and Paul Pritchard of the National Parks and Conservation Association for their help in expediting the development and consideration of the provisions to establish the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, U.S. Virgin Islands. We will all be pleased to have this park established in time for the 500th anniversary of Christopher Columbus' voyage to America. It was here in St. Croix that Columbus' men first are known to have set foot on what is now U.S. territory.

I thank Senator AKAKA and the committee's ranking minority member, MALCOLM WALLOP, for their contributions and assistance and urge the Senate to pass H.R. 2927 with the committee amendment as amended by the Johnston amendments.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the committee amendment, as amended, and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

So the bill (H.R. 2927), as amended, was passed.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the bill was passed, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MEMBER OF U.S. SENTENCING COMMISSION

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1963 to provide a member of the U.S. Sentencing Commission whose term has expired may continue to serve until a successor is appointed or until the expiration of the next session of Congress, and I ask that the Senate proceed to its immediate consideration

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

A bill (S. 1963) to amend section 992 of title 28, United States Code, to provide a member of the U.S. Sentencing Commission whose term has expired may continue to serve until a successor is appointed or until the expiration of the next session of Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 1524

(Purpose: To delete section 2 of the bill related to retroactivity)

Mr. MITCHELL. Mr. President, on behalf of Senators BIDEN and THURMOND, I send an amendment to the desk that will strike section 2 of the bill and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maine [Mr. MITCHELL], for Mr. BIDEN (for himself and Mr. THURMOND) proposes an amendment numbered 1524.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike Section 2 of the bill

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1524) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill, as amended.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as amended as follows:

S. 1963

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

The question was taken; and on a division (demanded by Mr. WALKER) there were—yeas 3, nays 1.

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

□ 1630

OMNIBUS INSULAR AREAS ACT OF 1992

Mr. DE LUGO. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2927) to provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

The Clerk read as follows:

Senate amendment: Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Omnibus Insular Areas Act of 1992".

TITLE I—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS

SEC. 101. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992".

SEC. 102. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 103. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled "Salt River Study Area—Alternative 'C' in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands", prepared by the National Park Service and dated June 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 104. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the United States Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 105. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 106 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date funds are made available for this subsection, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) TRAINING ASSISTANCE.—During the 10-year period beginning on the date of enactment of this title, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: Provided, however, That in no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 106. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the United States Virgin Islands and the United States in accordance with this title;

(2) consult with the Secretary on the development of the general management plan required by section 105 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the United States Virgin Islands, at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under para-

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

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

Mr. Speaker, this bill provides for additional membership on the Library of Congress Trust Fund Board, among other purposes.

The Board's current membership is composed of: First, the Secretary of the Treasury; second, the Chairman of the Joint Committee on the Library; third, the Librarian of Congress; and fourth, two members appointed by the President of the United States.

The current number of public members (two) is not a sufficient representation of citizens to assist the Library in increasing its endowment funds. This legislation seeks to increase the size of the Board by eight public members. Four members will be appointed by the Speaker of the House of Representatives in consultation with the minority leader of the House, and four will be appointed by the Majority leader of the Senate in consultation with the minority leader of the Senate.

Section 2 of the proposed legislation increases the number of members necessary for a quorum from three to nine. The final provision gives authority for the Librarian of Congress to take possession of gifts of cash temporarily and to invest them temporarily in the U.S. Treasury prior to formal approval by the Board. Presently, such cash gifts can earn no interest because the Librarian of Congress lacks the authority to invest the principal until all members of the Board approve the gift. In this era of scarce economic resources, it makes sound fiscal sense to give the Librarian the authority to make the money work for the Library. If the Board fails to approve the gift within 12 months after the Librarian takes possession, the gift will be returned to the donor while the Library retains the interest earned.

By offering new opportunities to attract private sect · support, this legislation will enhance the usefulness of the Trust Fund Board to the Library of Congress, and consequently, strengthen the Library's ability to serve the Congress and the Nation.

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

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

Mr. Speaker, I thank the gentleman for his explanation of the pragmatic amendments being offered in this bill. Mr. Speaker, the minority also supports the passage of S. 1415. I'd also like to add that the Library of Congress is also in favor of these changes.

Since 1925 the Trust Fund Board has been in existence to accept gifts for the benefit of the Library. Increasing the size of the Board is a practical way to expand the nationwide fundraising efforts, and diversify the profile of the Board. As Mr. CLAY explained, this legislation would also allow the Librarian of Congress to secure and invest gifts of money, while the Board is being polled for approval of the gift. Thus, the Library would benefit immediately upon receiving the donation, which only makes sense as the gifts are rarely rejected by the Board.

Mr. Speaker, I join the gentleman from Missouri [Mr. CLAY] in urging my colleagues to support this measure.

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

Mr. CLAY. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, just a couple of questions, if I could.

I am a little puzzled by the business that we are expanding the Board, and then we are giving the Librarian a chance to spend money while he polls the expanded Board. Would it not be easier to poll the Board if there were only 2 members rather than 10?

Mr. CLAY. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I am happy to yield to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, no, we are not giving the Librarian authority to spend any money. We are giving him authority to invest the money.

Mr. WALKER. Invest the money and earn interest on it?

Mr. CLAY. And get some interest. Right now, the money sits there without interest, so we are giving him that authority.

Mr. WALKER. Could the gentleman tell me what he meant when he said that the four members are to be appointed by the Speaker and by the majority leader in consultation with the minority?

Mr. CLAY. Yes.

Mr. WALKER. Does that give the minority, for instance, an ability to veto someone?

Mr. CLAY. No. It does not. It is the same procedure that is used in a number of other pieces of legislation that we have passed here in the House relative explicitly to House functions and functions of the Congress.

Mr. WALKER. Normally I thought most of the times when we appoint a Board there is a specific number of people assigned to the minority that the minority leader gets to appoint. In this particular case, we are taking a 2-member Board, we are making it into a 10-member Board, and virtually all of the appointments are going to be made by the majority, and all they have to do is tell the minority who it is that they are appointing? Is that my understanding?

Mr. CLAY. I do not understand the word consultation meaning instruct or inform. It is in consultation. That is a word. It is a word of art, an art word, and it means that they consult. It is not any different from any other legislation that we pass around here where the Speaker and the majority leader of the Senate make appointments. It is in consultation.

Mr. WALKER. Could the gentleman tell me what consultation means in this instance then? I mean, consultation then means that they will specifically go to the minority, ask the minority about those people, whether or not these people are acceptable, and if the minority finds them unacceptable, then at that point the majority leader and the Speaker would reconsider those people? Is that the level of consultation?

Mr. CLAY. The majority leader, is the gentleman saying?

Mr. WALKER. The majority leader and the Speaker.

Mr. CLAY. The Speaker and the minority leader; the Speaker and the minority leader.

Mr. WALKER. The majority leader and minority leader in the Senate?

Mr. CLAY. Yes.

Mr. WALKER. So the answer to my question is that if the minority found an appointee unacceptable, at that point the consultation means that there would be reconsideration of those people?

Mr. CLAY. I would not go that far. I do not know what the Speaker and the minority leader would decide to do at that point. I would think that they have not had any serious problems up to this point in terms of reaching agreement on those whom the Speaker has consulted with.

Mr. WALKER. These people who are to be appointed, if I understand the remarks of the gentleman from Nebraska, one of the efforts here is to extend the fundraising apparatus of the Library? Are these people to be appointed in part so that they can go out and raise money for the Library?

Mr. CLAY. That is part of it, yes.

Mr. WALKER. So we are likely to be appointing then fairly wealthy Americans who will help the Library raise money as one of the functions of being a member of this Board?

Mr. CLAY. Not necessarily fairly wealthy. It might be people who know wealthy people. You do not have to be wealthy to know wealthy people.

Mr. WALKER. One of the reasons for expanding the Board here is to go out and use these people as fundraisers.

Mr. CLAY. To an extent.

Mr. WALKER. I thank the gentleman.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 1415, the Senate bill just considered.

The SPEAKER pro tempore (Mr. HERTEL). Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. CLAY] that the House suspend the rules and pass the Senate bill, S. 1415.

graph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—INSULAR AREAS DISASTER SURVIVAL AND RECOVERY

SEC. 201. DEFINITIONS.

As used in this title—

(1) the term "insular area" means any of the following: American Samoa, the Federated States of Micronesia, Guam, the Marshall Islands, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5176); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 202. AUTHORIZATION.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to—

(1) reconstruct essential public facilities damaged by disasters in the insular areas that occurred prior to the date of the enactment of this Act; and

(2) enhance the survivability of essential public facilities in the event of disasters in the insular areas,

except that with respect to the disaster declared by the President in the case of Hurricane Hugo, September 1989, amounts for any fiscal year shall not exceed 25 percent of the estimated aggregate amount of grants to be made under sections 403 and 406 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172) for such disaster. Such sums shall remain available until expended.

SEC. 203. TECHNICAL ASSISTANCE.

(a) Upon the declaration by the President of a disaster in an insular area, the President, acting through the Director of the Federal Emergency Management Agency, shall assess, in cooperation with the Secretary and chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary, in consultation with the Director of the Federal Emergency Management Agency, shall submit to the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs a report on the status of the recovery effort, including an audit of Federal funds expended in the recovery effort and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

SEC. 204. HAZARD MITIGATION.

The total of contributions under the last sentence of section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) for the insular areas shall not exceed 10 percent of the estimated aggregate amounts of grants to be made under sections 403, 406, 407, 408, and 411 of such Act for any disaster: Provided, That the President shall require a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

SEC. 205. TECHNICAL AMENDMENT.

Paragraphs (3) and (4) of section 102 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) are each amended by inserting after "American Samoa," the following: "the Northern Mariana Islands,".

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. AMERICAN SAMOA WATER AND POWER STUDY.

(a) The Secretary of the Interior shall undertake a comprehensive study, or as appropriate review and update existing studies, to determine the current and long-term water, power, and wastewater needs of American Samoa. Such study shall be conducted in consultation with the American Samoa government, and in consultation with those Federal agencies which have recent experience with the water, power and wastewater needs of American Samoa.

(b) The Secretary of the Interior shall report the results of this study to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, before December 31, 1992. The report shall include:

(1) an assessment of the water, power and wastewater needs of American Samoa both currently, and for the year 2000;

(2) an assessment of, and recommendations regarding, how these needs can be met;

(3) an assessment of, and recommendations regarding, any additional legal authority or funding which may be necessary to meet these needs; and

(4) an assessment of, and recommendations regarding, the respective roles of the Federal and American Samoa governments in meeting these needs.

SEC. 302. INSULAR GOVERNMENT PURCHASES.

The Governments of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands are authorized to make purchases through the General Services Administration.

SEC. 303. FREELY ASSOCIATED STATE CARRIER.

(a) In furtherance of the objectives of the Compact of Free Association Act of 1985 (Public Law 99-239) and notwithstanding any other provision of law, a Freely Associated State Air Carrier shall not be precluded from providing transportation, between a place in the United States and a place in a state in free association with the United States or between two places in such a freely associated state, by air of persons (and their personal effects) and property procured, contracted for, or otherwise obtained by any executive department or other agency or instrumentality of the United States for its own account or in furtherance of the purposes or pursuant to the terms of any contract, agreement, or other special arrangement made or entered into under which payment is made by the United States or payment is made from funds appropriated, owned, controlled, granted, or conditionally granted, or utilized by or otherwise established for the account of the United States, or shall be furnished to or for the account of any foreign nation, or any international agency, or other organization of whatever nationality, without provisions for reimbursement.

(b) The term "Freely Associated State Air Carrier" shall apply exclusively to a carrier referred to in Article IX(5)(b) of the Federal Programs and Services Agreement concluded pursuant to Article II of Title Two and Section 232 of the Compact of Free Association.

SEC. 304. MARSHALL ISLANDS FOOD ASSISTANCE.

Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681 note) is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 305. NORTHERN MARIANAS COLLEGE.

Section 9(a) of Public Law 99-396 is amended by striking out the period at the end and inserting in lieu thereof the following: "and in subsection (b), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands' and by striking out 'and to Micronesia' and inserting in lieu thereof ', Micronesia, and to the Northern Mariana Islands'.".

The SPEAKER pro tempore (Mr. HERTEL). Pursuant to the rule, the gentleman from the Virgin Islands [Mr. DE LUGO] will be recognized for 20 minutes and the gentleman from Cali-

fornia [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the delegate from the Virgin Islands [Mr. DE LUGO].

Mr. DE LUGO. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DE LUGO asked and was given permission to revise and extend his remarks.)

Mr. DE LUGO. Mr. Speaker, the Senate amendment to H.R. 2927 would make this bill virtually identical to H.R. 1688, an omnibus insular areas bill that passed the House unanimously last November 25.

That bill incorporated provisions of several measures concerning the insular areas associated with the United States.

One set of provisions made up the Insular Areas Disaster Survival and Recovery Act. A second consisted of a number of miscellaneous measures concerning the insular areas. The final set included provisions to establish the Salt River Bay National Historical Park and Ecological Preserve at St. Croix in the U.S. Virgin Islands.

These latter provisions to establish the park had passed the House in H.R. 2927 earlier in the month.

A few days before the House passed H.R. 1688, the Senate Energy and Natural Resources Committee reported H.R. 2927 with an amendment that made it very similar to H.R. 1688.

A floor amendment by the Senate committee leadership last Friday made H.R. 2927 virtually identical to H.R. 1688.

In addition to changing the title of the bill to the Omnibus Insular Areas Act of 1992, there are only three minor differences between H.R. 1688, as it passed the House, and H.R. 2927, as the Senate amended it.

One difference relates to the deadline for submitting the Salt River Park Management plan to the Congress. H.R. 1688 would have required submission not later than 3 years from the date of enactment. H.R. 2927 would require submission not later than 3 years after the date funds are available.

The inclusion of $7 million for the Salt River Park in the President's budget for fiscal year 1993 makes this difference of no real concern. And I want to thank our former colleague, the Secretary of the Interior, Manuel Lujan, for getting this proposal in the budget.

The second difference concerns the training of Virgin Islands employees in the management of the park. H.R. 1688 would have required the Federal Government to pay half of the cost. H.R. 2927 would subject this requirement to appropriations. This difference is of little concern because the Secretary already has funds which could be used if there is no special appropriation.

The last difference relates to the provisions to enable insular areas to survive and recover from natural disasters. H.R. 1688 would have applied these provisions to American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands. H.R. 2927 would extend the assistance to Micronesia and the Marshall Islands as well.

The disaster relief provisions applied to Micronesia and the Marshall Islands in H.R. 1688 as reported by the Interior and Insular Affairs Committee, as well as in a predecessor bill which passed both Houses in the last Congress. But these freely associated states were reluctantly deleted from H.R. 1688 at the insistence of the administration.

Since the passage of H.R. 1688 last November, a typhoon in the Marshall Islands dramatized the justification for extending them to the freely associated states as well as the U.S. insular areas.

These changes are minor in comparison to what this legislation would do in the insular areas if enacted. Thus, Mr. Speaker, these are differences to which I believe the House can agree.

Mr. Speaker, the establishment of the Salt River Park is an achievement of which I am particularly proud. It would preserve the site where Christopher Columbus first landed in what is now a U.S. territory. And it would enhance the attractiveness of the Virgin Islands as a tourist destination.

Salt River is a microcosm of the entire history of early European colonization of the Caribbean built upon an Indian cultural resource that predates colonization. It also has a wealth of environmental treasures.

The preservation of the site will culminate an effort begun in 1958 when a bill I cosponsored in the Virgin Islands Legislature began the process to save the area for all to enjoy.

No less important is the unprecedented degree of Federal and territorial cooperation in the management of a park that this bill would provide.

The high frequency of destructive storms in the insular areas makes the extension of the additional disaster assistance that this bill would provide critical. Since the passage of H.R. 1688, three major disasters have occurred in the insular areas: Supertyphoon Yuri hit Guam; Cyclone Val devastated American Samoa; and Typhoon Zelda caused damage in the Marshall Islands.

The insular disaster assistance provisions were the driving force behind this omnibus legislation. They were developed after Hurricane Hugo, which hit the territory that I represent with what the Federal Emergency Management Agency described as a force unsurpassed in this century.

They respond to the extraordinary disaster problems in the insular areas caused by the frequency and severity of the storms which strike them, their distances from the rest of the Nation, and their relatively small size and lack of development.

In particular, insular areas lack infrastructure strong enough to withstand disasters.

The miscellaneous provisions of this legislation would require a report on American Samoa's water and power needs; make permanent the current temporary authorization for insular purchases through the General Services Administration; authorize agencies to contract with freely associated State airlines; extend the program of food assistance for the peoples of the Marshall Islands atolls affected by nuclear testing; and authorize an endowment for the Northern Marianas College.

Like the provisions for disaster assistance, these provisions had their origin in omnibus insular areas legislation that passed both Houses last Congress.

Last, I would like to note that the history and purposes of this legislation were fully described when H.R. 1688 passed the House last session as well as when H.R. 2927 passed, and when the predecessor bill to H.R. 1688 passed.

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

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of H.R. 2927, a bill to authorize establishment of Salt River Bay National Historical Park at St. Croix, VI. As an original cosponsor, I support the concept of establishing a Federal park unit at the only known site on American soil where Columbus' men are believed to have landed. I also support the Omnibus Insular Areas Act portion of the bill, which provides meaningful assistance to different territories and the freely associated states and Micronesia. I want to comment Interior Secretary Manuel Lujan for his vigorous and focused support for the preservation of the Columbus landing site. Secretary Lujan personally surveyed the site at Salt River, and designated the preferred boundaries of the proposed park. The Secretary has been instrumental in informing Members of Congress of the importance of the site and the need for timely action to preserve the Archaeological sites which are being increasingly affected by development pressures in the Virgin Islands.

Certainly, the leadership of Mr. DE LUGO in the development of this bill deserves strong recognition by all Members of this body. He has been working with Secretary Lujan on this Columbus landing site park proposal for some time, with both the Virgin Islands Government and the National Park Service. Without his efforts, not only would we not be here today passing this bill, but the resource values at the site of this historic event may have suffered irreversible damage. Even today, important archeological materials are left exposed to the elements and need protection from the

elements and inadvertent damage by vehicular and foot traffic.

I note that the Senate has addressed many of the concerns raised by Members on this side of the aisle when the bill originally was passed by the House. However, I still believe that the Committee on Interior and Insular Affairs, which has primary jurisdiction over this matter, should have gone further to clarify the respective rules of the United States and Virgin Islands Governments.

While the omnibus insular areas provisions are meaningful and helpful, they represent only a few of many legislative actions still outstanding. I particularly want to commend my good colleague from Guam, BEN BLAZ, who has been extremely supportive in these matters.

I urge my colleagues to support this bill to establish the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, VI, as well as providing a number of provisions of import to United States territories and free associated states.

Mr. de LUGO. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. VENTO], the chairman of the Subcommittee on National Parks and Public Lands of the Committee on Interior and Insular Affairs, one of the hardest working and most effective chairmen that we have in this Congress. It is a rare day when the gentleman is not passing some bills on this floor. I could not have gotten to this point without his great assistance.

Mr. VENTO. Mr. Speaker, I thank the gentleman from the Virgin Islands for yielding me this time and commend him for his very hard work on this important measure. Subcommittee Chairman DE LUGO has been working to establish a park at Salt River Bay since he was in the Virgin Islands Senate, and today he and his fellow Virgin Islanders will come one step closer to reaching that goal.

H.R. 2927 as amended and passed by the Senate would establish the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, VI, and would authorize important disaster survival and recovery programs for insular areas so important to their needs today as storms have brought significant and unusual devastation to these fragile economies and social life.

As chairman of the Subcommittee on National Parks and Public Lands, I worked closely with Mr. DE LUGO on the development of title I of this bill, which would provide for a new National Park System unit consisting of approximately 915 acres at Salt River Bay on the island of St. Croix. This area has long been recognized for its unique combination of cultural and natural features including archeological remains, a large tropical reef, and the largest remaining mangrove forest in the U.S. Virgin Islands. I was fortunate to have the opportunity to view these unique resources during a subcommittee field inspection in 1989.

Salt River Bay is also the only known site where Christopher Columbus landed on what was to become U.S. territory. In 1493, on his second of four voyages to the New World, Columbus anchored his 17 ships outside the reef and sent his soldiers to investigate an Indian village on the western side of the bay.

H.R. 2927 was passed by the House with strong bipartisan support on November 5 last year. The Senate made several changes to the House passed bill including a reduction in the size of the park and a requirement that the Virgin Islands Government provide half the funds for a program to train Virgin Islands citizens in the park operations and management. Although the boundary in the House-passed bill would have provided more resource protection and was the preferred boundary of the Secretary of the Interior, I believe the boundaries in the Senate passed bill are workable.

The bill before us envisions a unique partnership approach between the national Government and the Government of the Virgin Islands in the management of the park. Cooperation between these Government entities will be essential, because it is a relatively small area and over half of the acreage of the park is owned by the Virgin Islands Government. I believe the safeguards built into the bill and the cooperative spirit which has been the hallmark of this project from the outset will ensure that management issues will be addressed in a cooperative fashion and that the park will be managed according to standards of other units of the National Park System.

Mr. Speaker, this legislation is a significant natural and cultural resource protection initiative which has strong bipartisan support from the Secretary of the Interior and the Governor and the Delegate from the Virgin Islands. As we approach the 500th anniversary of the voyages of Christopher Columbus later this year, I can think of no more appropriate way of commemorating this significant date than enacting this legislation. Not only will this park preserve a nationally significant natural and historical site, it will provide an excellent opportunity to interpret the diverse native cultures which existed prior to the arrival of Columbus and the impact that Columbus and other European explorers had on Caribbean culture and history. I again commend the gentleman from the Virgin Islands for his hard work on this matter and urge prompt passage of the measure before us.

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Mr. DE LUGO. Mr. Speaker, I yield myself such time as I may consume.

In conclusion, I want to thank the gentleman from California, who is the ranking Republican of the Subcommittee on Insular and International Affairs which I am privileged to chair, for the cooperation he has given in developing this legislation. I also want to recognize the roles of the chairman and ranking Republican of the full Committee on Interior and Insular Affairs, our colleagues GEORGE MILLER and DON YOUNG; the chairman of the Subcommittee on National Parks and Public Lands, our colleague BRUCE VENTO; and the Resident Commissioner from Puerto Rico, JAIME B. FUSTER.

I want to express particular appreciation for the cooperation of the Secretary of the Interior, our former colleague Manuel Lujan. His headership really helped make this bill possible. I also want to thank the chairman and ranking Republican of the Senate committee of jurisdiction, BENNETT JOHNSTON and MALCOLM WALLOP, respectively.

Finally, I want to urge the House to approve the Senate amendment and send what is truly a bipartisan compromise package of insular measures to the President for his approval.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in support of H.R. 2927, a bill which addresses several areas of need in the U.S. insular areas. In particular, I want to speak of the needs of American Samoa.

American Samoa has been struck by three hurricanes in the last 4 years. Each time Samoa rebuilds itself. Not everything gets rebuilt because even with Federal disaster assistance and private insurance, not all losses are covered. The result of this process is government services are permanently reduced, and considerable private property is destroyed and not replaced. Despite the best efforts of the local government, with each hurricane thousands of people are forced to go from days to months, depending on the remoteness of their villages, without water, power, telephone, and sewage disposal.

This bill would go a long way toward ending this cycle. First, it authorizes the reconstruction of essential public facilities in insular areas which were damaged by recent natural disasters. Second, it authorizes enhancing these facilities to withstand future disasters. Third, with regard to American Samoa, the bill authorizes the Department of the Interior to conduct a comprehensive study of the territory's needs in the area of water, power, and sewage treatment.

Mr. Speaker, I also want to commend the leadership of the Committees on Interior and Insular Affairs on their work on the Salt River Bay National Historical Park and Ecological Preserve on the island of St. Croix in the Virgin Islands. I have been to St. Croix and have seen the beauty and diversity of tropical animals and vegetation available. The designation provided in this bill will preserve this beauty for all Americans to enjoy.

Finally, Mr. Speaker, this bill is alive today because of the leadership shown by Chairman MILLER and DE LUGO, and Congressman LAGOMARSINO. Without the efforts of these gentleman, and that of their staffs, H.R. 2927 would be another dead bill going nowhere. The needs of the people addressed in this bill do not make the front pages of our national newspapers, but Mr. Speaker, I want to

assure you they deserve our attention. I urge my colleagues to support this bill.

Mr. LAGOMARSINO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DE LUGO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HERTEL). The question is on the motion offered by the gentleman from the Virgin Islands [Mr. DE LUGO] that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2927.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DE LUGO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate amendment to the bill, H.R. 2927.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to the provisions of clause 5, rule I, the Chair will now put the question on the motion on which further proceedings were postponed.

EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION

The SPEAKER pro tempore (Mr. HERTEL). The pending business is the question of suspending the rules and passing the bill, H.R. 4095, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the bill, H.R. 4095, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 404, nays 8, not voting 22, as follows:

[Roll No. 4]

YEAS—404

Abercrombie	Aspin	Bereuter
Ackerman	Atkins	Berman
Alexander	AuCoin	Bevill
Allard	Bacchus	Bilbray
Allen	Baker	Blackwell
Anderson	Ballenger	Bliley
Andrews (ME)	Barnard	Boehlert
Andrews (NJ)	Barrett	Boehner
Andrews (TX)	Bateman	Bonior
Annunzio	Bellenson	Borski
Anthony	Bennett	Boucher
Applegate	Bentley	Boxer
Brewster	Gunderson	Miller (CA)
Brooks	Hall (OH)	Miller (OH)
Broomfield	Hall (TX)	Mineta
Browder	Hamilton	Mink
Brown	Hammerschmidt	Moakley
Bruce	Hancock	Molinari
Bryant	Hansen	Mollohan
Bunning	Harris	Montgomery
Burton	Hastert	Moody
Bustamante	Hatcher	Moorhead
Byron	Hayes (IL)	Moran
Callahan	Hayes (LA)	Morella
Camp	Hefley	Murphy
Campbell (CA)	Hefner	Murtha
Campbell (CO)	Henry	Myers
Cardin	Herger	Nagle
Carper	Hertel	Natcher
Carr	Hoagland	Neal (MA)
Chandler	Hobson	Neal (NC)
Chapman	Hochbrueckner	Nichols
Clay	Holloway	Nowak
Clinger	Hopkins	Nussle
Coble	Horn	Oakar
Coleman (MO)	Horton	Oberstar
Coleman (TX)	Houghton	Obey
Collins (IL)	Hoyer	Olin
Collins (MI)	Hubbard	Olver
Condit	Huckaby	Ortiz
Conyers	Hughes	Orton
Cooper	Hunter	Owens (NY)
Costello	Hyde	Owens (UT)
Coughlin	Inhofe	Oxley
Cox (CA)	Ireland	Packard
Cox (IL)	Jacobs	Pallone
Coyne	James	Panetta
Cramer	Jenkins	Parker
Cunningham	Johnson (CT)	Pastor
Darden	Johnson (SD)	Patterson
Davis	Johnston	Paxon
de la Garza	Jones (GA)	Payne (NJ)
DePazio	Jones (NC)	Payne (VA)
DeLauro	Jontz	Pease
Dellums	Kanjorski	Pelosi
Derrick	Kaptur	Penny
Dickinson	Kasich	Perkins
Dicks	Kennedy	Peterson (FL)
Dingell	Kennelly	Peterson (MN)
Dixon	Kildee	Petri
Donnelly	Kleczka	Pickett
Dooley	Klug	Pickle
Dorgan (ND)	Kolbe	Porter
Dornan (CA)	Kopetski	Poshard
Downey	Kostmayer	Price
Dreier	Kyl	Pursell
Duncan	LaFalce	Quillen
Durbin	Lagomarsino	Ramstad
Dwyer	Lancaster	Rangel
Early	Lantos	Ravenel
Eckart	LaRocco	Ray
Edwards (OK)	Laughlin	Reed
Edwards (TX)	Leach	Regula
Emerson	Lehman (CA)	Rhodes
Engel	Lehman (FL)	Richardson
English	Lent	Ridge
Erdreich	Levin (MI)	Riggs
Espy	Levine (CA)	Rinaldo
Evans	Lewis (CA)	Ritter
Ewing	Lewis (FL)	Roberts
Fascell	Lewis (GA)	Roe
Fawell	Lightfoot	Roemer
Fazio	Lipinski	Rogers
Feighan	Livingston	Rohrabacher
Fields	Lloyd	Ros-Lehtinen
Fish	Long	Rose
Flake	Lowery (CA)	Rostenkowski
Foglietta	Lowey (NY)	Roth
Ford (MI)	Luken	Roukema
Frank (MA)	Machtley	Rowland
Franks (CT)	Manton	Roybal
Frost	Marlenee	Russo
Gallegly	Martin	Sabo
Gallo	Matsui	Sanders
Gaydos	Mavroules	Sangmeister
Gejdenson	Mazzoli	Santorum
Gekas	McCandless	Sarpalius
Gephardt	McCloskey	Savage
Geren	McCollum	Sawyer
Gilchrest	McCrery	Saxton
Gillmor	McCurdy	Schaefer
Gilman	McDermott	Scheuer
Gingrich	McEwen	Schiff
Glickman	McGrath	Schroeder
Gonzalez	McHugh	Schulze
Goodling	McMillan (NC)	Schumer
Gordon	McMillen (MD)	Sensenbrenner
Grandy	McNulty	Serrano
Green	Meyers	Sharp
Guarini	Mfume	Shaw
	Michel	Shays
Shuster	Studds	Vucanovich
Sikorski	Sundquist	Walker
Sisisky	Swett	Walsh
Skaggs	Swift	Washington
Skeen	Synar	Waters
Skelton	Tallon	Waxman
Slattery	Tauzin	Weber
Slaughter	Taylor (MS)	Weiss
Smith (FL)	Taylor (NC)	Weldon
Smith (IA)	Thomas (GA)	Wheat
Smith (NJ)	Thomas (WY)	Williams
Smith (OR)	Thornton	Wilson
Smith (TX)	Torres	Wise
Snowe	Torricelli	Wolf
Solarz	Towns	Wolpe
Solomon	Traficant	Wyden
Spence	Traxler	Wylie
Spratt	Unsoeld	Yates
Staggers	Upton	Yatron
Stallings	Valentine	Young (AK)
Stark	Vander Jagt	Young (FL)
Stearns	Vento	Zeliff
Stenholm	Visclosky	Zimmer
Stokes	Volkmer	

NAYS—8

Archer	Crane	Johnson (TX)
Armey	DeLay	Stump
Combest	Doolittle	

NOT VOTING—22

Barton	Gordon	Morrison
Bilirakis	Hutto	Mrazek
Clement	Jefferson	Rahall
Dannemeyer	Kolter	Tanner
Dymally	Markey	Thomas (CA)
Edwards (CA)	Martinez	Whitten
Ford (TN)	McDade	
Gibbons	Miller (WA)	

□ 1506

The Clerk announced the following pairs:

Mr. DELAY and Mr. ARMEY changed their vote from "yea" to "nay."

Mr. KOSTMAYER and Mr. BURTON of Indiana changed their vote from "nay" to "yea."

So (two-thirds having voted in thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MARTINEZ. Mr. Speaker, inadvertently I missed the vote on H.R. 4095 this afternoon, a very important vote, one that is very important to the people of my district. In the past I have strongly supported these kinds of measures. I voted for the past extensions.

Mr. Speaker, I was in a meeting with school board members from my district and did not hear the bells go off.

Mr. Speaker, had I been here, I would have voted "Yes," and I would like that reflected immediately following the vote on H.R. 4095, the emergency unemployment compensation extension.

WITHDRAWAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 323

Mr. McCURDY. Mr. Speaker, I was inadvertently listed as a cosponsor of House Joint Resolution 323. I ask unanimous consent that my name be deleted as a cosponsor.

mittee meeting is the debt burden of developing countries. There is no question that debt burdens have exerted strong pressures on the developing countries to use up their natural resources, including tropical forests, faster than is compatible with sound natural resource and environmental management. One of the ways of providing effective financial support for developing countries participating in a global agreement to protect and preserve forests is to provide debt relief.

Unfortunately an agreement in debt reduction is unlikely at UNCED. Financial ministries which are the key policymakers on debt management are absent from UNCED delegations including our own. However, the U.N. Conference could commit the industrialized nations to enter into consultations with multilateral institutions and heavily indebted developing countries after the Rio Conference to explore new ways to enhance environmental protection through reduction of debt.

This resolution does not impose any commitment on the United States except to examine the problem of debt in a new context. It also seeks to reassure developing nations, whose ability to manage their natural resources sustainably is strained by their debt burdens, that the issue will be addressed in the context of global environmental protection.

Finally, Mr. President, one of the most important issues that will make or break the U.N. Conference is how to finance the additional budgetary costs to developing nations that will result from the many action programs being negotiated at the Conference. The issue that will be sharply debated at the final Preparatory Committee in New York is whether developing countries will receive new and additional funding from the industrialized countries to cover costs. As I stated earlier, the United States has insisted that these costs can be met by reallocating existing development funds to environmental projects. Developing countries fear, however, that this will mean that they will be deprived of financial resources they had counted on to meet their developmental goals.

Mr. President, the recent change in White House Chief of Staff has made many believe that the negative attitude toward the aims of UNCED that had been so evident there may now be replaced by a more constructive attitude toward the Conference. We are introducing this resolution today to urge the President to take full advantage of the opportunities that UNCED presents.

The timeframe between now and UNCED is limited and the amount of work that needs to be accomplished to make the Conference meaningful is tremendous. The role that the United States plays in the meetings leading up to the Conference and the Conference itself will be critical to its success. To ensure a successful Earth Summit, I urge the President to make UNCED an immediate priority and to exert the necessary leadership at both the preparatory meetings and the Conference that is outlined in this resolution. Such action will move us towards an economically prosperous and environmentally sustainable world.●

SENATE RESOLUTION 254—RELATIVE TO THE RECOGNITION OF CROATIA AND SLOVENIA

Mr. SPECTER submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 254

Whereas the democratic Republics of Croatia and Slovenia are under the threat of occupation and violent siege by the oppressive Communist government of Yugoslavia;

Whereas both Croatia and Slovenia have governments that were democratically elected in the spring of 1990 on independence platforms expressing a commitment to democracy and free enterprise;

Whereas the Yugoslav Republics of Croatia and Slovenia declared independence on June 25, 1991, in accordance to the Universal Declaration of Human Rights in the United Nations Charter and the principles of self-determination under international law;

Whereas in declaring independence, the democratic governments of Croatia and Slovenia were exercising their right to secede set forth in the first sentence of the Yugoslav constitution;

Whereas it is in the United States' interest to support the efforts toward freedom, self-determination and political pluralism by the Republics of Croatia and Slovenia;

Whereas the Republics of Croatia and Slovenia are committed to a peaceful transition to full democracy;

Whereas as a condition to recognition, all ethnic minority rights of the Serbians living inside the Republics of Croatia and Slovenia should be fully respected;

Whereas recognition of Croatia and Slovenia will deter further aggression and contribute toward the peaceful resolution of the Yugoslav question relating to the other former Yugoslav Republics including Serbia, Montenegro, Vojvodina, Kosovo, Macedonia, and Bosnia Hercegovina;

Resolved, That it is the sense of the Senate that the United States should immediately recognize the sovereign Republics of Croatia and Slovenia.

● Mr. SPECTER. Mr. President, today I submit a resolution for the immediate recognition of the former Yugoslav Republics of Croatia and Slovenia. On January 15, 1992, the European Community extended formal recognition to these Republics and no fewer than 21 nations have diplomatic relations with them. The United States should do likewise.

The United States can do no good by delaying recognition any longer. De facto, Croatia is already an independent political entity exercising the powers of a sovereign state. The Croatian people overwhelmingly supported independence in a referendum on that question and continue to support it with their blood and their children's blood. Croatia has actively participated in the European Community peace initiative, has met the EC criteria for recognition, and has adopted a constitution that guarantees minority rights. To delay recognition further can only lead observers to wonder.

If the United States continues to withhold recognition, how can we say that we are committed to peace and democracy? We must make it clear that this country continues to stand for the ideals which made us a great nation and a symbol for others. Accordingly, I urge my colleagues to support this resolution.●

AMENDMENTS SUBMITTED

ST. CROIX, VIRGIN ISLANDS HISTORICAL PARK AND ECOLOGICAL PRESERVE ACT

JOHNSTON AMENDMENT NO. 1523

Mr. MITCHELL (for Mr. JOHNSTON) proposed an amendment to the bill (H.R. 2927) to provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes; as follows:

1. Insert after the enabling clause: "SECTION 1. SHORT TITLE. This Act may be cited as the "Omnibus Insular Areas Act of 1992".".

2. In section 202, strike the existing text and insert in lieu thereof the following:

"There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to—

(1) reconstruct essential public facilities damaged by disasters in the insular areas that occurred prior to the date of the enactment of this Act; and

(2) enhance the survivability of essential public facilities in the event of disasters in the insular areas,

except that with respect to the disaster declared by the President in the case of Hurricane Hugo, September 1989, amounts for any fiscal year shall not exceed 25 percent of the estimated aggregate amount of grants to be made under sections 403 and 406 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172) for such disaster. Such sums shall remain available until expended.".

3. In subsection 203(a), strike the phrase "the President shall assess," and insert in lieu thereof, "the President, acting through the Director of the Federal Emergency Management Agency, shall assess,".

4. In subsection 203(b), strike the phrase, "the Secretary shall submit", and insert in lieu thereof, "the Secretary, in consultation with the Director of the Federal Emergency Management Agency, shall submit"

5. In section 204, strike all up to and including the phrase "(42 U.S.C. 4121 et seq.) for" and insert in lieu thereof, "The total of contributions under the last sentence of section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) for the".

6. In section 301 strike the word "wastewater" and insert in lieu thereof "wastewater" each place it occurs.

7. In subsection 301(b), paragraphs (2) and (4), strike the phrase "an assessment and recommendations on" and insert in lieu thereof, "an assessment of, and recommen-

dations regarding."; and in paragraph (3) strike the phrase "an assessment and recommendations for" and insert in lieu thereof, "an assessment of, and recommendations regarding,".

8. In section 305, strike the existing text and insert in lieu thereof the following:

"Section 9(a) of Public Law 99-396 is amended by striking out the period at the end and inserting in lieu thereof the following: "and in subsection (b), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands' and by striking out 'and to Micronesia' and inserting in lieu thereof ', Micronesia, and to the Northern Mariana Islands'.".

SERVICE ON THE UNITED STATES SENTENCING COMMISSION

BIDEN (AND THURMOND) AMENDMENT NO. 1524

Mr. MITCHELL (for Mr. BIDEN, for himself and Mr. THURMOND) proposed an amendment to the bill (S. 1963) to amend section 992 of title 28, United States Code, to provide a member of the United States Sentencing Commission whose term has expired may continue to serve until a successor is appointed or until the expiration of the next session of the Congress, as follows:

Strike section 2 of the bill.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Friday, January 31, 1992, at 10 a.m., possibility of an afternoon session, to receive testimony on the amended defense authorization request for fiscal year 1993 and the future year defense plan.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, Committee on Governmental Affairs, be authorized to meet during the session of the Senate on Friday, January 31, 1992, at 9 a.m., to hold a hearing on "Stealth Compensation of Corporate Executives: Federal Treatment of Stock Options."

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

REFLECTIONS ON THE STATE OF THE UNION

● Mr. WOFFORD. Mr. President, for most of the past year, President Bush refused to take any action to get our economy off dead center, create new jobs, invest in our young people and our communities, or confront the skyrocketing costs of health care in our country.

This week, after more than 2 months of buildup, he put his plans—or at least some of his plans—on the table. For 3 years, his chair's been empty when it comes to the domestic problems pressing down on American families.

We welcome him to the table. We welcome his call for action—because our country cannot move forward without a President ready to lead.

However late he is, this is not the time to look back at the President's lost opportunities. This is not the time for politics as usual. This is the time for the Congress and the President to reach out to each other. This is the time for us to do everything in our power to agree on practical measures that help the American people.

I urge that we in this body consider with open minds the President's specific proposals and support all of them that make sense. And I urge that we ask the President to consider with an open mind the proposals we have been making over these many months to get our economy moving again.

Together, let us put together the best possible combined action plan, and as a first step let us accept the President's date of March 20. Let us move with the same commitment and sense of urgency we demonstrate when we deal with emergencies overseas. Because we have human emergencies to deal with here at home.

Here are some of the President's proposals which I support:

First, extension of unemployment benefits: After repeatedly blocking extensions last summer, the President at last recognizes that millions of our people continue to hurt, to lose jobs, and to face the imminent prospect of a cut off in benefits. Extending unemployment benefits was the first bill I fought for in this Chamber. I am sorry that the sad state of our economy requires us to continue that effort. But it does. So let us act in the next 10 days, before unemployment benefits begin to run out for hundreds of thousands of our fellow citizens.

Second, expansion of housing opportunities: A key part of the American dream is for every family to own a home of its own, and nothing would help bring our economy out of this recession better or faster than action to promote the building and purchase of homes. So let us act to allow first-time home buyers to withdraw from their IRA's without penalty. Let us modify passive loss rules. Let us extend the Mortgage Revenue Bond Program and the low-income housing tax credit.

Third, expansion of Head Start: Let us invest in future generations by increasing the funding for Head Start. I was personally involved in some of the original planning of Head Start in the 1960's, and for many years have urged that Head Start be expanded to make room for all who need it. The time has come to assure access for everyone who is eligible.

Fourth, deductibility for interest on college loans: Let us invest in the education of this generation of college students by reinstating the deductibility of student loan interest. I have been cosponsoring legislation to do just that—and much more to make it possible for all qualified young people to go to college. In the meantime, restoring deductibility is a small, but useful and immediate step we can take to counteract the rising costs of college and help the children of middle-class families get the degree that is so important to their success in life.

Fifth, extension of the research and development tax credit: This is another worthwhile investment in our future competitiveness which I have been urging, along with legislation I have been cosponsoring to provide more far-reaching support of research and development by American industry.

Sixth, acceleration of capital investment in existing programs: Congress and the administration should work together with State and local governments to cut redtape and expedite the application of already appropriated funds, especially the money allocated for highways, bridges, and mass transit. This would create immediate jobs in the construction industry and result in other jobs in related businesses. These public investments not only create jobs now, they lay the essential foundation we need for private investment in the future. We passed the transportation bill last year. Fast action to get those new resources applied to construction and jobs is the least we should expect, but we need the administration's full cooperation.

Seventh, tax relief and economic stimulus: The President's tax proposals show a willingness to inject some money into our economy through lower taxes. I support the basic premise. The change he is suggesting on withholding rules may help a little in the short term. But it does nothing to bring real equity to our tax system.

The President has once again proposed reducing capital gains taxes. But for a capital gains cut to be justified as part of an economic recovery plan, it must be targeted to encourage real, job-creating investment, not the short-term speculation and paper profits we had in the 1980's. We have to make certain that a cut in the capital gains tax helps our whole economy, not simply the wealthy.

I hope that the President will work with the Congress to devise a tax package that will accomplish relief for individuals and middle-income families, as well as the needed stimulus for our economy.

Eighth, savings in military spending, invested in domestic needs: The President recognized the need to reduce military spending in line with revolu-

Mr. RINALDO. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I, too, come here to support this bill, as an attorney who used to represent the public broadcasting station in Pittsburgh and as a very strong supporter of public broadcasting and in the work in particular of WQED in Pittsburgh that has done a fantastic job not only in "Mr. Roger's Neighborhood" but many other local programs. I heartily support this endeavor.

It is unfortunate, however, that we are here discussing public broadcasting instead of doing something very substantive about the growth and the need for economic growth here in this country.

When I walked back up the aisle after the last time I took the well, a few of my colleagues were surprised at the fact that I said that the President of the United States would actually sign this economic growth package, the growth package that we brought to the floor a few days ago.

I will repeat that for members on both sides of the aisle. The President of the United States said this evening that he will sign this economic growth package.

I know there are many Members on the Democratic side of the aisle, because I have talked to many of them, who are anxious to do something about this economy. They are anxious because they know there are problems out there in the economy. They know that people are desperate. They know that this economy needs a jump start. They realize that.

But Mr. Speaker, we are not going to get a chance under the current rules, we are not going to get a chance to vote on an economic growth package before this Congress adjourns for the end of this year.

Now, I would plead with Members from this side of the aisle and Members from that side of the aisle, to the Speaker of the House, please, for the American public, give this economic growth opportunity a chance. Have it debated. Put up your own economic growth package. Let us talk about both of them. Let us have a debate here. Before we take a month and a half off for our vacation time, let us have a debate on the floor of the House before we leave. Let us have a discussion on economic growth.

Mr. RINALDO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I would like to add that Craig Margolis of the Subcommittee on Telecommunications and Finance of the Committee on Energy and Commerce helped us very much in the drafting of this legislation.

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 Massachusetts [Mr. MARKEY] that the House suspend the rules and pass the bill, H.R. 2977, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 2977, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

OMNIBUS INSULAR AREAS ACT OF 1991

Mr. DE LUGO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1688) entitled the "Omnibus Insular Areas Act of 1991", as amended.

The Clerk read as follows.

H.R. 1688

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 "Omnibus Insular Areas Act of 1991".

TITLE I—INSULAR AREAS DISASTER SURVIVAL AND RECOVERY ACT OF 1991

SEC. 101. SHORT TITLE.

This title may be cited as the "Insular Areas Disaster Survival and Recovery Act of 1991".

SEC. 102. DEFINITIONS.

As used in this title—

(1) the term "insular area" means any of the following: American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant to section 401 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 103. AUTHORIZATION.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to—

(1) construct essential public facilities necessitated by disasters in the insular areas occurring prior to the date of the enactment of this Act; and

(2) enhance the survivability of essential infrastructure in the event of disasters in the insular areas.

except that with respect to the disaster declared by the President in the case of Hurricane Hugo, September 1989, amounts for any fiscal year shall not exceed 25 percent of the estimated aggregate amount of grants to be made under sections 403 and 406 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172) for such disaster. Such sums shall remain available until expended.

SEC. 104. TECHNICAL ASSISTANCE.

(a) Upon the declaration by the President of a disaster in an insular area, the President, acting through the Director of the Federal Emergency Management Agency, shall assess, in cooperation with the Secretary and chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary, in cooperation with the Director of the Federal Emergency Management Agency, shall submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the status of the recovery effort, including an audit of Federal funds expended in the recovery effort and recommendations on how to improve public health and safety, survivability of infrastructure, recovery efforts, and effective use of funds in the event of future disasters.

SEC. 105. HAZARD MITIGATION.

The total of contributions under the last sentence of section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) for the insular areas shall not exceed 10 percent of the estimated aggregate amounts of grants to be made under sections 403, 406, 407, 408, and 411 of such Act with respect to any major disaster: *Provided*, That the President shall require a 50 percent local match for assistance in excess of 10 percent of the estimated aggregate amount of grants to be made under section 406 of such Act for any disaster.

SEC. 106. TECHNICAL AMENDMENT.

Paragraphs (3) and (4) of section 102 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) are each amended by inserting after "American Samoa," the following: "The Northern Mariana Islands,".

TITLE II—MISCELLANEOUS PROVISIONS

SEC. 201. AMERICAN SAMOA WATER, SEWERAGE, AND POWER NEEDS.

(a) The Secretary of the Interior shall conduct a comprehensive study or, as appropriate, review and update existing studies to determine the current and long-term water, power, and wastewater needs of American Samoa. Such study shall be conducted in consultation with the American Samoa Government and those Federal agencies which have recent experience with the water, power, and wastewater needs of American Samoa.

(b) The Secretary of the Interior shall report the results of the study conducted under subsection (a) to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the

Senate not later than December 31, 1992. The report shall include—

(1) an assessment of the water, power, and wastewater needs of American Samoa on the date of the enactment of this Act and for the year 2000;

(2) an assessment of, and recommendations regarding, how these needs can be met;

(3) an assessment of, and recommendations regarding, any additional authority or funding which may be necessary to meet these needs; and

(4) an assessment of, and recommendations regarding, the respective roles of the Federal and American Samoa Governments in meeting these needs.

SEC. 202. INSULAR GOVERNMENT PURCHASES.

The Governments of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands are authorized to make purchases through the General Services Administration.

SEC. 203. FREELY ASSOCIATED STATE CARRIER.

(a) In furtherance of the objectives of the Compact of Free Association Act of 1985 (Public Law 99-239) and notwithstanding any other provision of law, a Freely Associated State Air Carrier shall not be precluded from providing transportation, between a place in the United States and a place in a state in free association with the United States or between two places in such a freely associated state, by air of persons (and their personal effects) and property procured, contracted for, or otherwise obtained by an executive department or other agency or instrumentality of the United States for its own account or in furtherance of the purposes or pursuant to the terms of any contract, agreement, or other special arrangement made or entered into under which payment is made by the United States or payment is made from funds appropriated, owned, controlled, granted, or conditionally granted, or utilized by or otherwise established for the account of the United States, or shall be furnished to or for the account of any foreign nation, or any international agency, or other organization of whatever nationality, without provisions for reimbursement.

(b) The term "Freely Associated State Air Carrier" shall apply exclusively to a carrier referred to in Article IX(5)(b) of the Federal Programs and Services Agreement concluded pursuant to Article II of Title Two and Section 232 of the Compact of Free Association.

SEC. 204. MARSHALL ISLANDS FOOD ASSISTANCE.

Section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1681 note) is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 205. NORTHERN MARIANAS COLLEGE.

Section 9(a) of Public Law 99-396 is amended by striking out the period at the end and inserting in lieu thereof the following: "and in subsection (b), by striking out 'and Micronesia' each place it appears and inserting in lieu thereof 'Micronesia, and the Northern Mariana Islands' and by striking out 'and to Micronesia' and inserting in lieu thereof ', Micronesia, and to the Northern Mariana Islands'.".

TITLE III—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, ACT OF 1991

SEC. 301. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 302. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 B.C., and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 303. SALT RIVER BAY NATIONAL HISTORIC PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virginia Islands (hereafter in this title referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled "Salt River Study Area– Alternative 'C'" in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands" prepared by the National Park Service and dated June 1990. The map shall be on the file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 304. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park only by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 305. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). In the case of any conflict between the provisions of this title and such generally applicable provisions of law, the provisions of this title shall govern.

(b) COOPERATIVE AGREEMENTS WITH UNITED STATES VIRGIN ISLANDS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this title referred to as the "Commission") established by section 306, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than the last day of the third fiscal year beginning after the date of enactment of this title, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (d).

(d) ASSISTANCE TO PROMOTE A VIRGIN ISLANDS TERRITORIAL PARK SYSTEM.—During the 10-year period beginning on the date of enactment of this title, the Secretary shall provide the funds for the employees of the Government of the Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation

with the Government of the Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management, except that in no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of such program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 306. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(A) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the Virgin Islands and the United States in accordance with this title;

(2) consult with the Secretary on the development of the general management plan required by section 305; and

(30 provide advice and recommendations to the Government of the Virgin Islands, upon request of the Government of the Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the Virgin Islands, at least one of whom shall be a member of the Legislature of the Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the Virgin Islands. All other officers of the Commission, shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time offices or employees of the United States or the Virgin Islands Governments may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 307. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Virgin Islands [Mr. DE LUGO] will be recognized for 20 minutes, and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from the Virgin Islands [Mr. DE LUGO].

Mr. DE LUGO. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DE LUGO asked and was given permission to revise and extend his remarks.)

Mr. DE LUGO. Mr. Speaker, as you know, the Congress has the responsibility under the Constitution to determine policies for the insular areas in the Caribbean and the Pacific associated with the United States. As Members may be aware, the practice has been to combine many of these decisions on which there is general agreement into omnibus bills.

The substitute for H.R. 1688 before the House is such legislation. It would establish policies to meet several insular situations. It was developed on a bipartisan basis and in consultation with the Senate and the administration.

The Omnibus Insular Areas Act of 1991 that I have proposed has its origins in a bill that passed both the House and the Senate last year. Unfortunately, that bill was not enacted into law because final Senate action came too late for the House to act further before it adjourned.

Today's legislation eliminates the areas of disagreement reconciling the House and Senate versions of last year's bill with the administration. In effect, it is the product of an informal conference.

Thus, the changes made from the bill as passed unanimously by the House last year or as reported by the Interior and Insular Affairs Committee unanimously this year are those we understand are necessary to make it possible for this legislation to finally become law, and become law soon.

The compromises have resulted in a substitute that is acceptable to the administration and that I believe will be accepted by the Senate committee leadership.

These compromises have preserved the most important original purposes of the legislation. So, while issues of controversy have been removed from the substitute, the provisions it retains are, nonetheless, greatly needed.

Some are urgent in nature. For example, one would continue the food program for the Marshall Islands atolls contaminated by U.S. nuclear testing. Another would provide the territory that I represent, the U.S. Virgin Islands, with assistance needed for recovery from the awful Hurricane Hugo. Appropriations for both of these purposes have already been made; but there is need for additional authorization.

INSULAR AREAS DISASTER SURVIVAL AND RECOVERY ACT

Title I of the legislation is the Insular Areas Disaster Survival and Recovery Act. It would authorize measures necessary to enable insular areas to survive and recover from natural disasters.

BACKGROUND OF TITLE I

These provisions were the driving force behind the legislation. They were developed after Hurricane Hugo struck the Virgin Islands with what the Federal Emergency Management Agency [FEMA] described as a "force unsurpassed in this century."

The storm devastated the island of St. Croix in particular. Over 90 percent of the island's buildings were damaged and about 80 percent of the population sought disaster assistance.

A delegation led by the now chairman of the Interior and Insular Affairs Committee, our distinguished colleague GEORGE MILLER, and the Secretary of the Interior, our former colleague Manuel Lujan, agreed that the destruction was so pervasive that assistance beyond that which normal disaster programs could provide was needed.

This was also suggested by FEMA when it reported a year after the disaster that "much still needs to be done before full physical, economic, environmental and psychological recovery is a reality."

The experience of the Virgin Islands is not unique among the insular areas, as a U.N. subcommittee recognized recently in commenting upon the particular vulnerability of small territories to natural disasters. To prove the point I note that just since Hugo, serious disasters have occurred in five of the six Pacific insular areas.

The fact is that the insular areas face extraordinary disaster problems because of the frequency and severity of the tropical storms that strike them.

Their rate of disasters far exceeds the rate of the States.

They need special assistance for responding to disastrous storms because of their distance from the rest of the Nation; their relatively small size, pop-

ulations, resource, and revenue bases; and their relatively high costs and great social and economic needs. In particular, they lack infrastructure strong enough to withstand the ravages of nature.

We have already recognized this by appropriating $7.5 million to the Interior Department for the special disaster problems faced by insular areas. Authorization is needed for spending this appropriation and that is one of the purposes of this legislation.

ANALYSIS OF TITLE I

This legislation, therefore, would:

Authorize Interior Department funded construction of facilities necessitated by disasters which have occurred from the time of Hugo to the present;

Authorize Interior and FEMA funded hazard mitigation, that is, improvements to infrastructure to enable it to withstand the inevitable future natural disasters;

Require the President to assess the ability of an insular area to cope with a disaster and provide any needed technical assistance;

Require the Interior Department to report on recovery a year after disasters occur; and

Clarify the eligibility of the Northern Mariana Islands for normal Federal disaster relief through FEMA.

MISCELLANEOUS PROVISIONS

Title II of the substitute consists of miscellaneous provisions. It would:

Require the Interior Department to report on American Samoa's water and power needs;

Make the current, temporary authorization for insular governments to make purchases through the Federal Government permanent;

Authorize agencies to contract with airlines in the Federated States of Micronesia and the Republic of the Marshall Islands;

Extend the authorization for supplemental food assistance for the peoples of the Marshall Islands atolls contaminated by U.S. nuclear testing; and

Authorize the Northern Marianas College to receive the same endowment authorized for other insular land grant institutions.

Let me briefly explain the background of these provisions.

AMERICAN SAMOA WATER, SEWERAGE, AND POWER NEEDS

The insular areas lack some of the basic infrastructure needed for a decent quality of life and that residents of the States take for granted. The lack of essential facilities poses health hazards, impedes economic growth, and cannot be met with the limited resources of island communities alone. This is especially a problem in the less developed insular areas, such as American Samoa and the Trust Territory Islands of Palau.

The Congress has acted to provide special assistance for many critical insular infrastructure needs; but it has only done so on a piecemeal basis. Further, while some studies of some needs have been done; a comprehensive study of related needs has not.

Last year's bill would have required the Interior Department to make comprehensive recommendations on insular water, power, and sewer needs. An amendment I proposed expanded upon legislation initially sponsored by our colleague ENI F.H. FALEOMAVAEGA.

This bill, as reported by the Interior and Insular Affairs Committee, would have covered all of the U.S. insular areas and the Trust Territory.

There were objections in the administration and the other body, however, to this provision in this bill. Later, though, those objecting on the other side of the Capitol agreed to a very similar provision if it were limited to American Samoa, one of the areas of the most acute need for it.

We, have, therefore accepted the best agreement we could reach with Senate sponsors so that we can at least comprehensively address the very serious problems faced in Samoa. These problems include villages without running water and chronic deficiencies in the electricity delivery system.

The revised provision would require the Interior Department to report regarding Samoa's needs by the end of next year. I have been advised that Chairman BENNETT JOHNSTON of the Senate committee agrees that Interior is to use all funds necessary for the study, which is estimated to cost at least $200,000.

There are also indication from the Senate that they would support use of existing authorities, such as the Interior Departments territories technical assistance program, to examine specific needs in other areas. So, the limitation to Samoa is one with which we can live.

INSULAR GOVERNMENT PURCHASES

Annual appropriations laws enacted since 1950 have authorized insular areas receiving assistance through the Interior Department to make purchases through the General Service Administration. There is, however, no permanent authority for this means of procurement. This authority is needed to enable governments that are greatly dependent upon Federal funds to achieve economies in obtaining equipment and supplies.

The provision to meet this need is identical to one that passed the House last year.

FREELY ASSOCIATED STATE CARRIER

Some of the development assistance granted the Marshall Islands under the Compact of Free Association Act of 1985 has been used to establish an airline. The Defense Department wants to use this airline for transportation to the important Kwajalein Missile Range which is located in the islands. Federal agencies, however, lack authority to contract with freely associated state airlines.

The provision to correct this situation is identical to one that passed both Houses last year. It was cosponsored by the distinguished ranking Republican of the Interior and Insular Affairs Committee, our colleague DON YOUNG.

MARSHALL ISLANDS FOOD ASSISTANCE

The 1985 Compact Act also authorized special supplemental food assistance for the peoples of the four Marshall Islands atolls contaminated by U.S. nuclear testing through fiscal year 1991. Subsequent legislation committed that the assistance would be provided as long as needed.

Some $418,000 has been appropriated for the food program for fiscal year 1992. There is, though, no specific authorization for spending beyond fiscal year 1991.

NORTHERN MARIANAS COLLEGE

The Omnibus Insular Areas Act of 1986 designated the Northern Marianas College a land grant institution. It did not, however, make the college eligible for the $3 million endowment provided other insular land grant institutions.

The provision to authorize the endowment is identical to one that passed the House in 1988.

I appreciate the help that we received on this matter from the Resident Representative of the Northern Mariana Islands, Juan Babauta.

ST. CROIX, VIRGIN ISLANDS PARK AND PRESERVE

Title III of the substitute would establish the Salt River Bay National Historical Park and Ecological Preserve in St. Croix, VI, consisting of approximately 912 acres of land and water. It is virtually identical to the text of H.R. 2927, which passed the House on November 5.

These provisions would:

Authorize the Secretary of the Interior to acquire lands within the boundary of the park and to enter into cooperative agreements with the Government of the Virgin Islands for the management of the park;

Establish a 10-member advisory commission to make recommendations to the Secretary and the Government of the Virgin Islands on how all lands within the boundaries could be jointly managed and to consult in the development of the general management plan; and

Establish a training program for Virgin Islands Government employees directly engaged in park operations.

BACKGROUND OF TITLE II

Salt River Bay, located on the north central coast of St. Croix, has long been recognized as an area worthy of preservation. Legislative efforts to protect it actually date to 1958 when the Legislature of the Virgin Islands voted to purchase 50 acres of the area.

Included were five acres of beach where Christopher Columbus anchored his 17 ships on his second voyage and sent some of his men ashore to investigate the Indian village that was visible on the island's western shore. The 5-acre Columbus

Landing Site was designated a "National Historic Landmark in 1960."

In addition to its rich historical and cultural history, the area also has a wealth of natural and environmental treasures. These include: The largest remaining mangrove forest in the U.S. Virgin Islands; a significant tropical reef system, and a submarine canyon; as well as breeding grounds for a number of North American songbirds.

In 1980, a 690-acre area of Salt River Bay was designated a National Landmark.

DIFFERENCES FROM THE REPORTED BILL

There are several major differences between the reported bill and the substitute other than the one relating to the water, power, and sewerage study that I have already explained.

One, requested by the minority, would limit the authorization for Interior Department funded construction of facilities in insular areas necessitated by disasters to disasters which have occurred from the time of Hurricane Hugo to the present. It would also set the authorization for construction in the Virgin Islands related to Hugo.

The language fixing this authority is similar to language contained in the reported bill setting a limit on assistance to the Virgin Islands through FEMA for hazard mitigation that was deleted from the substitute at the request of the administration.

Another change requested by the minority would respond to the roles of the Interior Department and the Federal Emergency Management Agency in responding to insular disasters. It would add clarifying language to the requirement for the President to assess insular disaster situations in cooperation with the Secretary of the Interior. The language would provide that the assessment is to be done through the Director of FEMA. It would also add clarifying language to the requirement for the Secretary of the Interior to report after insular disasters. This language would provide that the report is to be made in cooperation with the Director of FEMA.

As the committee report makes clear, the legislation is intended to have Interior supplement—and not duplicate—FEMA responsibilities for funding and oversight of and reporting on insular disasters. This was also the effect and intent of the original language. But although the clarifying language I have described is not necessary, we have included it to facilitate approval of this bill.

A third change was agreed to in order to meet one of the two conditions set by the administration for the bill's approval. It would add language to clarify that the additional FEMA hazard mitigation assistance that the legislation would authorize would be provided on a matching basis. It is similar to language contained in last year's bill.

Last year's language was deleted from the reported bill at the request of the distinguished chairman of the Public Works and Transportation Committee, ROBERT ROE. The concern was that the language would eliminate the matching requirement for the already authorized FEMA hazard mitigation assistance by applying a match to only the additional assistance authorized by this legislation.

The fourth change would exclude the Federated States of Micronesia, the Marshall Islands, and Puerto Rico from the Insular Areas Disaster Survival and Recovery Act. This is the change insisted upon by the administration that I am most reluctant to make.

The administration's reasons for excluding Micronesia and the Marshall Islands on one hand and Puerto Rico on the other are different. I want to take a moment to explain them.

The administration objected to the inclusion of Micronesia and the Marshall Islands because it contends that they should receive no disaster assistance beyond that provided under Compact of Free Association legislation.

Compact law provides the freely associated states the same disaster assistance provided the other insular areas. Had the provisions for special insular disaster assistance proposed by the insular disaster relief legislation been in effect when the compact was negotiated, it is reasonable to presume that compact legislation would have extended such provisions to the freely associated states.

In the end, though, it was not the inclusion of the freely associated states—which, admittedly, are not U.S. insular areas but are, instead, merely associated with the United States—that the administration objected to most. It was, instead, the inclusion of Puerto Rico.

The administration's only explanation for its unrelenting objection to the inclusion of Puerto Rico has been a claim that Puerto Rico could require the use of most of the Interior Department's territories technical assistance funds because it is relatively large in comparison to the other insular areas.

This explanation is contradicted by the facts.

First, the legislation's proposed requirement to provide technical assistance to insular governments needing it after Presidentially declared disasters would be an assignment to the President. This is clear in the language of the bill and the President could provide the assistance through agencies other than the Interior Department, such as FEMA.

Second, the committee report on the bill made it clear that the assignment was not intended to require the Interior Department to provide Puerto Rico with assistance under Interior's territories technical assistance program or confer any authority—which does not exist at present—for it to do so.

Setting aside that the administration's excuse for opposing the inclusion of Puerto Rico is groundless, the reality is that Puerto Rico has had great disaster recovery and survivability problems and it is relatively poor. It needs and deserves the humanitarian disaster assistance that the administration is willing to provide the four other U.S. insular areas.

The reason that the administration does not want to provide this assistance is political. If the truth is not that it wants to deny the assistance because the President favors statehood for the Commonwealth and providing special assistance designed for insular areas reinforces arguments against statehood, the motivation may be even less supportable.

The administration, undoubtedly, believes that the goal of statehood justifies denying Puerto Rico special assistance for disasters it is willing to provide the four other U.S. insular areas. As much as we might condemn it for this callous approach, though, the reality is that the administration threatens to deny all of the assistance that this legislation could provide to all of the other insular areas if we do not concede to its denial of the assistance to Puerto Rico.

It position is not right; but has delayed approval of some of the other important purposes of title I and II for several months now. So, the administration confronts us as we near the end of this session with the decision of either trying to finally obtain the provisions that can be approved or obtaining none at all this year.

Because we should not further delay other provisions, we have had to accept the administration's ultimatum regarding Puerto Rico.

Our colleague who represents the Commonwealth, JAIME B. FUSTER, has been a statesman on this matter. The sponsor of the amendment that added Puerto Rico, he has fought valiantly to retain it. Although he does not agree willingly, he has thought, had to recognize the necessity of proceeding with the disaster provisions for the other U.S. insular areas.

Senate differences are the reason for another change in today's substitute.

A provision in the reported bill that also passed the House in last year's bill—and has passed the House this year in other legislation—would have authorized $500,000 per year for projects that would reduce insular dependence upon imported fuels and maximize use of the prodigious indigenous, renewable resources of the insular areas.

The Senate had passed a provision similar to the House provision last year; but Senate sponsors do not want to include a provision in this year's legislation. We have had to accept their decision to enable agreed upon provisions to have a real chance of being enacted this year. And we hope the Senate will consider this provision in the other bill we have sent them.

The final major difference is the addition of the St. Croix, VI, park and preserve provisions as a new title III.

There are two areas of difference between title III and H.R. 2927. They relate to amendments reported by the Senate Energy and Natural Resources Committee. Let me also describe them.

One would reduce the boundaries of the park and preserve to the alternative "C" boundary as contained in the Alternative Study and Environmental Assessment of Salt River which was prepared by the National Park Service.

The other would limit the Secretary to funding no more than 50 percent of the cost of training employees of the Government of the Virgin Islands directly engaged in park operations.

These are relatively minor amendments in the scope of things and do not excessively detract from the primary purposes of the St. Croix park and preserve provisions.

I have, therefore, included them in the substitute in hopes that accepting them can make it possible to have these provisions enacted this year.

While I have taken sometime to explain the differences between the reported bill and the substitute, I want to emphasize again that the compromises have retained the most important original purposes and urgently needed provisions of the legislation. The substitute, therefore, should not only be considered acceptable; it is a more than fair resolution of the differences on this legislation.

In sum, it is a worthwhile bill that I urge my colleagues to approve. Let us send it to the Senate which, I hope and believe, will send it to the President before Thanksgiving.

□ 2030

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

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of H.R. 1688, the Omnibus Insular Areas Act of 1991, which contains a number of provisions of import to some of our U.S. territories and free associated states. A number of these measures have no associated cost, but require authorizing legislation. The others have been limited in scope to keep expenditures to an absolute minimum.

I want to commend my good friend from the Virgin Islands, chairman RON DE LUGO of the Subcommittee on Insular and International Affairs, for agreeing to collectively address matters affecting the island areas. There remains many other outstanding matters affecting the U.S. territories, the trust territory of the Pacific Islands, and the free associated states, which hopefully can be addressed in another omnibus bill next year. H.R. 1688 has been modified to address the concerns raised by the administration. Those specific provisions which the administration found objectionable have been removed.

I also want to commend my very good friend, the delegate from Guam, BEN BLAZ for his effective leadership for the people of Guam.

While all of the individual provisions of H.R. 1688 have merit, the authorization for a land grant endowment for the Northern Marianas College warrants additional comment. In the early 1980's, the Northern Mariana Islands petitioned the Congress to designate the Northern Marianas College as a land grant institution. At that time, I was not convinced that the institution warranted the expenditure of Federal funds, particulary due to the apparent lack of governmental support in the Northern Mariana Islands.

The college was not accredited, shared space in a wing of an old hospital building, and the local government provided sparse funding. However, with the leadership of college President Agnes McPhetres, the Government dedicated the entire old hospital site to the college when the hospital was relocated to new facilities, funding was provided for renovations, staffing and academic resources were bolstered, and the college obtained full accreditation. After these dramatic improvements, I actively supported land grant status for the college, which was in fact extended by Congress in 1986.

President McPhetres has continued her efforts to improve the college, increasing enrollment, diversifying academic programs, and improving the appearance of the school. The college also has been reaccredited, firmly establishing the longevity of the quality of postsecondary education in the Northern Mariana Islands.

Given this impressive development record and the ongoing commitment of the local government and public to the college, it is fuily appropriate for Congress to authorize, as per section 205, a land grant endowment. This corpus of funds will provide a stream of funding for the college to help future students to participate in the quality learning environment provided by the tenacious and dedicated efforts to so many in the Northern Marianas, and particularly, President Agnes McPhetres.

Title III of this bill would establish the Salt River Bay National Historical Park and ecological preserve at St. Croix, VI. This measure would establish a new unit of the National Park System in the one location on U.S. soil where Columbus' men are believed to have landed. This is an important bill and one on which I am proud to be an original cosponsor.

When a similar bill passed the House earlier in the year, some Members on this side of the aisle had a number of concerns with the bill. I am pleased that the Senate addressed those concerns when the Energy and Natural Resources Committee reported the bill last week. Title III of this measure is identical in every significant way to what the Senate reported. One area of difference from the Senate version is that the Senate version makes it clear that payment to Virgin Islands Government employees is subject to appropriation. Technically, that language is unnecessary since all activities authorized in the bill are subject to appropriation.

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

Mr. DE LUGO. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota, [Mr. VENTO] who has been key in this legislation. The gentleman has been a good friend and a tremendous help whenever we need legislation to help the insular areas. The gentleman is the head of the Subcommittee on National Parks and Public Lands of the Committee on Interior and Insular Affairs.

Mr. VENTO. I thank the gentleman. First of all, I thank him for his kind comments, and I will work to earn that high praise in the years ahead that I have the privilege to work with the chairman of the subcommittee, RON DE LUGO.

Mr. Speaker, I congratulate the gentleman on this bill. This has been a difficult task that he has carefully put together.

I specifically want to commend the gentleman for that and also, of course, to rise in support of the provisions in the substitute that deal with the Salt River Bay preserve and historic park in St. Croix, VI, a bill that passed the House without objection earlier this month. It is a significant accomplishment.

This, of course, is also known as the Columbus landing site, the only place under the American flag that we know for certain is a specific area that Columbus visited on his second voyage.

Mr. Speaker, there are minor changes in this. There is a slight reduction of 46 acres which is the view shed area, as it is referred to by those of us that have worked with it, that Secretary Lujan has now signed off on and is willing to accept, or to give up on including such areas. It also provides for cost-sharing provisions with regard to the training of Virgin Island employees. I think that is a fair provision.

I hope it proves to accomplish the success that is necessary.

I hope with these changes that the Senate will accept this omnibus bill and/or that the version that we send to the Senate and hope that this will be a reality in 1992, the 500th year of Columbus's discovery.

I thank the gentleman for his cooperation.

Mr. LAGOMARSINO. Mr. Speaker, I might tell my colleagues my understanding is that the Senate will accept the bill just as it is being presented here tonight.

Mr. Speaker, I want to congratulate the chairman of the subcommittee for the Salt River provision and tell him that we appreciate the efforts of Sec-

retary Lujan in bringing about this important matter.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this bill because I too an concerned about the insular affairs, the insular areas of our country.

I am also concerned about the economic affairs of our country. A few minutes ago I was at the well, and I asked the Democratic leadership if they would release an economic growth package so that it could be voted on here on the floor of the House before we leave. I got my answer. And I got my answer; this was told to me by a ranking member on Rules that in fact they are going to be considering a bill up there, the October surprise.

Now, where are the priorities of the Democratic leadership in this institution when we try to dig up 12-year-old unsubstantiated claims without going through committee process, without going through the hearing process, and yet when it comes to important things such as jobs in America, there is no time for that? The Rules Committee is too busy for that.

The calendar is too jammed for you, America, for the public that is out of work or underemployed. There is not time for you here. We have to wait until the spring or until the summer to take care of you.

But we can do political damage to the President before we leave here. We just cannot help you before we leave here.

Mr. LAGOMARSINO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DE LUGO. Mr. Speaker, I yield myself such time as I may consume.

At this point, I want to thank the gentleman from California, who is the ranking Republican of the Subcommittee on Insular and International Affairs, for the cooperation he has given in developing this legislation. I also want to recognize the roles of the full Committee on Interior and Insular Affairs, our colleagues the gentleman from California [Mr. MILLER] and the gentleman from Alaska [Mr. YOUNG] the help of the chairman of the Subcommittee on National Parks and Public Lands, our colleague from Minnesota [Mr. VENTO] and the involvement of the chairman and ranking Republican of the Senate committee of jurisdiction, BENNETT JOHNSTON and MALCOLM WALLOP.

The distinguished chairman of the Public Works and Transportation Committee, our colleague the gentleman from New Jersey [Mr. ROE], and its Subcommittee on Aviation chairman, our colleague, [Mr. OBERSTAR], the gentleman from Minnesota cooperated on section 203.

I also wanted to thank several members of the staff for their work on this legislation.

Insular and International Affairs Subcommittee staff director, Jeffrey L. Farrow, professional staff member Gail A. Mukaihata, and minority consultant T.E. Manase Mansur worked on all aspects.

Subcommittee professional staff member Virginia A. Sablan had special responsibilities for titles I and II. Subcommittee clerk Daisy M. Minter and full Interior and Insular Affairs Committee professional staff member Lori Sonken contributed to them as well.

Insular and International Affairs Subcommittee professional staff member Brian L. Modeste; my administrative assistant Sheila Ross; and National Parks and Public Lands Subcommittee professional staff member Alexander Scott and staff director Richard Healy made title III possible.

Full Interior and Insular Affairs Committee general counsel Richard Meltzer and staff director Daniel P. Beard were also helpful on this bill.

The committee's minority staff director, Daniel Val Kish, and Public Works and Transportation Aviation Subcommittee counsel David A. Heymfeld helped with section 203. Public Works and Transportation Water Resources counsel Errol Tyler and minority counsel Gabe Roza helped with section 105.

We cannot forget the hard work of assistant legislative counsel Jean Ann Quinn of the Legislative Counsel and analyst James Hearn of the Congressional Budget Office.

We also appreciate the work of Senate Energy and Natural Resources Committee professional staff member, Allen Stayman, and minority senior counsel James P. Bierne.

Last, but not least, I want to acknowledge the cooperation of the Office of Management and Budget's Associate Director for Natural Resources, Energy, and Science, Robert E. Grady and other OMB staff including Ron Cogswell, and other OMB staff including Ron Cogswell, Jim Jordon, Kathy Peroff, Susan Tanaka, Barbara Casey, and Jim Jukes.

Finally, I again want to urge my colleagues to approve this bipartisan compromise package of insular measures so that they can become law this year.

Mr. DE LUGO. Mr. Speaker, I have no additional requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HALL of Texas). The question is on the motion offered by the gentleman from the Virgin Islands [Mr. DE LUGO] that the House suspend the rules and pass the bill, H.R. 1688, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

OLD FAITHFUL PROTECTION ACT OF 1991

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3359) to amend the Geothermal Steam Act of 1970 (30 U.S.C. 1001-1027) and for other purposes, as amended.

The Clerk read as follows:

H.R. 3359

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 "Old Faithful Protection Act of 1991".

SEC. 2. AMENDMENTS TO GEOTHERMAL STEAM ACT.

The Geothermal Steam Act of 1970 (30 U.S.C. 1001 and following) is amended by adding the following new sections:

"SEC. 30. The Congress hereby declares that any use of, or production from, any existing geothermal well, or any exploration for, or development of, any new geothermal well or any facility related to the use of subsurface geothermal resources within the Corwin Springs Known Geothermal Resource Area (as designated in the July 22, 1975, Federal Register (Fed. Reg. Vol. 40, No. 141)) will result in adverse effects on significant thermal features in Yellowstone National Park. Notwithstanding any other provision of law to the contrary, the Secretary shall prohibit any use of, or production from, any existing geothermal well or any exploration for, or development of, any new geothermal well or any facility related to the use of subsurface geothermal resources within the Corwin Springs Known Geothermal Resource Area, including lands and waters and interests or rights in such lands and waters not owned by the United States. For the purposes of this section, the term 'geothermal well' means a well for geothermal steam and associated geothermal resources.

"SEC. 31. The Secretary shall not issue any lease under this Act for lands within a 15-mile radius of the boundary of Yellowstone National Park. Nothing in this section shall be construed to affect the ban or prohibition referenced under section 28(f) and section 30.".

SEC. 3. MORATORIUM AND STUDY.

(a) Any use of, or production from, any existing geothermal well, or any exploration for, or development of, any new geothermal well or any facility related to the use of subsurface geothermal resources is prohibited on lands and waters and interests or rights in such lands and waters not owned by the United States, within a 15-mile radius of the boundary of Yellowstone National Park, except with respect to the Island Park Geothermal Area (as designated by the map in the 'Final Environmental Impact Statement of the Island Park Geothermal Area' (January 15, 1980, p. XI)), to which such prohibition shall apply to lands and waters and interests or rights in such lands and waters not owned by the United States within the full extent of such Area, until 180 days after the receipt by Congress of the study referred to in subsection (b). Nothing in this section shall be construed to affect the ban or prohibitions referenced under section 28(f), section 30 and section 31 of the Geothermal Steam Act of 1970.

(b) The National Park Service, in consultation with the Forest Service and the United States Geological Survey, shall con-

duct a study on the impact of potential geothermal development on the thermal features of Yellowstone National Park. Such study shall not include the area referred to under section 30 of the Geothermal Steam Act of 1970, and shall not include federal lands within the areas referred to in section 28(f) and section 31 of such Act. The study shall be submitted to Congress no later than four years after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Montana [Mr. WILLIAMS] will be recognized for 20 minutes, and the gentlewoman from Nevada [Mrs. VUCANOVICH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

□ 2040

Mr. WILLIAMS. Mr. Speaker, I yield myself 5 minutes.

My colleagues, Yellowstone National Park is America's first national park. Many believe it to be the world's premium national park. It is in trouble today. Yellowstone's majesty is in its mountains and meadows; its uniqueness is in its hot springs and geysers, such as Old Faithful. That uniqueness is being jeopardized by continuous efforts during the past several years by companies and organizations who are requesting permits to drill into the geothermal system which underlies Yellowstone and its environs.

Mr. Speaker, the legislation which is before us this evening, H.R. 3359, called the Old Faithful Protection Act, accomplishes several things, and I will take a couple of minutes to explain to my colleagues in the House, but primarily it accomplishes the following:

Mr. Speaker, it provides for Yellowstone Park and its wonderful thermal features ironclad, copper-riveted, rock-ribbed, no-risk protection. It does it, my colleagues, in the following ways:

First, it prohibits any use of or production from any existing geothermal well or any exploration for, or development of, any new geothermal well on lands not owned by the United States within what is known as the Corwin Springs Geothermal Resource Area.

Second, it imposes a permanent moratorium on geothermal leasing on Federal lands within a 15-mile radius of the boundary of Yellowstone National Park.

Third, it prohibits any use of or production from any existing geothermal well or any exploration of or development of any new geothermal well on lands owned by the United States within a 15-mile radius of the boundary of Yellowstone.

Thus, Mr. Speaker, there is a prohibition on lands, both private, State and Federal. The ban on lands not owned by the United States is temporary, and that temporary moratorium is for 4 years, during which this legislation requires a study by the National Park Service in consultation with the Forest Service and the United States Geological Survey, a study conducted to determine the impact of any geothermal development on the thermal features of Yellowstone Park. That study will be submitted to the Congress no later than 4 years after the date of enactment of this act.

With those provisions, Mr. Speaker, we believe that the unique and enormously important thermal features that underlie Yellowstone National Park will not be harmed, will not be harmed because we prohibit the drilling of any new wells or the development of any existing wells on all lands surrounding the park, and on those lands which are not owned by the United States we place a moratorium until this study is completed.

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

Mrs. VUCANOVICH. Mr. Speaker, I yield myself such time as I am consume.

(Mrs. VUCANOVICH asked and was given permission to revise and extend her remarks.)

Mrs. VUCANOVICH. I rise today with serious concerns about the bill before us, but let me begin by reiterating the view of everyone from the minority who spoke on H.R. 3359 at the full Interior Committee markup. We all expressed a sincere desire to insure Yellowstone National Park's thermal features be protected from legitimate threats. No one on our committee, and I daresay in this body, would ever think, say, or vote otherwise, that's abundantly clear. So when we clear away the partisan rhetoric about who is more faithful to Old Faithful what remains?

Mr. Speaker, I am afraid we are left with a bill that likely would effect a taking of private property rights. Now, you have heard much speechmaking regarding the "takings" issue already, and likely will hear more denials of this assessment. But, Mr. Speaker, even if the provisions in this bill were ultimately deemed by the judicial branch to not rise to the threshold of a legislative taking, I still could not support this bill as amended.

Why? Because, enactment of H.R. 3359 would greatly diminish the value of the Royal Teton Ranch without granting any compensation. Mr. Speaker, at the subcommittee hearing not one witness attempted to dispute the valuation of the ranch's water right at between $1 and $11 million. We must, therefore, assume that this value range is accurate. I believe strongly that Congress ought not to diminish anyone's private property value by this magnitude, unless we go ahead and acknowledge the necessity for the action and pay them for it.

Obviously, Mr. Speaker, many of my colleagues agree with this sentiment. Protection of private property from seizure without compensation fueled the effort in the conference on the highway bill to agree to language regarding executive branch assessments of potential takings. Mr. Speaker, the electorate is fed up with the rapacious appetite of the Congress to pass laws with little regard to their economic impact. I believe, as does the administration, that H.R. 3359 is yet another example.

As I said before, we agree the protection of the thermal features of Yellowstone National Park is important. That is why in 1988 the Congress directed the U.S. Geological Survey to study potential impacts upon the park from pumping a well on the Royal Teton Ranch. Mr. Speaker, the USGS has reported back and the verdict is:

> Fluid production from the existing geothermal well * * * at rates up to about 25 liters per second * * * poses no discernible risk of decreased discharge of the Park's thermal springs.

Mr. Speaker, the majority from the committee wishes to paint this report as unbalanced because the views of the National Park Service were not specifically included. We disagree and believe the scientifically reached conclusions are valid. I do not intend to seek a recorded vote on H.R. 3359, so I won't go into detail why we believe the majority failed to make the case against the science contained in the USGS report.

However, I will say that if the science stands up to scrutiny—and we believe that it does—then the majority's takings assessment is insupportable. The test, as outlined in the committee report, is no taking exists if an action would substantially advance a legitimate State interest. We believe that a proposed pumping rate that would have no discernible impact upon the park's thermal features simply cannot substantially advance protection of Yellowstone Park. Therefore, the pumping ban in H.R. 3359 fails to meet the recognized criteria, and the loss of value of the Royal Teton Ranch is a taking of the owners' property. The administration shares this view.

Furthermore, Mr. Speaker, we are concerned about the committee's refusal to listen to the professional advice of the agency with the clear expertise to perform this assessment. This bill would require the Park Service to perform a similar assessment of impacts from potential private geothermal development within 15 miles of Yellowstone's borders. The majority is shopping for the recommendation they want to hear—disallow private activity within a buffer zone around the park because of potential threats, real or imagined.

Mr. Speaker, I end on an observation made by a witness at our hearing. The true crown jewels of this Nation are not our parks, but rather the protection of individual freedoms embodied in the Bill of Rights. With respect to the pumping ban in this legislation, we believe both Yellowstone National Park and private property rights can be protected by incorporating the scientific conclusions of the U.S. Geological Survey. If Congress insists upon disallowing any pumping, we believe

be removed from suspension or defeated under suspension.

The Suspension Calendar is a valuable parliamentary tool which allows for the speedy consideration of noncontroversial bills. It should not be used to push through complex legislation which could determine whether the Government is repaid billions of dollars owed to it.

I ask my colleagues for their support in defeating H.R. 3298.

The SPEAKER pro tempore (Mr. LEHMAN of California). The question is on the motion offered by the gentleman from Texas [Mr. DE LA GARZA] that the House suspend the rules and passed the bill, H.R. 3298, as amended.

The question was taken.

Mr. KOLBE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, ACT OF 1991

Mr. VENTO. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 2927) to provide for the establishment of the St. Croix, VI, Historical Park and Ecological Preserve, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2927

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 "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1991".

SEC. 2. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 BC, and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 3. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 1,046 acres of land, waters, and interests therein within the area generally depicted on the map entitled "St. Croix, Virgin Islands Historical Park and Ecological Preserve", numbered NA-SCHP-80,001, and dated July 1991. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor on St. Thomas and St. Croix, Virgin Islands.

SEC. 4. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this Act referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park only by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this Act and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS WITH UNITED STATES VIRGIN ISLANDS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 6, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this Act.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) INTERIM PROTECTION.—Prior to the adoption of the park's general management plan, the Secretary, the Governor, and the Commission shall monitor all land and water use activities within the area to ensure that such activities are in keeping with the purposes of this Act and shall advise and cooperate with the appropriate Federal, territorial, and local governmental entities to minimize adverse impacts on the values for which the park is established.

(e) ASSISTANCE TO PROMOTE A VIRGIN ISLANDS TERRITORIAL PARK SYSTEM.—During the 10-year period beginning on the date of enactment of this Act, the Secretary shall provide the funds for the employees of the Government of the Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management. A primary objective of such program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 6. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological

of business or default that they could walk away from their obligation. Nothing could be further from the truth, because it says, "Any bank leaving the Farm Credit System pursuant to section 7.10 of this act shall be required under regulations of the Farm Credit Administration to pay to the Financial Assistance Corporation the estimated present value of such future payment had the bank remained insistent."

The reason why we are doing regulatory accounting is because we are afraid some of these banks may indeed not only leave the system but go into receivership, or go where one goes, goes to the window to borrow more money, in some of these cases. And that is the reason we are trying to provide this option to them.

So again, it is a technical matter. Some of us are getting into it at a late date, but I was trying to keep the record somewhat clear. I would also want to point out that, without batting an eye, we give hundreds of billions of dollars to the savings and loan so-called bailout around here, some of which was brought on by fraud and criminal activity.

There is no obligation whatsoever that any of the borrowing of the 2.61, not 1.3 or more than 1.3, it is $1.26 billion has been borrowed so far as a result of any wrongdoing. We simply have a system which is based upon one industry or one commercial venture, and that is American farming. Everybody here knows that American farming has gone through significant problems, and the borrowing and debt that occurred with that and associated with that, some of it has gone sour. That is what these borrowings are all about.

So again, I want my colleagues to know there is nobody to be enriched unjustly by this bill. There has been no wrongdoing. There is in fact no bailout. We settled this back in 1987, with this very appropriate procedure which we have in place under current law. This just beefs it up.

The Treasury likes this. I understand OMB likes it, too, but I am not saying that yet until I see it in writing. So let us kind of give it a chance to work. That is why I rise in support of this bill today.

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

Mr. DE LA GARZA. Mr. Speaker, I yield 1 minute to the gentleman from Alabama [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I thank the gentleman for yielding time to me. This is something that is very hard for me to do, to oppose my chairman, who I served with for 4 years. I have the utmost respect for Chairman DE LA CARZA and the gentleman from Missouri [Mr. COLEMAN] and the gentleman from Oklahoma [Mr. ENGLISH].

I have no problem with this bill except for one part, and that is the part dealing with the FICB in Jackson. We have a lot of farmer borrowers in my district that are very concerned about this. They are very concerned about a forced merger. They would like a vote on it, and I think that I am going to have to certainly agree with them that they are entitled to a vote. I would ask the Members to look very carefully at this and to vote against the bill on suspension.

Mr. DE LA GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman for his comments and just briefly in closing say that the $1.26 is under GAP accounting procedure. On the concerns of the gentleman from Mississippi, this was done in 1987. They are treated no differently than everyone else was treated in 1987. Further, lest there be a misconception, the concerns regarding two banks, there are stockholders in Mississippi, in Alabama, and in Louisiana that favor this legislation and that are supporting this legislation.

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

Mr. TAYLOR of Mississippi. Mr. Speaker, I rise to support the position of my fellow Mississippians, MIKE ESPY, MIKE PARKER, JAMIE WHITTEN, and SONNY MONTGOMERY. For many months now, all of us have been struggling to find a fair solution to a very complicated problem: how to best ensure that farmer borrowers in our area are well served by their local farm credit lending institutions.

Mr. Speaker, like my colleagues, I have serious concerns with the solution proposed in section 401 of this bill. It appears the result would be to force a merger of the financially strong Federal Intermediate Credit Bank of Jackson without giving its stockholders a real voice in that decision. Indeed, the stockholders vote called for under the bill is for all practical purposes meaningless, since the regulator could still dictate a merger regardless of what the farmers say they want and it is the farmers-owners whose considerable assets are at stake.

Mr. GRADISON. Mr. Speaker, I rise in opposition to the passage of H.R. 3298. The Omnibus Budget Reconciliation Act of 1990 contained an important provision relating to Government-sponsored enterprises [GSE's]. In effect, Congress committed itself to ensuring that these huge quasi-governmental entities, with their enormous contingent taxpayer liabilities, be operated in a safe and sound manner. Making important progress toward this goal, the House recently passed legislation for Fannie Mae and Freddie Mac. At the same time, the Banking Committee has substantially improved the legislation affecting Farmer Mac.

Not so with respect to the Farm Credit System. The House Agriculture Committee, which has sole legislative jurisdiction over the FCS, has reported a bill, H.R. 3298 (The Farm Credit Banks and Association Safety and Soundness Act of 1991), which fails to accomplish the minimum reforms needed to ensure that the Farm Credit System repay the Treasury $3.1 billion in principal and interest. I would like to offer an amendment when H.R. 3298 reaches the floor. In order to do this, however, the bill must first be defeated under suspension.

The Farm Credit System [FCS] is a government-sponsored enterprise which includes 12 regional banks (Banks). These Banks in turn supervise rural lending associations. The obligations of the FCS are implicitly backed by the Government. The Treasury, GAO, and CBO have all concluded that the FCS is the weakest of all GSE's. Without the implicit Government guarantee the FCS would probably not qualify for an investment grade rating on its bonds.

The Federal Government has already had to bail out the FCS once. In 1987, Congress passed legislation authorizing the Federal Government to guarantee up to $4 billion in loans to help failing FCS institutions. Roughly $1.3 billion in guarantees have already been made. Under the terms of the bailout legislation, the FCS will repay the bonds when they become due. It must also pay all of the interest. These payments are estimated to total over $3.1 billion.

The current law governing the FCS contains two major deficiencies. First, there is no requirement that the FCS establish a sinking fund to repay the Government. Yet, unless the FCS begins to set aside funds now, it is unlikely to be able to repay the bonds when they become due. Second, current law weakens the accounting standards which apply to the FCS. Specifically, the FCS may not recognize its repayment obligation as a liability on its books. Past experience has shown us that hokey accounting standards do not help weak financial institutions and only serve to put taxpayers at increased risk. So-called regulatory accounting practices do not strengthen weak financial institutions, they only hide their weakened condition.

Mr. Speaker, H.R. 3298 fails to correct either of these problems. Although the bill would require banks to set up a sinking fund, repayments would not be required if they should cause a bank to fall below its capital requirements or if the repayments exceeded the bank's profits. By maintaining low capital levels and passing all profits through to its owners, a bank could thus avoid making any payments to the sinking fund.

The second major deficiency of H.R. 3298 is that it continues to forbid the FCS's regulator from considering the repayment obligation as a liability. Worse, it allows banks to count some sinking fund payments as capital, in spite of the fact that the funds must be used to repay the Government and thus they are clearly not available to cover future losses of the bank. It is true that banks must write off this capital over the final 5 years. However, unless the banks can find new funds to replace this capital, they will fall below their minimum capital standard. Thus the bill makes it likely that the Government will be faced with the choice of placing banks in receivership or forgiving some of the debt, that is, a bailout.

Mr. Speaker, my amendment to H.R. 3298 would cure these problems. Its purpose is simple. It merely forces the Farm Credit System to use the same GAAP standards that any other business uses. My amendment even includes a provision that prohibits the FCS's regulator from taking action against a bank if it falls below its capital standard as a result of the proper recognition of this debt.

In order for the House to consider my amendment, therefore, H.R. 3298 must either

Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed by the governments of the Virgin Islands and the United States in accordance with this Act;

(2) consult with the Secretary on the development of the general management plan required by section 5; and

(3) provide advice and recommendations to the Government of the Virgin Islands, upon request of the Government of the Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the Virgin Islands, at least one of whom shall be a member of the Legislature of the Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this Act except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this Act, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this Act unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from California [Mr. LAGOMARSINO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2927.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

□ 1430

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

Mr. Speaker, H.R. 2927 was introduced by Representative RON DE LUGO and as amended would establish the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, VI. Congressman DE LUGO has done a masterful job in working with the Department of Interior and representing the Virgin Islands interests. It has been good to work with him on this significant new policy.

H.R. 2927 would provide for a new National Park System unit consisting of approximately 1,000 acres located at Salt River Bay on the Island of St. Croix. This area has long been recognized for its unique combination of cultural and natural features. These features include archeological remains indicating over 2,000 years of continuous human occupation and natural features including the largest remaining mangrove forest in the U.S. Virgin Islands, a large tropical reef system, and a submarine canyon.

Salt River Bay is also the only known site where Christopher Columbus landed on what was to become U.S. territory. In 1493, on his second of four voyages to the New World, Columbus anchored his 17 ships outside the reef and sent his soldiers to investigate an Indian village on the western side of the bay.

The establishment of a National Park System unit at Slat River Bay is a high priority of the Secretary of the Interior. Secretary Lujan visited the site personally and worked with Mr. DE LUGO on drafting the bill. The Secretary testified in strong support of the bill at the subcommittee hearing on this matter in late September, as did the Governor of the U.S. Virgin Islands, the President of the Virgin Islands Senate, and representatives from several national and local environmental and cultural resource preservation organizations.

H.R. 2927 is intended to create a partnership between the National Government and the Government of the Virgin Islands in the management of the park. This measure was carefully drafted to address the unique needs of these entities and the amendment in the nature of a substitute adopted by the Interior Committee that is before the House today strengthens this partnership approach. Cooperation between the Virgin Islands Government and the National Park Service in the management of this unit will be essential, because it is a relatively small area and over half of the acreage of the park is owned by the Virgin Islands Government. I believe the safeguards built into the bill and cooperative spirit which has been the hallmark of this project so far will ensure that management issues will be addressed in a cooperative fashion and that the park will be managed according to standards of other units of the National Park System.

As I mentioned, the Interior Committee made several changes to the bill as introduced. These changes included clarifying that the area is to be a unit of the National Park System and administered according to laws generally applicable to units of the National Park System, improving the bill's ability to address adverse impacts from development within park boundaries and providing a directive on the interim protection for the park's fragile natural, cultural, and archeological resources for the period before the general management plan is in place.

Mr. Speaker, this legislation is a significant natural and cultural resource protection initiative which has strong bipartisan support. It is also one of the most appropriate ways our Nation can commemorate the 500th anniversary of the voyages of Christopher Columbus. Not only will this park preserve a nationally significant natural and historical site, it will provide an excellent opportunity to interpret the diverse native cultures which existed prior to the arrival of Columbus and the impact that Columbus and other European explorers had on Caribbean culture and history. The bill has the strong support of the Secretary of the Interior as well as the Governor and the Delegate from the Virgin Islands.

It is supported by a large majority of the members of the Interior Committee on a bipartisan basis. I urge Members to support this measure.

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

(Mr. LAGOMARSINO asked and was given permission to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of H. R. 2927, a bill to authorize establishment of Salt River Bay National Historical Park at St. Croix, VI. As an original cosponsor, I support the concept of establishing a Federal park unit at the only known site on American soil where Columbus' men are believed to have landed. I also support the concept of requiring the National Park Service to provide training and technical assistance to the Virgin Islands Government for the purpose of development of their own territorial park system.

Certainly, the leadership of Mr. DE LUGO in the development of this bill deserves strong recognition by all Members of this body. He has been working on this proposal for a number of years, with both the Virgin Islands Government, the National Park Service, and, importantly, the Secretary of the Interior. Without his efforts, not only would we not be here today passing this bill on the eve of the historic celebration of Columbus' landing, but we may well have suffered irreversible damage of resource values at the site of this historic event.

However, I could not say that there is total agreement on this side of the aisle with respect to this bill. A majority of Republican Interior Committee members have signed dissenting views on this measure. While, as I say I support this bill, I share the concerns raised in those views. The three primary areas of concern with respect to this measure are: the extent of park lands within the overall park boundary, requiring the Federal Government to fund all costs associated with acquisition, development, and operation of the park, and questions about park management framework. I must say, however, that our former colleague, the Secretary of the Interior, Manuel Lujan, supports the bill as written.

The issue which drew the most concern from Members on this side of the aisle is the proposal to include all lands within the viewshed of the landing site within the park boundary. This resulted in a park size much larger than the minimum area studied by the National Park Service.

While I would agree that protecting the historic scene is an important aspect of ensuring a quality visitor experience at all national historical parks, I do not agree that necessarily means eliminating every visible modern intrusion. If we embark on this course of action here, there is no reason not to do so at Lexington and Concord, Gettysburg, the Franklin Roosevelt home, or the hundreds of other historic and prehistoric sites currently in the park system. This boundary establishment approach is an unnecessary, purist approach which this country cannot afford.

With respect to the management provisions of this bill, we believe that the committee should have gone further to clarify the respective rules of the United States and Virgin Islands Governments. While the report authored by the chairman is an excellent one, on which I commend him, I'm not convinced that Congress has done all it can in the actual bill language to ensure protection of critical park values.

I support this bill before us today, but I hope that the Senate will address these important concerns prior to final action on this measure.

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

Mr. Speaker, as I gave my opening statement I recognized the significant, important work that the gentleman from the Virgin Islands [Mr. DE LUGO] had done on this measure for the last several years. I had the pleasure of visiting this site several years ago. The gentleman from the Virgin Islands [Mr. DE LUGO] and the Governor greeted me and guided me to these sites and to other important Park Service sites that we have in this part of the world. It was a good trip, one that I will long remember. We came away with a lot of information that obviously has propelled us today into the work on the floor dealing with the designation of this unit.

Mr. Speaker, I am very pleased with the work of the gentleman from the Virgin Islands [Mr. DE LUGO] and craftsmanship in working on this legislation with the Secretary of the Interior.

Mr. Speaker, I yield such time as he may consume to the gentleman from the Virgin Islands [Mr. DE LUGO].

Mr. DE LUGO. Mr. Speaker, I rise in support of H.R. 2927 to establish the Salt River National Historical Park and Ecological Preserve, at St. Croix, VI.

The legislation before us, Mr. Speaker, marks the culmination of years of effort to save Salt River Bay, beginning in 1958, when the Virgin Islands Legislature voted to purchase 50 acres of the area, including the 5 acres of beach where Admiral Christopher Columbus—on his second voyage to the New World—anchored his 17 ships and sent some of his men to investigate an Indian village that was visible on the western side of the bay.

I was a member of the Virgin Islands in 1958, Mr. Speaker, and was proud to cosponsor the original legislation that began the process to save the area.

The Columbus Landing at Salt River, Mr. Speaker, is the only place—on what was to later become United States Territory—where Columbus' party is known to have set foot. There is no disputing that the fleet, after leaving Salt River, passed by St. Thomas and possibly the British Virgin Islands, and that they eventually stopped in Puerto Rico, but exactly where is not known.

The other interesting historical feature of Salt River is that it is a microcosm of the entire history of early European colonization of the Caribbean. The Spanish, British, French, Dutch, and the Knights of Malta all had settlements there. And, indeed, the success and failure of each of these settlements mirrored the turbulence of the wars and conflicts that swept across Europe at the time. As a result, you had the Spanish in 1650, attacking and driving out the English who had established a settlement at Salt River in 1647, and who where, themselves, attacked and driven out by the French later that same year.

In addition to its rich historical and cultural resources, Salt River also has a wealth of natural and environmental treasures. These include the largest remaining mangrove forest in the Virgin Islands and a variety of tropical marine and terrestrial ecosystems. This will truly be a remarkable park, Mr. Speaker, for it will combine an ecological treasure chest with a window on human history that may go back as far as 2000 BC, or even earlier.

No less important to passage of this bill, Mr. Speaker, is the intent for there to be an unprecedented degree of Federal and local cooperation in the preservation and management of the site. To that end, I have included in the legislation a provision to establish a 10-member advisory commission to make recommendations on how all the lands within the park will be jointly managed, and to also in the development of the general management plan.

There are three other national park units already in the Virgin Islands, Mr. Speaker, and it saddens me to say that the Park Service has sought little input—if any—from the people of the Virgin Islands in the management of those other units. This bill will establish a new relationship, a thoroughly reasoned attempt to not repeat the mistakes of the past.

Mr. Speaker, on the question of returning the boundaries to the alternative C boundary, it is our former colleague, the Secretary of the Interior, the Honorable Manuel Lujan, who after visiting Salt River, recommended that we increase the boundary of the park to what is in the bill before us.

One of the most important reasons for including this additional acreage within the boundary is so that the Park Service can offer tax incentives to the owners of these dwellings, as inducements of them to donate their property to the park. These incentives, Mr. Speaker, would not be available if the property were not within the boundary of the park.

Mr. VENTO. Mr. Speaker, will the gentleman yield?

Mr. DE LUGO. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Speaker, I also want to clarify that it is my understanding there is some suggestion that the park or boundary adjustments were somehow to deal with the entire viewshed of the area. It is my understanding that the addition of this 140 or so acres is principally for administrative purposes, principally to try to limit the development to what it is today.

Very likely what would happen in this instance is a scenic easement would be purchased and/or, as the gentleman has said, there may even be a donation of some of the easements, or the entire property for the benefit of some sort of tax adjustment, which is the current law.

So we are not changing any of that. That at least would be the preferred alternative. I guess under some scenarios you could see a circumstance where there would be a willing seller and a willing buyer and the Park Service may buy almost all of this. I do not anticipate that to be the case. But it is not, I might say, for viewshed. It is principally, as I understand it, because of the administrative boundaries and, of course, to prevent the construction of something that would be adverse and would adversely impact in terms of these areas.

Mr. DE LUGO. Mr. Speaker, in addition, it is not the intent of anyone, especially the Secretary of the Interior, to condemn these homes and acquire them all immediately. Should these dwellings have to be acquired, they will be acquired over time, and in most cases, it is expected that the Park Service will acquire less than fee interest in the dwellings such as conservation or scenic easements to prevent incompatible development. The bill also includes language which prohibits condemnation of private dwellings without the owners consent.

As for the Virgin Islands contribution to the management of the park, the Virgin Islands Government will contribute over half of the acreage in the boundary to the park. This includes all 600 acres of the water within the 1,046 acre park, and 65 acres of land. And most importantly Mr. Speaker, we will be contributing the crown jewel of the park, the five-acre Columbus landing site.

As for training of local employees in park management, those who are complaining without even checking the figures, should know it provides for training of only four staff persons a year at $99,300—a paltry sum of pay for a magnificant park and a true partnership.

This legislation Mr. Speaker, has been a bipartisan effort from the very beginning. Our former colleague, the Honorable Manuel Lujan, Secretary of the Interior, has been a strong supporter of the bill from the outset. He and his staff have worked closely with me and my staff in drafting the bill. To further demonstrate his support for the bill the Secretary took the unusual step of personally testifying in favor of the bill before the Subcommittee on Parks and Public Lands here in the House. I would like to express my sincerest thanks and appreciation to Secretary Lujan for all his help and support in getting the legislation to where it is today.

I would also like to thank all those who have supported H.R. 2927, especially for their testimony in support of the legislation during the subcommittee hearings. First, the person I wish to thank is the Governor of the Virgin Islands, the Honorable Alexander Farrelly. Governor Farrelly personally traveled to Washington when hearings were held on the bill to testify in support of the legislation. I would also add that this legislation would not have been possible without Governor Farrelly's endorsement.

Second, I wish to thank as well the three Senators from the Virgin Islands, Senators Virdin Brown, Malcolm Callender, and Holland Redfield, who also testified in support of the bill in committee. In particular, Senate President Brown, whose leadership on behalf of the legislation on the local level was a key ingredient in laying the groundwork for local support.

Finally, I wish to thank all those who also testified in person or submitted a statement in support of the bill. They include: Brad Northrup, vice president of the Nature Conservancy; Paul Pritchard, president of the National Parks and Conservation Association; Michael Walsh, president of the St. Croix Environmental Association; William F. Cissel, president, Society of the Virgin Islands Historians; Lilliana Belardo de O'Neal, senator 19th Legislature of the U.S. Virgin Islands; Austin Reid, president, National Association for U.S. Virgin Islands Affairs; Fred Sladen; Roland Wauer; Jessie Thompson, president, Christopher Columbus Jubilee Committee; Rudy G. O'Reilly, Jr., now studying for his master of science in botany at UVR; Liz Wilson and Helen Gjessing, V.I. League of Women Voters; Barbara Hagan-Smith, executive director, St. Croix Landmarks Society; Sandi Savage, Ken Jones, and Margaret Hayes, St. George Village Botanical Garden of St. Croix; James Savage, president St. Croix Chamber of Commerce; and Orville Kean, Ph.D., President, University of the Virgin Islands.

I also want to especially thank my administrative assistant Sheila Ross, my former legislative assistant Brian Modeste, and to Sam Bough, my district supervisor for their tireless work in getting the legislation to where it is today. My thanks also goes to the staff of the Subcommittee on Parks and Public Lands, notably Sandy Scott and Staff Director Rick Healy for their efforts in working on the legislation as well.

In conclusion Mr. Speaker, I wish to thank the chairman of the full Interior Committee, the gentleman from California [Mr. MILLER], and also the chairman of the Subcommittee on Parks and Public Lands, the gentleman from Minnesota [Mr. VENTO] for their hard work and assistance in bringing the legislation to the floor. My thanks also to the distinguished gentleman from California [Mr. LAGOMARSINO] for his support of the legislation as well. Thank you, Mr. Speaker, for allowing me to speak in support of the bill, and I urge my colleagues to vote in favor of passage of H.R. 2927.

□ 1440

Mr. LAGOMARSINO. Mr. Speaker, I yield back the balance of my time.

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

I asked the staff of the gentleman from the Virgin Islands [Mr. DE LUGO] about the size of the island. I know that these islands are very small and this island is probably a little over 100,000 acres of land in the Virgin Islands.

As indicated, it is donating a significant amount of land.

He commented that one of the Virgin Islands, St. John's, two-thirds of the land is park now. And on St. John's Island, which is one of the Virgin Islands that the gentleman from the Virgin Islands [Mr. DE LUGO] represents, that Members would be well-advised to pay special attention to the concerns and impact that we have here in terms of these issues.

No Member is more sensitive, I might say, to that than the gentleman from the Virgin Islands [Mr. DE LUGO] in terms of his conversations and advocacy here in terms of what we are doing. So I very much appreciate his work in this instance. I think we have come up.

Really, I feel today ought to be a day that we should be celebrating the establishment and the designation of this new national park, not just because of the quincentennial, but because of the other resources and the long history that these Virgin Islands represent as part of our country and as part of our Nation.

I am very proud that it has been worked out and that is a really good measure. I hope that Members would support it strongly.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LEHMAN of California). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 2927, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE DEVELOPMENT PLAN FOR PENNSYLVANIA AVENUE

Mr. KOSTMAYER. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 3387) to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3387

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

SECTION 1. PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION.

Section 17(a) of the Pennsylvania Avenue Development Corporation Act of 1972 (86 Stat. 1266, 40 U.S.C. 885(a)) is amended by striking out all that follows "1991;" and inserting in lieu thereof the following: "and $2,80?,000 for the fiscal year 1992.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. KOSTMAYER] will be recognized for 20 minutes, and the gentleman from Arizona [Mr. RHODES] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. KOSTMAYER].

GENERAL LEAVE

Mr. KOSTMAYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the legislation presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

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

Mr. Speaker, today the House consider H.R. 3387, a bill to reauthorize the Pennsylvania Avenue Development Corporation [PADC]. Since it was created by Congress in 1972, the PADC has achieved great success in transforming America's Main Street. In the words of a Presidential committee formed in the late 1960's to study the condition of the avenue, Pennsylvania has changed from "a scene of desolation" into a great boulevard worthy of its role in America's history and its place in the center of the Nation's capital.

A master plan, approved by Congress in 1975, has guided work on the public areas and 21 square blocks within the Corporation's territory. With appropriations from Congress, PADC has undertaken a program of extensive public improvements that includes landscaping, lighting, paving of new sidewalks and roadways, installing of street furniture, planting of new trees, and restoring landmark structures. Six parks and plazas have been created or refurbished, and work to restore a seventh public open space will being shortly.

PADC has borrowed almost $100 million for acquisition from the Treasury. All of that will be paid back with interest by the year 2031. Almost $85 million of that has already, in fact, been returned to the Treasury. Congress additionally appropriated $131 million for public improvements and staffing. This public investment has generated more than $1.5 billion in private commitments to date, demonstrating an outstanding example of the private-public partnership concept. As of this year, annual taxes generated for the District of Columbia in the Pennsylvania Avenue district were more than $69 million.

On September 24, 1991, I introduced H.R. 3387 a bill to extend the PADC's authorization for 3 years. The Subcommittee on Energy and Environment, after conducting a hearing on the bill, amended H.R. 3387 on October 22 to provide for a 1-year reauthorization. The subcommittee hopes to examine in detail early next year what entity will succeed the PADC and will move ahead with another reauthorization bill at that time. The bill was approved by the House Interior Committee on October 30, with bipartisan support.

All Americans can take enormous pride in Pennsylvania Avenue and in the renewal of the Pennsylvania Avenue area that, when complete, will portray the best of American planning, design, and development—a successful model for other areas of Washington and for cities throughout the world.

PADC has proven that a partnership between the public and private sectors can work. Moreover, it has proven that function and beauty are compatible in America's great cities. Mr. Speaker, I urge passage of H.R. 3387.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise in strong support of the authorization for the important work of the Pennsylvania Avenue Development Corporation. Last week I was pleased to join the gentleman from Pennsylvania [Mr. KOSTMAYER] and other members of the Subcommittee on Energy and the Environment to evaluate the performance of the Pennsylvania Avenue Development Corporation.

In that hearing, PADC provided insight concerning how it has shepherded one of the most ambitious and visible redevelopment efforts in the history of this Nation, and I might add has done so with the complete cooperation and efforts of the people of the District of Columbia and their elected officials.

I am proud to say that President Kennedy's original vision of a main street worthy of the Nation has nearly been met, with strong bipartisan support from the Congress. Moreover, economic developments since the New Frontier have moved the Nation's Capital to the front ranks of the world's international cities. These developments also have moved the PADC to an expanded vision that now includes an International Trade and Cultural Center, the largest complex in this region since the Pentagon.

□ 1450

Pennsylvania Avenue is truly emerging as a Fifth Avenue and a Champs Elysee.

As I noted in that hearing, PADC still has unfinished business and unmet challenges to ensure successful completion of the ICTC complex, by far the most important project in its entire 20-year history. Unfortunately, PADC has not submitted an acceptable housing plan of the kind specifically prescribed by Congress. Instead, GSA is trying to treat the ICTC as an ordinary piece of real estate to house the EPA.

I know that in a time of the tightest budget in memory, the Congress will not allow a $?00 million prize-winning architectural wonder prescribed by Congress as a multipurpose international complex to become a boondoggle to house one Federal agency whose space could be built for 20 percent of that amount.

As PADC continues its wonderfully successful work on Pennsylvania Avenue, I encourage the Corporation to move on to other important projects, to upgrade the Nation's Capital, but also to fulfill its commitment emphasized last week to cultivate an even closer working relationship with the District of Columbia during this post-home-rule era, a status the District did not have when PADC was created.

I also want to encourage PADC to continue to build upon its record of extending procurement opportunities to minorities and women in its development activities.

PADC has done its work economically and well. It deserves the continuing support of this body.

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

(Mr. RHODES asked and was given permission to revise and extend his remarks.)

Mr. RHODES. Mr. Speaker, I am very pleased to rise in support of H.R. 3387 and to urge my colleagues to lend their support to a 1-year reauthorization of the Pennsylvania Avenue Development Corporation.

This enterprise is one of the most outstanding examples not just here in this area but in the country of the successful public-private partnership.

One need only traverse the length of Pennsylvania Avenue to observe the White House, the Capitol, the Old Post Office Pavilion, the Canadian Embassy, the Willard Hotel, the J. Willard Marriott Hotel, and other projects that have been developed along Pennsylvania Avenue as a result of the work and the activities of PADC

women in this room, really can make a difference. There's never been a more urgent moment to win a victory for jobs for all Americans. We've won battles before, and we'll win this one, too. Together we can get our country moving swiftly and surely to a better future.

Thank you all for what you are doing. And may God bless the United States of America. Thank you.

Note: *The President spoke at 10:55 a.m. at DAR Constitution Hall.*

Statement on Signing the Omnibus Insular Areas Act of 1992

February 24, 1992

It is with great pleasure that I sign into law H.R. 2927, the "Omnibus Insular Areas Act of 1992." This Act creates a new unit of the National Park System known as the Salt River Bay National Historical Park and Ecological Preserve.

By signing this bill into law today, we make a significant contribution to the commemoration of the 500th anniversary of Christopher Columbus' voyages to the New World. We also protect an environment that is important to all citizens of the United States.

Located on the island of St. Croix, U.S. Virgin Islands, this new park is important for several reasons:

—It is the only known site where, 500 years ago, members of a Columbus party set foot on what is now territory of the United States.

—It presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement.

—It contains a wealth of natural features ranging from wooded hillsides and mangrove forests to tropical reefs and a biologically rich submarine canyon.

—It is a refuge for migratory birds and a vital nursery for many of the marine animals that inhabit the beautiful waters of St. Croix.

—It will be planned and managed in full partnership with the Government of the U.S. Virgin Islands.

It is indeed exciting to take this major step toward preserving the natural and cultural heritage of the Virgin Islands, a heritage that has meaning for all Americans. I want to thank all of those who played a part in fashioning this innovative partnership between the Federal Government and the Virgin Islands Government.

My action here today is but one example of my Administration's commitment to protect the environment and America's heritage. This is the sixth time I have signed legislation creating a new unit of the National Park System. In the past 3 years, we have acquired 57,000 acres of environmentally sensitive and historically significant lands for the National Park System.

Finally, I note that H.R. 2927 authorizes new technical assistance for insular areas after major storms. To ensure that hazard mitigation measures truly reduce future loss of life and property, all projects must be cost-effective, cooperative ventures between the Federal Government and the insular areas. The Act will not change this policy, diminish any existing matching share requirements, or change procedures for Presidential disaster declarations.

George Bush

The White House,
February 24, 1992.

Note: *H.R. 2927, approved February 24, was assigned Public Law No. 102-247.*

Nomination of Edward Joseph Perkins To Be United States Representative to the United Nations

February 24, 1992

The President today announced his intention to nominate Edward Joseph Perkins, of the District of Columbia, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the

United States Department of the Interior

NATIONAL PARK SERVICE
P.O. BOX 37127
WASHINGTON, D.C. 20013-7127

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

26 FEB 1992

L58(180)

Memorandum

To: Associate Director, Planning and Development
Associate Director, Operations
Chief, Policy Office
Chief, Land Resources
Regional Director, Southeast Region

From: Chief, Legislative Affairs

Subject: Activation of the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act

Attached is a copy of the Salt River Bay legislation, which was signed by the President on February 24. Also attached is a draft activation memorandum for this legislation. Because of the strong Congressional and Secretarial interest in the new park, we would like to reach agreement on implementation responsibilities as soon as possible.

Please review the draft and let us know if you see a need for any changes, or the need for an activation meeting. We would appreciate having your response no later than COB on March 4, 1992.

James M. Lambe

Attachments (2)

L58(180) DRAFT

Memorandum

To: Regional Director, Southeast Region

From: Director

Subject: Activation of Title I of Public Law 102-247, Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands

On February 24th the President signed into law P.L. 102-247, the Omnibus Insular Areas Act of 1992. Title I of P.L. 102-247 is cited therein as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992" (Salt River Bay Act). It establishes a new unit of the National Park System by that name. Overall management and implementation responsibility for this new unit is assigned to the Southeast Regional Office. Copies of pertinent Committee reports, the Public Law, and other elements of the legislative history are attached.

Specific requirements of the Salt River Bay Act, and responsibility for their implementation are as follows:

Sec. 103. Purpose and area included:

Section 103(b) of the Act requires that the area be managed for the purpose of preserving, protecting and interpreting historical, cultural, and natural sites and resources at Salt River Bay. Although several alternative boundaries were addressed in the 1990 "Alternatives" study, and others were considered during Congressional deliberations, Section 103 defines the boundaries to be those depicted in the study's "Alternative C." The new unit therefore includes not only terrestrial resources, but also adjacent waters and submerged lands.

Section 103(b) requires that the Alternative C map be on file and available for inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands. You should forward copies of the official map to the Lieutenant Governor as soon as possible. Responsibility for maintaining copies of the map for public inspection in the National Park Service is assigned to the Associate Director, Planning and Development.

We ask that you send us four (4) copies of a property map with the Alternative C boundaries superimposed. We will provide one of those copies to Delegate deLugo, for his reference. We suggest that you provide such a map to the Lieutenant Governor, as well, since it will be a most useful reference for answering questions from concerned citizens.

Sec. 104. Acquisition of Land:

Section 104(a) authorizes acquisition of land and interests in land within the park boundaries by donation, purchase with donated or appropriated funds, or exchange. Since the USVI, in its partnership role, may also elect to acquire lands within the park boundaries, it will be important that Park Service acquisition plans be closely coordinated with the USVI. To implement this section, you should prepare a Land Protection Plan.

Section 104(b) provides that lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may not be acquired without the consent of the owner unless the Secretary determines, after consultation with the USVI, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established. This provision will require that criteria and a procedure be adopted, perhaps as part of the Land Protection Plan, to allow for prompt evaluation of any new development that may be proposed. It will also be important that you be prepared to counsel the owners of developed property as to how and when the criteria will be applied.

Sec. 105. Administration:

Section 105(a) requires that the park be administered in accordance with the provisions of law generally applicable to units of the national park system, including but not limited to the National Park Service Organic Act and the Historic Sites, Buildings, and Antiquities Act. If generally applicable provisions of those laws should conflict with provisions of the Salt River Bay Act, the provisions of the Salt River Bay Act shall prevail.

Generally, Federal laws governing the administration of park lands will not apply to those lands administered by the USVI within the park boundaries, unless the USVI chooses to have them applied. We will need to rely on the USVI to adopt laws and regulations that will ensure the application of uniform standards and procedures throughout the park. Assisting the USVI in identifying specific actions to be taken should be a high priority during the planning process.

Section 105(b) authorizes the Secretary to enter into cooperative

agreements with the USVI, or any political subdivision thereof, for the management of the park and for other purposes. Based on discussions that took place during deliberations on the Salt River Bay bill, we believe that this provision is intended to give the Park Service maximum flexibility to do what is necessary to make the "partnership" successful.

Section 105(c) requires that a GMP be developed for the park not later than three years after the date funds are made available. When completed, the GMP is to be submitted to the authorizing committees in the House and Senate. The GMP is to contain those elements normally associated with GMPs, but there are two items that the GMP is to include which require special note: (1) "proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses"; and (2) plans for the training of Virgin Islands citizens in all phases of park operation and management. Item (1) does not require that the GMP assess (or evaluate) the potential for concessions; it requires only that the GMP include "proposals" for assessing or evaluating that potential. Presumably, the actual assessment or evaluation would be performed in a later study. Item (2) is discussed under section 105(d), below.

Although there is no legal requirement that the USVI manage its lands as prescribed in the GMP, those who participated in deliberations on the Salt River "partnership" expected compliance. Of course, if we expect the USVI to faithfully comply with the GMP, then we must afford them an opportunity to participate in the preparation of the GMP to the maximum extent practicable.

To implement section 105(c) you should include in your next fiscal year budget cycle funds to begin the GMP. When funds are appropriated, the plan will be due to the Committees within three years. You should allow three months for WASO and Departmental review of the draft.

Section 105(d) requires the Secretary to provide funds for USVI employees directly engaged in the joint management of the park and to implement, over a 10-year period, a program under which Virgin Islands citizens may be trained in all phases of park operations and management. Park Service funding for these activities is not to exceed 50 percent of their total cost. Although the wording of this section suggests that funding for the USVI employees and funding for the training program may be viewed as two distinct activities, any and all of our activities pursuant to this section should be implemented as part of a training program. The training program should be tightly controlled, developing knowledge, skills and competencies in the Virgin Islands employees in the same manner that we would in our own employees. The provisions of the Intergovernmental Personnel Act provide a ready-made vehicle to accomplish this, although you

have discretion to fashion some other type of program. If you decide to devise a new program, you will need to confer with OPM on the details. To implement this subsection, you should develop and fund the training program.

Sec. 106. Commission:

Section 106 establishes a 10-member commission to recommend how lands and waters within the park can be jointly managed; to consult with the Secretary on the development of the GMP; and to provide advice and recommendations to the USVI upon request. Although the commission's formal name does not include the word "advisory," the commission has no authority to do anything more than advise.

The commission is to be composed of ten members, including: the Secretary (or designee), the Governor (or designee), four members appointed by the Secretary, and four members appointed by the Secretary from a list provided by the Governor. The Chairmanship is to alternate annually between the Secretary and the Governor. Initial commission appointments are to be made within 120 days after date of enactment (ie., by June 23, 1992), except that the Secretary has 120 days from date he receives the Governor's list to make those appointments.

The usual conditions apply to the commission, except that there is a stipulation that the Secretary shall provide the commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for. You should begin preparing a charter for the commission as well as a letter requesting the Governor's nominations. You may also provide names for the Secretary to consider. Please submit a draft of the charter and the letter to the Office of Policy, WASO, by April 10, 1992.

Hundred Second Congress of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Friday, the third day of January, one thousand nine hundred and ninety-two

An Act

To provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

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 "Omnibus Insular Areas Act of 1992".

TITLE I—SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS

SEC. 101. SHORT TITLE.

This title may be cited as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992".

SEC. 102. FINDINGS.

The Congress finds that the Salt River Bay area of the north central coast of St. Croix, United States Virgin Islands—

(1) has been inhabited, possibly as far back as 2000 B.C., and encompasses all major cultural periods in the United States Virgin Islands;

(2) contains the only ceremonial ball court ever discovered in the Lesser Antilles, village middens, and burial grounds which can provide evidence for the interpretation of Caribbean life prior to Columbus;

(3) is the only known site where members of the Columbus expeditions set foot on what is now United States territory;

(4) was a focal point of various European attempts to colonize the area during the post-Columbian period and contains sites of Spanish, French, Dutch, English, and Danish settlements, including Fort Sale, one of the few remaining earthwork fortifications in the Western Hemisphere;

(5) presents an outstanding opportunity to preserve and interpret Caribbean history and culture, including the impact of European exploration and settlement;

(6) has been a national natural landmark since February 1980 and has been nominated for acquisition as a nationally significant wildlife habitat;

(7) contains the largest remaining mangrove forest in the United States Virgin Islands and a variety of tropical marine and terrestrial ecosystems which should be preserved and kept unimpaired for the benefit of present and future generations; and

(8) is worthy of a comprehensive preservation effort that should be carried out in partnership between the Federal Government and the Government of the United States Virgin Islands.

SEC. 103. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS.

(a) ESTABLISHMENT.—In order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands, there is established the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands (hereafter in this Act referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 912 acres of land, waters, submerged lands, and interests therein within the area generally depicted on the map entitled "Salt River Study Area—Alternative 'C'" in the "Alternatives Study and Environmental Assessment for the Columbus Landing Site, St. Croix, U.S. Virgin Islands", prepared by the National Park Service and dated June 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands.

SEC. 104. ACQUISITION OF LAND.

(a) GENERAL AUTHORITY.—The Secretary of the Interior (hereafter in this title referred to as the "Secretary") may acquire land and interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange. Nothing in this section shall be construed to prohibit the Government of the United States Virgin Islands from acquiring land or interest in land within the boundaries of the park.

(b) LIMITATIONS ON AUTHORITY.—Lands, and interests in lands, within the boundaries of the park which are owned by the United States Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange. No lands, or interests therein, containing dwellings lying within the park boundary as of July 1, 1991, may be acquired without the consent of the owner, unless the Secretary determines, after consultation with the Government of the United States Virgin Islands, that the land is being developed or proposed to be developed in a manner which is detrimental to the natural, scenic, historic, and other values for which the park was established.

SEC. 105. ADMINISTRATION.

(a) IN GENERAL.—The park shall be administered in accordance with this title and with the provisions of law generally applicable to units of the national park system, including, but not limited to, the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) COOPERATIVE AGREEMENTS.—The Secretary, after consulting with the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission (hereafter in this Act referred to as the "Commission") established by section 106 of this title, is authorized to enter into cooperative agreements with the United States Virgin Islands, or any political subdivision thereof, for the management of the park and for other purposes.

(c) GENERAL MANAGEMENT PLAN.—(1) Not later than 3 years after the date funds are made available for this subsection, the Secretary, in consultation with the Commission, and with public involvement, shall develop and submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives a general management plan for the park. The general management plan shall describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this title.

(2) The general management plan shall include, but not be limited to, the following:

(A) Plans for implementation of a continuing program of interpretation and visitor education about the resources and values of the park.

(B) Proposals for visitor use facilities to be developed for the park.

(C) Plans for management of the natural and cultural resources of the park, with particular emphasis on the preservation of both the cultural and natural resources and long-term scientific study of terrestrial, marine, and archeological resources, giving high priority to the enforcement of the provisions of the Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the park. The natural and cultural resources management plans shall be prepared in consultation with the Virgin Islands Division of Archeology and Historic Preservation.

(D) Proposals for assessing the potential operation and supply of park concessions by qualified Virgin Islands-owned businesses.

(E) Plans for the training of personnel in accordance with subsection (e).

(d) TRAINING ASSISTANCE.—During the 10-year period beginning on the date of enactment of this title, the Secretary shall, subject to appropriations, provide the funds for the employees of the Government of the United States Virgin Islands directly engaged in the joint management of the park and shall implement, in consultation with the Government of the United States Virgin Islands, a program under which Virgin Islands citizens may be trained in all phases of park operations and management: *Provided, however,* That in no event shall the Secretary provide more than 50 percent of the funding for such purposes. A primary objective of the program shall be to train employees in the skills necessary for operating and managing a Virgin Islands Territorial Park System.

SEC. 106. SALT RIVER BAY NATIONAL HISTORICAL PARK AND ECOLOGICAL PRESERVE AT ST. CROIX, VIRGIN ISLANDS, COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Commission.

(b) DUTIES.—The Commission shall—

(1) make recommendations on how all lands and waters within the boundaries of the park can be jointly managed

by the governments of the United States Virgin Islands and the United States in accordance with this title;

(2) consult with the Secretary on the development of the general management plan required by section 105 of this title; and

(3) provide advice and recommendations to the Government of the United States Virgin Islands, upon request of the Government of the United States Virgin Islands.

(c) MEMBERSHIP.—The Commission shall be composed of 10 members, as follows:

(1) The Governor of the United States Virgin Islands, or the designee of the Governor.

(2) The Secretary, or the designee of the Secretary.

(3) Four members appointed by the Secretary.

(4) Four members appointed by the Secretary from a list provided by the Governor of the United States Virgin Islands, at least one of whom shall be a member of the Legislature of the United States Virgin Islands.

Initial appointments made under this subsection shall be made within 120 days after the date of enactment of this title, except that the appointments made under paragraph (4) shall be made within 120 days after the date on which the Secretary receives such list.

(d) TERMS.—The members appointed under paragraphs (3) and (4) shall be appointed for terms of 4 years. A member of the Commission appointed for a definite term may serve after the expiration of the member's term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made and shall be filled within 60 days after the expiration of the term.

(e) CHAIR.—The Chair of the Commission shall alternate annually between the Secretary and the Governor of the United States Virgin Islands. All other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(f) MEETINGS.—The Commission shall meet on a regular basis or at the call of the Chair. Notice of meetings and agenda shall be published in the Federal Register and local newspapers having a distribution that generally covers the United States Virgin Islands. Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

(g) EXPENSES.—Members of the Commission shall serve without compensation as such, but the Secretary may pay each member of the Commission travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code. Members of the Commission who are full-time officers or employees of the United States or the Virgin Islands Government may not receive additional pay, allowances, or benefits by reason of their service on the Commission. The Secretary shall provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for.

(h) FEDERAL ADVISORY COMMITTEE ACT.—Except with respect to the provisions of section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(i) TERMINATION.—The Commission shall terminate 10 years after the date of enactment of this title unless the Secretary determines that it is necessary to continue consulting with the Commission in carrying out the purposes of this title.

SEC. 107. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—INSULAR AREAS DISASTER SURVIVAL AND RECOVERY

SEC. 201. DEFINITIONS.

As used in this title—

(1) the term "insular area" means any of the following: American Samoa, the Federated States of Micronesia, Guam, the Marshall Islands, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands;

(2) the term "disaster" means a declaration of a major disaster by the President after September 1, 1989, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); and

(3) the term "Secretary" means the Secretary of the Interior.

SEC. 202. AUTHORIZATION.

There are hereby authorized to be appropriated to the Secretary such sums as may be necessary to—

(1) reconstruct essential public facilities damaged by disasters in the insular areas that occurred prior to the date of the enactment of this Act; and

(2) enhance the survivability of essential public facilities in the event of disasters in the insular areas,

except that with respect to the disaster declared by the President in the case of Hurricane Hugo, September 1989, amounts for any fiscal year shall not exceed 25 percent of the estimated aggregate amount of grants to be made under sections 403 and 406 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172) for such disaster. Such sums shall remain available until expended.

SEC. 203. TECHNICAL ASSISTANCE.

(a) Upon the declaration by the President of a disaster in an insular area, the President, acting through the Director of the Federal Emergency Management Agency, shall assess, in cooperation with the Secretary and chief executive of such insular area, the capability of the insular government to respond to the disaster, including the capability to assess damage; coordinate activities with Federal agencies, particularly the Federal Emergency Management Agency; develop recovery plans, including recommendations for enhancing the survivability of essential infrastructure; negotiate and manage reconstruction contracts; and prevent the misuse of funds. If the President finds that the insular government lacks any of these or other capabilities essential to the recovery effort, then the President shall provide technical assistance to the insular area which the President deems necessary for the recovery effort.

(b) One year following the declaration by the President of a disaster in an insular area, the Secretary, in consultation with the Director of the Federal Emergency Management Agency, shall

L58(180)

MAR 19 1992

Memorandum

To: Regional Director, Southeast Region

From: Director, National Park Service James M. Ridenour

Subject: Activation of Title I of Public Law 102-247, Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands

On February 24th the President signed into law P.L. 102-247, the Omnibus Insular Areas Act of 1992. Title I of P.L. 102-247 is cited therein as the "Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands, Act of 1992" (Salt River Bay Act). It establishes a new unit of the National Park System by that name. Overall management and implementation responsibility for this new unit is assigned to the Southeast Regional Office. Copies of pertinent Committee reports, the Public Law, and other elements of the legislative history are attached.

Specific requirements of the Salt River Bay Act, and responsibility for their implementation are as follows:

Sec. 103. Purpose and area included:

Section 103(b) of the Act requires that the area be managed for the purpose of preserving, protecting and interpreting historical, cultural, and natural sites and resources at Salt River Bay. Although several alternative boundaries were addressed in the 1990 "Alternatives" study, and others were considered during Congressional deliberations, Section 103 defines the boundaries to be those depicted in the study's "Alternative C." The new unit therefore includes not only terrestrial resources, but also adjacent waters and submerged lands.

Section 103(b) requires that the Alternative C map be on file and available for inspection in the offices of the National Park Service, Department of the Interior, and the Offices of the Lieutenant Governor of St. Thomas and St. Croix, Virgin Islands. You should forward copies of the official map to the Lieutenant Governor as soon as possible. Responsibility for maintaining copies of the map for public inspection in the National Park

Service is assigned to the Associate Director, Planning and Development.

We ask that you send us four (4) copies of a property map with the Alternative C boundaries superimposed. We will provide one of those copies to Delegate deLugo, for his reference. We suggest that you provide such a map to the Lieutenant Governor, as well, since it will be a most useful reference for answering questions from concerned citizens.

Sec. 104. Acquisition of Land:

Section 104(a) authorizes acquisition of land and interests in land within the park boundaries by donation, purchase with donated or appropriated funds, or exchange. Since the USVI, in its partnership role, may also elect to acquire lands within the park boundaries, it will be important that Park Service acquisition plans be closely coordinated with the USVI. To implement this section, you should prepare a Land Protection Plan.

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Generally, Federal laws governing the administration of park lands will not apply to those lands administered by the USVI within the park boundaries, unless the USVI chooses to have them applied. We will need to rely on the USVI to adopt laws and regulations that will ensure the application of uniform standards and procedures throughout the park. Assisting the USVI in identifying specific actions to be taken should be a high priority during the planning process.

Section 105(b) authorizes the Secretary to enter into cooperative agreements with the USVI, or any political subdivision thereof, for the management of the park and for other purposes. Based on discussions that took place during deliberations on the Salt River Bay bill, we believe that this provision is intended to give the Park Service maximum flexibility to do what is necessary to make the "partnership" successful.

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Although there is no legal requirement that the USVI manage its lands as prescribed in the GMP, those who participated in deliberations on the Salt River "partnership" expected compliance. Of course, if we expect the USVI to faithfully comply with the GMP, then we must afford them an opportunity to participate in the preparation of the GMP to the maximum extent practicable.

To implement section 105(c) you should include in your next fiscal year budget cycle funds to begin the GMP. When funds are appropriated, the plan will be due to the Committees within three years. You should allow three months for WASO and Departmental review of the draft.

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decide to devise a new program, you will need to confer with OPM on the details. To implement this subsection, you should develop and fund the training program.

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The commission is to be composed of ten members, including: the Secretary (or designee), the Governor (or designee), four members appointed by the Secretary, and four members appointed by the Secretary from a list provided by the Governor. The Chairmanship is to alternate annually between the Secretary and the Governor. Initial commission appointments are to be made within 120 days after date of enactment (ie., by June 23, 1992), except that the Secretary has 120 days from date he receives the Governor's list to make those appointments.

The usual conditions apply to the commission, except that there is a stipulation that the Secretary shall provide the commission with a budget for travel expenses and staff, and guidelines by which expenditures shall be accounted for. You should begin preparing a charter for the commission as well as a letter requesting the Governor's nominations. You should also provide at least eight names for the Secretary to consider for four appointments. Please submit a draft of the charter and the letter to the Governor to the Office of Policy, WASO, by April 10, 1992. The list of names with resumes, including home and business addresses and telephone numbers should be submitted to the Office of Policy (with your recommendations for selection) by May 1, 1992.

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APR 30 1992

L58(180)

Mr. Richard Spotts
5604 Rosedale Way
Sacramento, CA 95822

Dear Mr. Spotts:

The President has forwarded your letter of January 25, 1992 regarding Salt River Bay in the U.S. Virgin Islands to me for response. I apologize for the delay in answering your letter.

You will be pleased to know that the Salt River Bay National Historical Park and Ecological Preserve at St. Croix, Virgin Islands was created by Public Law 102-247, which was signed by the President on February 24, 1992.

Creation of this new park assures the preservation of the historical, cultural and ecological resources of this unique area. The park consists of 912 acres and includes the only known site where members of the Columbus expeditions set foot on what is now United States territory. Salt River Bay also encompasses unique natural resources in a variety of tropical ecosystems. The park will be managed under an innovative partnership arrangement with the Government of the U. S. Virgin Islands. We appreciate your interest in this legislation. Again, I apologize for the delay in response.

Sincerely,

Sean Devlin Bersell

Sean Devlin Bersell
Assistant Director, Legislative
and Congressional Affairs

bcc: 170 202 180
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United States Department of the Interior

NATIONAL PARK SERVICE
P.O. BOX 37127
WASHINGTON, D.C. 20013-7127

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

File
HR 2927
St. Croix

L58(180)

SEP 9 1991

Memorandum

To: Legislative Counsel

Through: Assistant Secretary Fish and Wildlife and Parks

From: Legislative Expediter, National Park Service

Attached is our recommendation for a witness at the hearing designated on the form provided. (Sept. 24 – St. Croix, VI. Virgin Islands Natl. Historical Park and Ecological Preserve).

Attachment

James M. Lambe

3211

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

TAKE PRIDE IN AMERICA

Memorandum SEP 6 1991

To: Bureau Legislative Expediter (FNP)

From: Legislative Counsel

Subject: Witness Clearance for Departmental Hearings

In order for us to determine the appropriate witness, the following information is requested by: 9/16 (Due Date)

Date & Subject of Hearing 9/24 H.R. 2927, St. Croix, V.I. Nat'l Park

Proposed Witness and Title Manuel Lujan, Secretary of the Interior

Reason for Selection of Witness The Secretary has had an ongoing close, personal interest in this bill, and he has identified it as a top priority for the Department.

Issues to be addressed in testimony, including proposed position (if position has changed, the reason(s) why, and any possible areas of controversy

The Department will no doubt want to support the bill, but we would recommend some suggestions for amending the bill so as to clarify the roles and responsibilities of the US and USVI Governments.

(PLEASE COMPLETE AND RETURN THIS FORM TO CLC BY DUE DATE)

STATEMENT OF THE HONORABLE MANUEL LUJAN, JR., SECRETARY OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS AND PUBLIC LANDS, HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, CONCERNING H.R. 2927, TO PROVIDE FOR THE ESTABLISHMENT OF THE ST. CROIX, VIRGIN ISLANDS HISTORICAL PARK AND ECOLOGICAL PRESERVE.

SEPTEMBER 24, 1991

Thank you for the opportunity to offer the Department of the Interior's views on H.R. 2927, a bill to provide for the establishment of St. Croix, Virgin Islands Historical Park and Ecological Preserve.

Protection of the Salt River Bay area is one of my personal priorities and a goal of the National Park Service. I have visited the site, and I am pleased to have had the opportunity to work with Representative de Lugo as he was crafting the bill now before the Subcommittee.

Representative de Lugo was successful in getting a portion of Salt River Bay protected when he was a member of the Virgin Islands legislature. It was also his request, on behalf of the Virgin Islands Government, that led to the National Park Service preparing the 1990 study of alternatives which confirmed the national significance of this area. Representative de Lugo is to be commended for his continuing strong commitment to preserving the unique natural and cultural resources of Salt River Bay.

We support the establishment of a unit of the National Park System at Salt River Bay. We recommend that the Subcommittee consider several minor, technical amendments to H.R. 2927 that we believe will improve and clarify this

legislation.

Mr. Chairman, if enacted, H.R. 2927 will establish a new park unit that will include approximately 440 acres of land and 606 acres of water surface. The park will be managed in a partnership between the Interior Department and the Virgin Islands Government, and the General Management Plan for the park will be developed in consultation with the Virgin Islands Government. An appointed commission, half of whose members will be representatives of, or nominated by, the Virgin Islands, will provide the Department and the Virgin Islands Government with advice and recommendations regarding the planning and management of the park. There will also be a program to provide training to Virgin Islands park employees in the special skills needed in park management and operations.

Mr. Chairman, the proposed park is located at Salt River Bay on the north-central Caribbean coast of St. Croix, U.S. Virgin Islands, approximately 4 miles west of the town of Christiansted. This site has long been recognized as an area with important cultural remains. It contains evidence of prehistoric habitation encompassing the major cultural periods in the Virgin Islands. It also contains the only site of a ceremonial ball court plaza identified to date in the Lesser Antilles. Excavations of village middens, ball court features and other archeological features have provided evidence for the interpretation of Caribbean life prior to European settlement. Such sites are rare and,

therefore, have special significance.

It was at Salt River Bay, in 1493, on the second of his four voyages to the New World, that Christopher Columbus anchored his ships outside the entrance to the bay and sent men to find a source of fresh water and to make contact with the residents of St. Croix. This is the only known site where members of a Columbus party set foot on what is now territory of the United States. Subsequently, the area was a focal point of various European attempts to colonize St. Croix in the 17th century.

In addition to these cultural resources, the Salt River Bay area includes prime examples of several types of ecosystems, including mangrove fringe forest, mangrove basin forest, salt pond, and freshwater marsh. The area contains a most significant, high-energy tropical reef system and a biologically rich submarine canyon that has been a principal study site for NOAA's National Undersea Research Program.

In summary, Mr. Chairman, Salt River offers a unique combination of natural and cultural values, including plants and animals rarely observed in other parts of the Virgin Islands, together with archeological and historic sites. In addition, the area has high potential for recreational and educational activities and scientific research. Unfortunately, these values have been placed at risk by proposed commercial development along the shoreline, dredging of the bay, and an increasing level of uncontrolled

visitor use. Without the protection offered by this bill we can expect the loss of irreplacable archeological data, the beautiful historic setting, and important wildlife habitat.

Mr. Chairman, while we support enactment of H.R. 2927, there are a number of important recommendations we would offer to improve or clarify provisions of this bill. I would like to briefly highlight some of these recommendations.

We strongly recommend that the language in Section 6(a) be amended to make it clear that the area is to be a unit of the National Park System. This will ensure the long-term, quality management of the site in partnership with the Virgin Islands Government.

Mr. Chairman, we strongly support the bill's intent to create a partnership between the Federal Government and the Virgin Islands Government in the management of this important site. Key elements of the partnership are joint management of the park, cooperative development of the park General Management Plan, and the park advisory committee. In order to clarify the partnership arrangement, we suggest that the bill be amended to require that the cooperative agreement establishing joint management contemplated by Section 6(b) include a provision stating that lands the Virgin Islands Government will manage within the park will be perpetually managed according to the Act and that the Virgin Islands' lands will be developed, managed and interpreted according to plans that are consistent with the

park's General Management Plan and other plans that may be officially adopted by the National Park Service.

Section 6(d) provides for a 10-year program under which the Secretary would fund the cost of Virgin Islands management employees and other park employees who would participate in a training program in park operations and management. We support the concept of providing training in park operations and management for Virgin Islands park personnel. I would note, Mr. Chairman, that the most practical way to implement this provision may be pursuant to an Intergovernmental Personnel Act agreement, which would allow us to pay the salaries of the Virgin Islands park personnel while we provide on-the-job training under the supervision of the National Park Service.

We have appended to this statement some suggested technical amendments on these and other issues, and we look forward to working with you and your subcommittee to iron out the remaining details.

It should be noted that funding for this recommended land authorization would be contingent on Administration budget priorities and Department application of Land and Water Conservation Fund ranking criteria.

This legislation would conform with the "Pay-as-you-go" provisions of the Budget Enforcement Act.

Mr. Chairman, thank you for inviting me to give the Department's views on this bill, a bill that could result in the long-term protection of outstanding cultural and natural resources. It is imperative that we act quickly to protect those resources. At this time I would be delighted to answer any questions you might have for me.

DEPARTMENT OF THE INTERIOR AMENDMENTS TO ~~H.R. 2927,~~ S.1495
ST. CROIX, VIRGIN ISLANDS, NATIONAL HISTORICAL PARK
AND ECOLOGICAL PRESERVE

1. On page 3, lines ~~15~~ 13 through ~~24~~ 22, strike all of "SEC. 3. DEFINITIONS." and re-number subsequent sections accordingly.

2. On page 4, line 8, strike "Preserve." and insert in lieu thereof "Preserve (hereinafter referred to as the 'park')."

3. On page 4, line 20, strike "Secretary" and insert in lieu thereof "Secretary of the Interior (hereinafter referred to as the 'Secretary')."

4. On page 5, strike lines 9 through 11 and insert in lieu thereof: "(a) IN GENERAL -- The park shall be admininstered pursuant to this Act, the Act entitled 'An Act to establish a National Park Service, and for other purposes, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 16 1, 2-4), and the Act entitled 'An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', apprcved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467)."

5. On page 5, line 14, strike "Commission" and insert in lieu thereof "St. Croix, Virgin Islands Historical Park and Preserve Commission (hereinafter referred to as the 'Commission') established by Section 7,".

6. On page 5, line 17, at the end of the subsection, insert the

following: "Such cooperative agreements shall ensure that binding commitments are in place whereby lands owned or controlled by the Virgin Islands Government within the boundaries of the park will be developed, managed, and interpreted in accordance with this Act and in accordance with the park's General Management Plan and other plans that may be officially adopted by the National Park Service."

7. On page 5, line 19, strike "enactment of this Act" and insert "funds are made available for such purposes".

8. On page 6, line 14, strike "use" and insert in lieu thereof "study".

9. On page 6, line 23, strike "assessing" and insert in lieu thereof "evaluating the potential for".

10. On page 7, line 6, strike "shall provide the funds" and insert in lieu thereof "may provide, pursuant to the authorities contained in the Intergovernmental Personnel Act (84 Stat. 1909; 5 U.S.C. 3371-3376), the funds".

11. On page 7, line 24, after "lands" insert "and waters".

12. On page 8, line 10, strike "members, as follows:" and insert in lieu thereof "members, to include but not be limited to representatives competent in the fields of history, archeology, natural science, land use planning, and related disciplines, and

shall consist of:".

13. On page 8, line 12, strike the period following "officio" and insert in lieu thereof "(or designee)."

14. On page 8, line 13, strike the period following "officio" and insert in lieu thereof "(or designee)."

15. On page 9, line 3, strike "The" and insert in lieu thereof "During the first year of the Commission's existence the Secretary shall serve as Chair. Thereafter, the".

August 28, 1990 ~~91~~ ?

P.O. Box 9562
St. Thomas, V.I.
00801

Mr. Herb Cables
Deputy Director
U.S. National Park Service
Box 37127
Washington, D.C. 20013-7127

RE: Virgin Islands National Park

Dear Mr. Cables:

This past summer I had the distinct experience of working as a counselor for the Conservation Career Development Corp program in St. Thomas, U.S. Virgin Islands. As you probably know, all of the counselors are college students or recent graduates. For many of us it was an exposure to a potential employer upon completion of our college curriculum.

While working for the Virgin Island National Park, I found some very disturbing and unsettling factors which I wish to convey with the hope that such deficiencies will be quickly rectified.

First of all, all of the managerial positions were held by white non-native individuals who had no roots in the local community. Because the U.S. Virgin Islands has an 80% black populace, I believe that it is extremely important that a few Virgin Islanders be given managerial positions.

Secondly, most of the native Virgin Islanders were holding positions as maintenance and secretarial workers. This fact does not sit well when there are available, qualified "locals" to be found in the community.

Thirdly, there already exists racial problems within the Virgin Islands National Park Service, which contribute to lessening the level of productivity possible. This situation sent a sour message to both the college and high school students who participated in the summer program. When they saw that managerial positions seem

to be possessed by a selected few, they further perceived these positions to be unattainable.

I believe that it would be advisable to seriously attempt to recruit qualified Virgin Islanders for managerial positions because they will prove the most capable role models. Moreover, Virgin Islanders should be trained to assume managerial positions instead of searching throughout the mainland for someone to whom the islands and their culture are fundamentally foreign.

As it was the intent of the United States Congress to foster the recruitment and employment of local Virgin Islanders for the V.I. National Park, Public Law 95-348-August 18, 1978, was adopted to say, in pertinent part that

> The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Virgin Islands to develop, maintain, and administer the Virgin Islands National Park. PL 95-348(b).

In an overview, I am confident that by seriously addressing the concerns I have expressed above the Virgin Islands National Park Service will appear more attractive to young as well as older Virgin Islanders alike.

Very truly yours,

Nathalie A. Kean

Nathalie A. Kean
Counselor
CCDC

3211

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

TAKE PRIDE IN AMERICA

MEMORANDUM

SEP 6 1991

To: Assistant Secretary - Fish and Wildlife and Parks

From: Legislative Counsel

Subject: Notification of Hearing

Attached is a letter of invitation to the hearing noted below:

House Interior Subcommittee on National Parks and Public Lands (Vento)
Hearing on H.R. 2927, to provide for the establishment of the St. Croix, Virgin Islands, Historical Park and Ecological Preserve, and for other purposes

September 24, 1991; 10:00 a.m.-- Room 1324 Longworth

Please coordinate selection of witness and clearance of statement with attorney, Don Harris on 208-4547. Five copies of the proposed statement surnamed by the appropriate bureau official and your office are due in this office C.O.B. September 16, 1991. The short notice of this hearing demands this close deadline.

The office preparing the statement is responsible for transmitting to the Committee 50 copies 24 hours in advance of the hearing and 5 copies to the minority counsel. Fifteen copies of the final statement should also be provided to this office no later than the day of the hearing.

for Pamela E. Somers

Attachment

cc:
S
DS
PMB
FNP
Hodges
CL
CL House
Harris
Robertson
Leg. Counsel
Asst. Leg. Counsel
Leg. History File

GEORGE MILLER, CALIFORNIA, CHAIRMAN
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HARRY JOHNSTON, FLORIDA
LARRY LaROCCO, IDAHO

U.S. House of Representatives
Committee on Interior and Insular Affairs
Washington, DC 20515-6201

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JOHN T. DOOLITTLE, CALIFORNIA
WAYNE ALLARD, COLORADO

DANIEL P. BEARD
STAFF DIRECTOR
RICHARD MELTZER
GENERAL COUNSEL
DANIEL VAL KISH
REPUBLICAN STAFF DIRECTOR

September 3, 1991

The Honorable Manuel Lujan, Jr.
Secretary
Department of the Interior
Washington, D.C. 20240

Dear Mr. Secretary:

The Subcommittee on National Parks and Public Lands has scheduled a hearing on Tuesday, September 24, 1991 at 10:00 a.m. in 1324 Longworth Building on the following bill:

> H.R. 2927, a bill to provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve, and for other purposes.

At that time, we would appreciate receiving the testimony of a witness able to present the views of your Department on this bill. Please arrange to have fifty copies of the prepared statement delivered to room 812 O'Neill Building, twenty-four hours in advance of the hearing.

Sincerely,

Bruce F. Vento
Chairman, Subcommittee
on National Parks
and Public Lands

BFV/cms

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

TAKE PRIDE IN AMERICA

Memorandum SEP 6 1991

To: Bureau Legislative Expediter (FNP)

From: Legislative Counsel

Subject: Witness Clearance for Departmental Hearings

In order for us to determine the appropriate witness, the following information is requested by: 9/16 (Due Date)

Date & Subject of Hearing 9/24 H.R. 2927, St. Croix, V.I. Nat'l Park

Proposed Witness and Title _____

Reason for Selection of Witness _____

Issues to be addressed in testimony, including proposed position (if position has changed, the reason(s) why, and any possible areas of controversy _____

(PLEASE COMPLETE AND RETURN THIS FORM TO CLC BY DUE DATE)

SECTION BY SECTION ANALYSIS -- H.R. 2927

ST. CROIX, VIRGIN ISLANDS HISTORICAL PARK AND ECOLOGICAL PRESERVE

SECTION 1. The short title is cited as the "St. Croix, Virgin Islands Historical Park and Ecological Preserve Act of 1991".

ANALYSIS: We have no objection to this section.

SECTION 2. Lists eight "findings" which focus on the historic, prehistoric, and natural resource values of the Salt River Bay.

ANALYSIS: We support this section, but suggest that some of the findings be reworded to improve clarity.

SECTION 3. Includes definitions for three terms ("Commission", "park", and "Secretary") that are used in the bill.

ANALYSIS: We recommend that this section be deleted and the definitions be inserted in the text at appropriate locations.

SECTION 4. Section 4(a) formally establishes the park (as of date of enactment) "in order to preserve, protect, and interpret for the benefit of present and future generations certain nationally significant historical, cultural, and natural sites and resources in the Virgin Islands." Section 4(b) defines the park to include approximately 1,046 acres of land, waters, and interests therein, as depicted on a referenced map.

ANALYSIS: We support the proposed boundaries.

SECTION 5. Authorizes the Secretary to acquire land and interests in land within the park boundary only by donation, purchase with donated or appropriated funds, or exchange.

ANALYSIS: We support this section.

Section 5(a) also provides that nothing in this section shall be construed to prohibit the Government of the Virgin Islands from acquiring land within the park.

ANALYSIS: The purpose of this provision is not clear, since neither the Virgin Islands Government nor any other public or private entity is ever prohibited from acquiring non-Federal lands within a park unit. We do not oppose this provision if the purpose is to put all parties on notice that the Virgin Islands Government intends to be an active participant "partner" in the acquisition and management of segments of the park.

Section 5(b) describes limitations on the Secretary's authority by stipulating that lands owned by the Virgin Islands, or any political subdivision thereof, may be acquired only by donation or exchange.

ANALYSIS: We support this section.

Section 5(b) Prohibits the acquisition of lands containing dwelling units as of July 1, 1991, without the consent of the owner."

ANALYSIS: We support this section.

SECTION 6. Section 6 focuses on administrative matters pertinent to the park. Section 6(a) provides that the park be administered "pursuant to this Act and to the standards generally applicable to units of the National Park System."

ANALYSIS: We strongly oppose this wording and recommend that it be amended to make it clear that the park is to be a unit of the National Park System.

Section 6(b) authorizes the Secretary to "enter into cooperative agreements with the Virgin Islands for the management of the park and other purposes.

ANALYSIS: One potentially serious problem with the bill is that it does not provide any mechanism for ensuring that the Virgin Islands government will administer its land and water areas in accordance with the GMP, or in a manner that would be compatible with the Park Service's administration of adjacent park lands. We recommend that the legislation require the cooperative agreement include provisions requiring Virgin Islands lands to be perpetually managed as part of the park and that they be managed pursuant to plans that are consistent with the GMP and other park plans.

Section 6(c) requires that a General Management Plan (GMP) be prepared and submitted to the appropriate Committees not later than 3 years after date of enactment. The GMP is to describe the appropriate protection, management, uses, and development of the park consistent with the purposes of this Act, and is to include,

but not be limited to: (A) Plans for implementation of an interpretive and visitor education program; (B) Proposals for visitor use facilities; (C) Plans for management of the natural and cultural resources of the parK; (D) Proposals for assessing the operation and supply of park concessions by qualified Virgin Islands-owned businesses; and, (E) Plans for the training of Virgin Islands citizens in park operations and management [see discussion of Section 6(d), below].

ANALYSIS: We recommend that the plan be submitted within 3 years of funds being made available for such purposes. It may be desirable, also, to require the Park Service to develop an interim plan to guide activities at the site during the commemoration of the 500th anniversary of Columbus' exploration of the New World.

The requirement to include "Proposals for assessing the operation and supply of park concessions by qualified Virgin Islands-owned businesses" is somewhat vague in its meaning, but presumably is aimed at fostering concession activities by Virgin Islands residents. If in fact that is the aim, then the term "assessing" should be replaced with "evaluating the potential for". It should be noted that the National Park Service is required to abide by Federal law in the awarding of concessions contracts.

Section 6(d) provides for a 10 year program under which the Secretary shall provide funds for employees of the Virgin Islands Government directly engaged in the joint management of the park, and under which Virgin Islands citizens would be trained in all phases of park operations and management. A primary objective of the training program would be to develop employees with the skills necessary to operate and manage a Virgin Islands Territorial Park System.

ANALYSIS: While we support the concept of a training program to develop skilled employees, we are concerned that the provision as written would invite management inefficiency as parallel management structures operated, perhaps at cross purposes, within a relatively small park unit. The training could be undertaken pursuant to an Intergovernmental Personnel Act Agreement, which would allow the NPS to pay the salaries of the Virgin Islands park personnel while they received on-the-job operations and management training under the supervision of the NPS.

Section 6(e) would allow the Secretary to transfer within the Interior Department administrative jurisdiction over portions of the park. This provision anticipates the Secretary transferring management responsibility for the Salt River mangrove swamp to the Fish and Wildlife Service.

ANALYSIS: We support this section.

SECTION 7. Section 7 creates an advisory commission and defines the way it is to do business. Section 7(a) formally establishes the Commission. Section 7(b) assigns the Commission duties, which include: making recommendations on how all lands within the park boundaries can be jointly managed by the Federal and Virgin Islands governments; consulting with the Secretary on the development of the GMP; and providing advice and recommendations to Virgin Islands government (upon request).

ANALYSIS: We support this section.

Section 7(c) defines the composition of the commission to include 10 members, including the Governor of the Virgin Islands, the Secretary, four members appointed by the Secretary, and four members (at least one of whom shall be a member of the Virgin Islands Legislature) appointed by the Secretary from a list provided by the Governor.

ANALYSIS: Diversity and competence on the commission could be better ensured if qualifications were stipulated in the bill. Also, it would be helpful to explicity state in the bill that the Governor and the Secretary may designate alternates to represent them at meetings when they are unable to attend.

Section 7(d) stipulates that members appointed by the Secretary serve for a period of four years. Those members may serve after the expiration of their term until a successor is appointed. Vacancies are to be filled in the same manner as the original appointment and shall be filled within 60 days after the expiration of the term.

ANALYSIS: We support this section.

Section 7(e) would have the chairmanship alternate annually between the Secretary and the Governor. All other officers are to be elected by a majority of the members.

ANALYSIS: We recommend that this subsection be amended to clarify who would serve first as chairman.

Section 7(f) requires that the Commission meet on a regular basis or at the call of the Chair, and that the meetings be conducive to public involvement.

ANALYSIS: We support this section.

Section 7(g) contains the language pertaining to Commission expenses that is usually included in park bills. Each member may be paid travel expenses, including per diem. Members who are full-time officers or employees of the United States or the Virgin Islands government may not receive additional pay,

allowances or benefits by reason of their service on the Commission. Section 5703 of Title 5, USC, would govern on issues related to travel expenses.

One additional, and noteworthy, provision of this bill is that it instructs the Secretary to provide the Commission with a budget for travel expenses and staff, and guidelines by which expenditures are to be accounted for.

ANALYSIS: We support this section.

Section 7(h) makes the Commission subject to the provisions of the Federal Advisory Committee Act, except for section 14(b) of that Act (pertaining to charter renewal), and except as otherwise provided for in this bill.

ANALYSIS: We support this section.

Section 7(i) contains standard language causing the Commission to expire after 10 years unless the Secretary determines at that time that the Commission's function is still valid.

ANALYSIS: We support this section.

SECTION 8. This section authorizes the appropriation of such sums as may be necessary to carry out this Act.

ANALYSIS: We support this section.

United States Department of the Interior
NATIONAL PARK SERVICE
SOUTHEAST REGIONAL OFFICE
75 Spring Street, S.W.
Atlanta, Georgia 30303

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

A23(SER-PC)

AUG 28 1991

Memorandum

To: Assistant Director, Legislative and Congressional Affairs, WASO

From: Regional Director, Southeast Region

Subject: Comments on H.R. 2927, a bill to provide for the establishment of the St. Croix, Virgin Islands Historical Park and Ecological Preserve

We offer these comments on the subject bill with the knowledge that the relationship between the United States and the Territorial Government of the Virgin Islands may preempt the technical concerns of the National Park Service. Two sections of the bill are of a major concern to us. These address the duties and staffing of the commission and certain aspects of the ownership and management of the preserve. Our specific concerns have been shared with the WASO staff.

If you have any questions regarding our comments, please direct them to Tom Brown at FTS 841-2608.

C. W. Ogle

END