

104TH CONGRESS
2D SESSION

H. R. 3635

To direct the Secretary of the Interior to enter into an agreement with the Governor of the Virgin Islands, upon request, that provides for the transfer of the authority to manage Christiansted National Historic site.

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1996

Mr. FRAZER (for himself, Mr. BALDACCI, Mr. BISHOP, Mr. THOMPSON, Ms. NORTON, Mr. MORAN, Mr. WYNN, Mr. HASTINGS of Florida, Mrs. MEEK of Florida, Mr. LUTHER, Mr. ROMERO-BARCELÓ, Mr. HILLIARD, Ms. MCKINNEY, Mrs. CLAYTON, Mr. RANGEL, Mr. DORNAN, Ms. JACKSON-LEE, Mr. LEWIS of Georgia, Mr. FLAKE, Mr. HAYWORTH, and Mr. MENENDEZ) introduced the following bill; which was referred to the Committee on Resources

A BILL

To direct the Secretary of the Interior to enter into an agreement with the Governor of the Virgin Islands, upon request, that provides for the transfer of the authority to manage Christiansted National Historic site.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TRANSFER OF AUTHORITY TO MANAGE AND**
2 **CONTROL CHRISTIANSTED NATIONAL HIS-**
3 **TORIC SITE.**

4 (a) **IN GENERAL.**—Upon the request of the Governor
5 of the Virgin Islands, the Secretary of the Interior shall
6 enter into an agreement with the Governor which transfers
7 to the Governor the authority to manage Christiansted
8 National Historic site, located in Christiansted, Virgin Is-
9 lands.

10 (b) **CONTENTS OF AGREEMENT.**—The agreement
11 under subsection (a) shall include provisions which—

12 (1) transfer the authority to manage Christian-
13 sted National Historic site upon a determination by
14 the Secretary of the Interior that the Government of
15 the Virgin Islands has the financial ability and com-
16 mitment to maintain and operate the site without fi-
17 nancial assistance from the Federal Government;

18 (2) retain for the United States fee title to all
19 property comprising Christiansted National Historic
20 site;

21 (3) require the Government of the Virgin Is-
22 lands to continue to use Christiansted National His-
23 toric site for the purposes for which it is used on the
24 date of the enactment of this Act, in accordance
25 with standards and plans approved by the Secretary
26 that shall be specified in the agreement; and

1 (4) authorize the Secretary to terminate the
2 agreement and revoke authority transferred by the
3 agreement, if the Secretary finds that the Govern-
4 ment of the Virgin Islands is not complying with re-
5 quirements under paragraph (3) or is otherwise not
6 in compliance with the agreement.

○



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

P.O. Box 37127

Washington, D.C. 20013-7127



SEP 23 1996

L58(0120)

Honorable Eni F.H. Faleomavaega
House of Representatives
Washington, D.C. 20515

Dear Mr. Faleomavaega:

This letter responds to your request for additional information at the June 26, 1996, hearing before the Resources Committee, Subcommittee on Native American and Insular Affairs. The hearing addressed H.R. 3635, a bill that provides for the transfer of authority to manage Christiansted National Historic Site to the Governor of the Virgin Islands. During that hearing, Mr. Gilcrest asked how the National Park Service gained title to Christiansted National Historic Site. In response to that question, I am enclosing the April 20, 1931, Executive Order transferring certain lands and structures in the Virgin Islands to the jurisdiction of the Department of the Interior and a copy of the Secretary's Order designating the Virgin Islands National Historic Site at Christiansted.

We were also requested to provide examples indicating that the Virgin Islands government has been ineffective in managing natural or cultural resources currently under its care. At your suggestion, we are providing specific examples in writing to address that inquiry and, for the record.

Following are descriptions of significant cultural and historical properties on St. Croix that are owned by the Government of the Virgin Islands. They illustrate that the territorial government has not, and does not currently, properly preserve, protect, and provide for the safe use of these resources without derogation.

Columbus Landing Site (Salt River Bay National Historical Park and Ecological Preserve)

The 5-acre Columbus Landing Site is part of Salt River Bay National Historical Park and Ecological Preserve, established by law in 1992 (P.L. 102-247). The Columbus Landing Site is indisputably the most important archaeological multi-component site in the Virgin Islands. It was inhabited by all three pottery-making prehistoric cultures found in the Virgin Islands (ca. AD 100-1590). The park includes the site of the only ceremonial ball court or plaza found in the Lesser Antilles; is the only U.S. site, identified through documentation, that is associated with Christopher Columbus and his voyages of exploration to the New World (November 14, 1493), and was the focal point of European (English, Dutch, French, and Knights of Malta) attempts to settle St. Croix between 1641-1665. Salt River also features the only 17th century triangular earthwork fortification surviving in the New World, and was an integral part of the cane sugar

economy of St. Croix during the Danish period, especially from the 18th to the mid-19th centuries.

This archaeological site continues to be degraded by uncontrolled recreational use. Campers cut and burn mangroves to accommodate large numbers of tents and makeshift wooden structures for extended periods of time on holiday weekends, dig pit toilets, drive vehicles, ride horses, and make bonfires on endangered sea turtle nesting beaches. Builders mine sand in contravention of territorial law. Vehicles have created two major ruts through the site onto the beach, eroding archeological deposits to a depth of approximately 3 feet. Off-road vehicles are now using the earthen curtains of Fort Sale as jump ramps. There is sporadic potholing for artifacts. Territorial Government agencies do not coordinate undertakings on site (e.g., using bulldozers and road graders for brush removal in archaeologically sensitive areas), often compounding damage. The Government of the Virgin Islands has made no positive, effective response to concerns and practical suggestions for mitigation conveyed by NPS and local preservation organizations.

Government House (Christiansted)

Title to Government House was transferred in 1984 from the United States of America (P.L. 98-484). This imposing building consists of two townhouses (those of Johan Wilhelm Schopen [1741] and Adam Sobotker [1797]), which were acquired by the Danish government beginning in 1771 to serve as the residence of the royal governors-general and to provide office space for Administrative purposes. The townhouses were joined and an ornate formal staircase and facade was built in 1830. Government House is of significant historical importance, and is considered to be one of the most important expressions of Tropical neoclassical architecture in the West Indies. With regard to this building, it is sufficient to say that it has been largely neglected since its transfer to the Government of the Virgin Islands in 1984. By 1987, the then Delegate to Congress Ron de Lugo was moved to formally comment on the state of deterioration that had occurred within the preceding 3 years.

Only limited cosmetic repairs have been undertaken to correct serious damage inflicted by Hurricane Hugo (September 17-18, 1989), estimated as high as \$5 million. In 1995, using the Americans with Disabilities Act as a pretext, the present territorial administration persuaded the St. Croix Historic Preservation Commission to approve the construction of an exterior elevator that would obscure several bays, pilasters, and cornices, and intrude on historic gardens/open space.

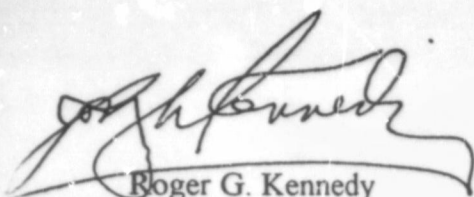
Fort Frederik (Frederiksted)

Fort Frederik (named after King Frederik V of Denmark-Norway) served the dual purpose of harbor defense and internal security. Construction began in 1752. Fort Frederik has the distinction of being the site of the following events: the first foreign salute to the American flag (October 1776) after the Declaration of Independence; the reading of the Emancipation Proclamation (July 3, 1848); the initial focus of the labor uprising ("Fireburn" beginning October 1, 1878); and the setting for the ceremonial transfer of the Danish West Indies to the United States of America at Frederiksted (March 31, 1917).

Many historic and architectural elements were needlessly removed and, in some instances deliberately destroyed, during a federally-funded "restoration" between 1974-1976. These significant cultural treasures have been lost and will never again be available to the local and visiting public. Recurring allocations for maintenance and preservation, exhibits, and the procurement of office and sanitary supplies has been woefully inadequate since its opening as a museum in 1976. Museum collection management is marginal by the National Park Service and general preservation standards.

Thank you for the opportunity to provide this material. Please let me know if we can assist you further.

Sincerely,

A handwritten signature in dark ink, appearing to read "Roger G. Kennedy", written over a horizontal line.

Roger G. Kennedy
Director

Enclosures

cc: Honorable Elton Gallegly
Chairman, Subcommittee on Native American
and Insular Affairs
Honorable Victor Frazer
U.S. House of Representatives

Executive Order

Placing Certain Government Property in the Virgin Islands under the Control and Jurisdiction of the Department of the Interior

WHEREAS under the authority conferred on me by the act of March 3, 1917, entitled "An act to provide a temporary government for the West Indian Islands acquired by the United States from Denmark by the convention entered into between said countries on the fourth day of August, nineteen hundred and sixteen, and ratified by the Senate of the United States on the seventh day of September, nineteen hundred and sixteen, and for other purposes" (39 Stat. 1132), and by virtue of all other powers thereto me enabling, the administration of the government of the Virgin Islands, including expenditures and the appointment of personnel, was placed under the supervision of the Secretary of the Interior; and

WHEREAS certain lands, buildings, and improvements, hereinafter enumerated under Class One, have been acquired by the United States for island government affairs as distinguished from naval activities and are available for permanent use in the administration of the government of the Virgin Islands, to wit:

CLASS ONE

St. Thomas

(a) Government House, Nos. 21 and 22 Kongen's Gade. Acquired by treaty. Occupied as public quarters by governor and commandant. Maintained by Federal funds appropriated for temporary government of the Virgin Islands.

(b) Powder magazine, Hazzell Island, No. 9f Southside Quarter. Acquired by treaty. Until recently used by Public Works officer of the station and the municipality. Now unoccupied.

(c) Military cemetery, No. 9g New Quarter. Acquired by treaty. Is being administered by the municipality.

(d) Shipley's Battery, Hazzell Island, with connecting road to signal station (formerly Cowell's Battery). Formerly considered Danish state property.

St. Croix

(a) Government House, Nos. 2 and 3 King Street and No. 2 Queen Cross Street, Christiansted. Acquired by treaty. Used by municipal government and district court. Part of building used as temporary quarters of governor.

(b) Cable office building, Christiansted. No matricula numbers. Acquired by treaty. Lower floor used as office of West India & Panama Telegraph & Cable Co., under the terms of concession. Upper floor used as noncommissioned officers' quarters.

(c) Former military bakery, Church Street, Christiansted. No matricula numbers. Acquired by treaty. At present being kept up by the municipality.

(d) King's Hill Poor Farm, No. 23AA King's Quarter. Acquired by treaty. Now used as a poor farm.

(e) Radio station site. Acquired by deed from municipality of St. Croix dated October 23, 1930;

and

WHEREAS certain other lands, buildings, improvements, and furnishings, hereinafter enumerated under Class Two, acquired by the United States for naval activities are not for the time being needed for such uses and are available for temporary use in the administration of the government of the Virgin Islands, to wit:

CLASS TWO

St. Thomas

(a) Navy headquarters building (No. 0, P.W.O. Drawing "A", showing conditions on April 20, 1931). Quarters "B", quarters of captain of navy yard (P.W.O. Drawing "B", showing conditions on April 20, 1931), including the furniture now located therein.

(b) Marine barracks (P.W.O. Drawing "A", showing conditions on April 20, 1931, less No. 0, 1R, 2R, 3R, 4R, 5R, 38M, 40M, 43M, and 50M).

(c) Marine Corps storehouse (P.W.O. Drawing "C", showing conditions on April 20, 1931).

St. Croix

(a) Marine barracks (former Gendarmerie barracks, Nos. 21, 22, and 23 Hospital Street, No. 8 Church Street, Nos. 1, 2, 68, and 69 East Street, and No. 39 New Street, Christiansted). Acquired by treaty.

Now, THEREFORE, under the authority vested in me by the aforesaid act of March 3, 1917, and by virtue of all other powers thereto me enabling, I do hereby direct that all items above enumerated under Class One be, and the same are hereby transferred permanently to the control and jurisdiction of the Secretary of the Interior for use in the administration of the government of the Virgin Islands. And I do hereby further direct that all items above enumerated under Class Two be, and the same are hereby, transferred temporarily to the control and jurisdiction of the Secretary of the Interior for use in the administration of the government of the Virgin Islands, said temporary transfer to become effective on evacuation of the premises by the naval authorities, and on condition that the premises will be maintained in good repair and returned to the control and jurisdiction of the Secretary of the Navy when required for naval uses.

The following lands, buildings, and improvements acquired by the United States for naval activities are retained under the control and jurisdiction of the Secretary of the Navy:

St. Thomas

(a) Naval station (P.W.O. Drawing "D", showing conditions on April 20, 1931).

(b) Radio station (No. 1R, 2R, 3R, 4R, 5R, 38M, 40M, 43M, and 50M, P.W.O. Drawing "A", showing conditions on April 20, 1931).

Copies of the P.W.O. drawings herein referred to are hereto attached and made a part hereof.

HERBERT HOOVER

THE WHITE HOUSE,

April 20, 1931.

5 Christ Landed National Historic Site

Page

Designation: Order of March 4, 1952.....
 Name Change: Order of January 16, 1961.....
 Addition of Lands: Order of June 27, 1962.....

Order Designating the Virgin Islands National Historic
 Site at Christiansted, St. Croix, Virgin Islands

(March 4, 1952 - 17 F.R. 2200).

Whereas the Congress of the United States has declared it to be a national policy to preserve for the public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States; and

Whereas the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, has declared that the Wharf area and its buildings and the park area known as the D. Hamilton Jackson Park and the Government House and grounds in Christiansted, St. Croix, Virgin Islands, are of national historical significance as an excellent historical example of the old Danish economy and way of life in the Virgin Islands; and

Whereas the buildings in this area have effectively resisted the impact of time and man and represent a segment of America's cultural heritage in historic sites and buildings; and

Whereas a cooperative agreement has been made between the Municipality of St. Croix and the United States of America providing for the designation, preservation, and use of the area as a national historic site;

Now, therefore, I, Oscar L. Chapman, Secretary of the Interior, by virtue of and pursuant to the authority contained in the act of August 21, 1935 (49 Stat. 686), do hereby designate the said historic structures and grounds as shown upon the diagram hereto attached and made a part hereof, to be a national historic site, having the name "Virgin Islands National Historic Site."

The administration, protection, and development of this national historic site shall be exercised in accordance with the provisions of the above-mentioned cooperative agreement and the act of August 21, 1935.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, at the city of Washington, this 4th day of March 1952.

(SEAL)

OSCAR L. CHAPMAN,
 Secretary of the Interior.

file H.R. 3635

Statement of
John Garrison
President, Friends of the Virgin Islands National Park

Before the
United States House of Representatives
Subcommittee on Native Americans and Insular Affairs

On
H.R. 3635

A bill to direct the Secretary of the Interior to enter into an agreement with the governor of the Virgin Islands to transfer authority to manage Christiansted National Historic Site

Mr. Chairman, thank you for the opportunity to present the position of the Friends of the Virgin Islands National Park on H.R. 3635. The Friends is a grassroots citizen's organization based on St. John, USVI, representing approximately 400 members who are residents of the Virgin Islands. In addition, Friends has several hundred members who reside in thirty six of the fifty states. We are one of over one hundred friends groups who support National Parks throughout the nation. Our primary goal is to help the National Park Service protect and preserve the cultural and natural resources within the NPS units located in the U.S. Virgin Islands.

The Friends oppose the enactment of H.R. 3635. The Christiansted National Historic Site is a very important cultural resource in the Virgin Islands and contains perhaps the best preserved of the remaining buildings from the colonial Danish era anywhere in the territory. The National Park Service has for many years done an excellent job in restoring and preserving these important structures and in interpreting the historical significance of the site to many thousands of visitors.

We oppose enactment of H.R. 3635, and feel that its passage would cause permanent and irreparable damage to the site. The government of the Virgin Islands has a poor

track record over the years in managing and preserving historically significant buildings and other structures under its control. Fort Frederick on St. Croix and Fort Christian on St. Thomas, both cultural sites under territorial government control, continue a steady decline from neglect. The government of the Virgin Islands simply does not have the expertise necessary to properly preserve and maintain these sites.

We are also greatly concerned that the government of the Virgin Islands does not have the financial resources necessary to properly maintain the site. For at least the past decade, the territorial government has been in a continual state of fiscal crisis and has been unable to responsibly manage its finances. Why would it seek to add to its financial obligations, when it cannot handle the responsibilities it has now? A good case in point is the Virgin Islands Ecological Research Station (VIERS), located on St. John. Managed by the University of the Virgin Islands, VIERS has long been the sole environmental education facility in the territory. VIERS has also provided a research station for many visiting scientists and researchers over the years. Within the past month, the government of the Virgin Islands announced that VIERS would be closed as of October, due to lack of funds to pay staff salaries. If the government does not have \$100,000 to pay VIERS staff, how does it expect to cover the far greater expense of preserving, maintaining, and interpreting the Christiansted National Historic Site?

A third concern is the experience of visitors to the historic site. The site is currently staffed and managed by highly trained, professional National Park Service rangers who interpret the cultural and historic significance of the site to visitors from all over the world. The National Park Service uniform and logo are instantly recognized by nearly all visitors and tourists to the site and these symbols convey an image of quality and professionalism. The government of the Virgin Islands does not have properly trained personnel who can perform this essential visitor service, therefore the experience of visitors to the historic site would be greatly diminished.

The government of the Virgin Islands has neither the expertise nor the money to properly maintain and preserve the Christiansted National Historic Site as a first class visitor attraction. In the opinion of the Friends of the Virgin Islands National Park, it is not in the best interests of any of the parties involved, including the government of the Virgin Islands, that the transfer proposed in this bill take place. Therefore, we urge the Subcommittee on Native Americans and Insular Affairs to reject H.R. 3635.

file H.R. 3635

House Resources S/C on Native American and Insular Affairs (Gallegly)

Hearing on H.R. 3634, to amend provisions of the Revised Organic Act of the Virgin Islands; H.R. 3635, transfer of management authority for the Christianstead Historic Site; and oversight hearing on Northern Mariana Islands issues, including: Labor, Immigration, and Law Enforcement in the NMI; I.G. Audit of NMI mismanagement of public lands; and DOI management practices and disposal of the Water Island lease; and Minimum Wage, Aliens and Guest Workers, U.S. Attorney, and Legislative reforms

2:00 p.m.; Room 1334 Longworth

DOI witness not yet determined

(Testimony due 6/21)

TALKING POINTS REGARDING H.R. 3635

H.R. 3635 would require the Secretary to enter into an agreement with the Governor of the Virgin Islands that provides for the transfer of authority to manage Christiansted National Historic Site.

- There are indications that one of the reasons the Governor wants management control of Christiansted National Historic Site is to promote economic development. The Territory has plans for construction of a boardwalk near the Fort and there has even been a proposal to build a restaurant on top of the historic structure. Our job is to protect America's heritage, not promote local economic plans.
- It is questionable whether the Territory has the expertise and the financial resources to manage the park well. Anthony Ayer, former chairman of the St. Croix Landmarks Society has been quoted as saying, "We have too many budgetary pressures as it is ... We should not be taking on maintenance of these historic areas when the federal government is willing and able to do so."
- This is essentially a park closure bill. As we have said before, we do not want to begin parcelling out the National Park System. Needless to say, turning this unit over to the Territory would set a bad precedent.
- Christiansted National Historic Site has been a part of the National Park System since it was designated by Congress in 1952. It commemorates colonial development in the 18th and 19th centuries in the heart of the Danish West Indies. Christiansted contains excellent examples of the old Danish economy and way of life in the Virgin Islands. It is therefore an invaluable part of the American Heritage -- not just the Virgin Islands' heritage.
- The idea of park closures and transfers has proven to be very unpopular with the American public. This was demonstrated by the outpouring of concern from people all over the country at the mere suggestion that some parks might be closed. This response indicates Americans' affection for all units of the system. Each unit is a crown jewel to someone.

HR 3635 IH
104th CONGRESS
2d Session

To direct the Secretary of the Interior to enter into an agreement with the Governor of the Virgin Islands, upon request, that provides for the transfer of the authority to manage Christiansted National Historic site.

IN THE HOUSE OF REPRESENTATIVES

June 13, 1996

Mr. FRAZER (for himself, Mr. BALDACCI, Mr. BISHOP, Mr. THOMPSON, Ms. NORTON, Mr. MORAN, Mr. WYNN, Mr. HASTINGS of Florida, Mrs. MEEK of Florida, Mr. LUTHER, Mr. ROMERO-BARCELO, Mr. HILLIARD, Ms. MCKINNEY, Mrs. CLAYTON, Mr. RANGEL, Mr. DORNAN, Ms. JACKSON-LEE, Mr. LEWIS of Georgia, Mr. FLAKE, Mr. HAYWORTH, and Mr. MENENDEZ) introduced the following bill; which was referred to the Committee on Resources

A BILL

To direct the Secretary of the Interior to enter into an agreement with the Governor of the Virgin Islands, upon request, that provides for the transfer of the authority to manage Christiansted National Historic site.

[Italic->] Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [<-Italic]

SECTION 1. TRANSFER OF AUTHORITY TO MANAGE AND CONTROL
CHRISTIANSTED NATIONAL HISTORIC SITE.

(a) IN GENERAL- Upon the request of the Governor of the Virgin Islands, the Secretary of the Interior shall enter into an agreement with the Governor which transfers to the Governor the authority to manage Christiansted National Historic site, located in Christiansted, Virgin Islands.

(b) CONTENTS OF AGREEMENT- The agreement under subsection (a) shall include provisions which--

(1) transfer the authority to manage Christiansted National Historic site upon a determination by the Secretary of the Interior that the Government of the Virgin Islands has the financial ability and commitment to maintain and operate the site without financial assistance from the Federal Government;

(2) retain for the United States fee title to all property comprising Christiansted National Historic site;

(3) require the Government of the Virgin Islands to continue to use Christiansted National Historic site for the purposes for which it is used on the date of the enactment of this Act, in accordance with standards and plans approved by the Secretary that shall be specified in the agreement; and

(4) authorize the Secretary to terminate the agreement and revoke authority transferred by the agreement, if the Secretary finds that the Government of the Virgin Islands is not complying with requirements under paragraph (3) or is otherwise not in compliance with the agreement.

file H.R. 3635

National Parks and Conservation Association

June 26, 1996

The Honorable Elton Gallegly
Chairman
Subcommittee on Native American
and Insular Affairs
1522 Longworth House Office Building
Washington, DC 20515

Dear Mr. Chairman:

On behalf of the more than 475,000 members of the National Parks and Conservation Association (NPCA), I respectfully request that this letter be placed in the official record of the hearing on H.R. 3635, a bill to transfer management of Christiansted National Historic Site from the National Park Service to the Government of the U.S. Virgin Islands.

NPCA opposes enactment of H.R. 3635 for several reasons. First, the bill is an inappropriate transfer to an unqualified management entity, setting an unwarranted precedent for the *de facto* divestiture of property currently held in trust for the American people.

Second, H.R. 3635 appears to be a multi-pronged attempt to undermine park standards and protections. The transfer would allow the Virgin Islands government to use Christiansted's nationally significant historic facilities as a staging area for disembarking cruise ship passengers. Third, it would make it easier for the Virgin Islands government to construct a new boardwalk with no historic value in order to channel cruise ship passengers into the town's commercial districts, which already are accessible. This would violate the site's historic integrity. Fourth, this dubious transfer could lead to a costly bailout later if the National Park Service is forced to reassume management and correct any damage done by the Virgin Islands government.

At the core of this legislation is an attempt to facilitate development detrimental to the historic integrity of Christiansted. In fact, Governor Roy Schneider recognized this in a letter to Secretary Babbitt dated February 26, 1996:



1776 Massachusetts Avenue, N.W., Washington, D.C. 20036-1904

Telephone (202) 223-NPCA(6722) • Fax (202) 659-0650

The Honorable Elton Gallegly
June 26, 1996
Page 2

"Our new boardwalk is not 'historic'...In order to integrate the Fort with the development plans for Christiansted, I request you return the Fort and its adjacent lands to the Territory of the Virgin Islands...Mr. Secretary, Fort Christiansted must be part of our plans.

Christiansted NHS is not a drag on the local economy, but rather a contributor to it. According to the Money Generation Model (MGM) formula used by the National Park Service to measure a park's local economic impact, in 1994 Christiansted NHS had 118,000 visitors whose average daily expenditure was \$142. This generated \$1.5 million in tourism revenues and is responsible for an estimated 31 jobs. The island of St. Croix, and the U.S. Virgin Islands have reaped, and continue to reap, the benefits of National Park Service management of Christiansted NHS.

While we are opposed to the premise of H.R. 3635, we also are opposed to the bill's language due to the reckless precedent it would set. We categorically oppose Section 1(a) which would mandate the transfer of Christiansted NHS from the National Park Service to the Government of the U.S. Virgin Islands "upon the request" of the Governor of the Virgin Islands. This would mandate a federal management decision at the whim of a governor who may not have the best interest of the national parks in mind.

Section 1(b)(1) states that the transfer agreement is contingent upon the Virgin Islands government having "the financial ability and commitment to maintain and operate the site without financial assistance from the Federal Government." At this time, the Virgin Islands is struggling to recover from several hurricanes which have struck the islands in the recent past, and does not appear to have the financial ability to manage the site.

Christiansted NHS and Buck Islands National Monument are managed together by the National Park Service. In FY 1995, the budget for the two parks was \$550,000. Yet the Virgin Islands Ecological Research Station, located on St. John and managed by the University of the Virgin Islands, will be forced to cease operations as of October because the Virgin Island government lacks the \$100,000 to pay its staff. Given this situation, how can the Virgin Islands government be expected to assume the costs of managing Christiansted?

Former territorial Senator and Public Works Commissioner Arnold Golden has recently stated that Christiansted NHS would witness rapid deterioration because of the government's proven disgraceful track record of maintaining historic properties. "The local government does not have the resources nor the willpower to maintain it [Christiansted] as the historic treasure that it is."

The Honorable Elton Gallegly
June 26, 1996
Page 2

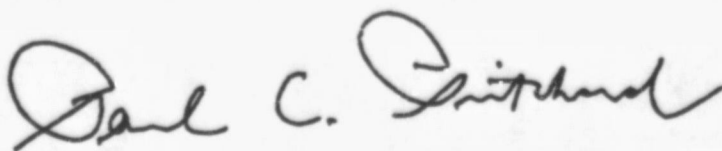
NPCA finds that the proposed "safeguards" contained in Section 1(a)(3) and (4) are insufficient and largely meaningless. Christiansted NHS is currently well managed and maintained and there is no indication that the Virgin Islands government can do a better or similar job. Rather, the evidence leads us to conclude that park standards would be compromised and the resources imperiled if H.R. 3635 were to be enacted.

Should the Secretary exercise the authority granted in the bill to later revoke the agreement, what will have been accomplished? The National Park Service, constrained by tight budgets, would regain authority over a diminished park in need of repair. The bill could result in a costly resumption of National Park Service management.

If the objective of the Virgin Islands territorial government is to benefit economically from the presence of Christiansted NHS, it ought to be able to accomplish that goal without threatening the integrity of this nationally significant site.

NPCA has a demonstrated record of commitment to the national parks in the Virgin Islands, and has been pleased to work with citizens and political leaders on a number of occasions over the years. We do not view this as an issue of territorial sovereignty; it is an issue of the appropriate manager of a unit of the National Park System. In the case Christiansted NHS the answer is crystal clear -- the National Park Service. Therefore, we strongly recommend that the Subcommittee take no further action on this proposal because it lacks any merit.

Sincerely,

A handwritten signature in dark ink, reading "Paul C. Mitchell". The signature is fluid and cursive, with the first name "Paul" being the most prominent.

cc: The Honorable Eni Faleomavaega, Ranking Minority



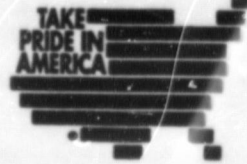
IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

P.O. Box 37127

Washington, D.C. 20013-7127



MEMORANDUM

TO: Note to Files

FROM: Monique Van Landingham, Legislative Affairs Specialist
Chad Smith, Legislative Intern *[Signature]*

RE: House Resources Committee
Full-Committee Markup

Subcommittee on Native American and Insular Affairs
H.R. 3635

DATE: 27 June 1996

Full-Committee Markup

Rep. Young called the hearing to order. The first bill discussed was H.R. 3024 dealing with the status of Puerto Rico. Discussion related to this bill lasted approximately one hour. The bill was reported as amended.

After discussion of H.R. 3024, the committee acted on three NPS-related bills. The first bill discussed was H.R. 3006 dealing with the Manzanar National Historic Site. Rep. Hansen made an introductory statement about the historical importance of the area and the necessity to recognize it officially as a national historic site. Rep. Hansen offered a technical amendment, and Rep. Miller offered an amendment to the bill increasing the acreage from 500 acres to 800 acres. The amendments were accepted and, seeing no further discussion, Rep. Young called for a vote on reporting the bill as amended. The ayes had it, and the bill was reported.

The next bill discussed was H.R. 2636 related to the Japanese American Memorial. A technical amendment was offered and accepted. Rep. Young called for a vote on reporting the bill. The ayes had it, and the bill was reported. H.R. 2292 was the next bill discussed. Rep. Hansen made an introductory statement about the bill being a collection of "noncontroversial" river bills and proceeded to briefly discuss each title of H.R. 2292. Rep. Rahall offered a technical amendment adding map references, and Rep. Allard offered an amendment adding a sixth title to the bill relating to North St. Vrain Creek. The amendments were accepted, and Rep. Young called for a vote on reporting the bill as amended. The ayes had it, and the bill was reported.

Before proceeding to the next bill, Rep. Young recognized Rep. Richardson who stated that he was representing the concerns of the Administration about having many bills linked together. He

mentioned **H.R. 2292** and **H.R. 1296** as examples. He said there was concern about the West Virginia river bills being linked together. Rep. Miller asked Rep. Young if these bills and grazing provisions would eventually end up as part of H.R. 1296. Rep. Young responded by stating "I can't tell you what will come out of conference. I can tell you that everything we have passed out of this committee could be on the Omnibus Parks Bill." Rep. Miller said that adding grazing to H.R. 1296 could "bring it all down."

Before adjournment, **Rep. Metcalf** offered a resolution expressing opposition to commercial hunting of whales. Both he and Rep. Miller stated deep concern about commercial hunting that could be allowed by the International Whaling Commission meeting next week in Scotland. The resolution was accepted, and Rep. Young adjourned the markup.

Subcommittee Hearing

On Wednesday, June 26, 1996, at 2:00 p.m. a hearing was held on **H.R. 3635** by the Subcommittee on Native American and Insular Affairs of the House Resources Committee. The bill directs the Secretary to enter into an Agreement with the Governor of the Virgin Islands, upon request, that provides for the transfer of authority to manage Christiansted National Historic Site. Director Kennedy testified on behalf of the National Park Service in opposition to the bill. However, there appears to be significant support for the bill in Congress among Democrats and Republicans. The Director was asked to submit evidence that the Virgin Islands is unable to manage the site as well as the NPS. He was also asked to supply a full history of the site.

According to the minority staff on the Subcommittee on National Parks, the Republicans recognize this could put them in the position of advocating the closing of a unit of the Park System --something they claim they do not support. Because of this potential public relations problem, the bill is not expected to move any further this Congress.

STATEMENT OF ROGER G. KENNEDY, DIRECTOR, THE NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIVE AMERICAN AND INSULAR AFFAIRS CONCERNING H.R. 3635, TO DIRECT THE SECRETARY OF THE INTERIOR TO ENTER INTO AN AGREEMENT WITH THE GOVERNOR OF THE VIRGIN ISLANDS TO TRANSFER AUTHORITY TO MANAGE CHRISTIANSTED NATIONAL HISTORIC SITE.

June 26, 1996

Thank you for the opportunity to offer the Department of the Interior's views on H.R. 3635, a bill to direct the Secretary of the Interior to enter into an agreement with the Governor of the Virgin Islands to transfer authority to manage Christiansted National Historic Site.

Mr. Chairman, we oppose enactment of H.R. 3635 for two basic reasons. First, H.R. 3635 is essentially a national park closure bill. As we have stated before, we do not want to begin the process of parcelling out units of the National Park System. Needless to say, transferring this unit to the Government of the Virgin Islands would set a bad precedent. Also, we are concerned that the Government of the Virgin Islands is not equipped to manage a nationally significant cultural site.

At Christiansted National Historic Site the public learns about the role of Denmark in the colonization and subsequent development of the Virgin Islands. The buildings themselves are tangible reminders of a segment of America's heritage that is rapidly disappearing. Located on Saint Croix, it is one of four units of the National Park System in the United States Virgin Islands and provides operational support for another one of the parks in the islands, Buck Island National Monument.

As a result of a grass-roots petition to seek national recognition of the site, the Secretary of the Interior designated the Virgin Islands National Historic Site through the order of March 4, 1952. It was redesignated by the Secretary's Order of January 16, 1961, as Christiansted National Historic Site. A series of memoranda of agreement outline the relationship between the Virgin Islands Government and the National Park Service.

The 1952 agreement established the cooperative spirit between the two entities. The five subsequent agreements defined the various roles and responsibilities of the National Park Service and the Government of the Virgin Islands regarding such subjects as museum exhibits, use of the buildings, restoration of the historic scene, and control of traffic.

In February of 1995, I appeared before the Subcommittee on National Parks, Forests and Lands to oppose a bill that called for a study of the National Park System with a view toward deauthorizing certain units. Passage of H.R. 3635 would, in a small but dangerous way, begin that process. Each of the 369 units of the National Park System in 49 states, the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands was established by an Act of Congress, Presidential Proclamations, or Secretary's Orders. They represent the initiatives of Congress and numerous Administrations to preserve and protect our Nation's natural and cultural heritage and to provide for recreational opportunities. All of these units represent diverse public resources under our permanent stewardship for the use and enjoyment by present and future generations. Without the laws, proclamations, and orders that established our parks, it is possible that many of our nationally significant resources would be lost forever.

All 369 units of the system are nationally significant in their own right. Whether it is Yellowstone, Glacier, and Independence National Historical Park, or Christiansted National Historic Site, each place is important, not just to a few individuals, but to all of us.

The National Park Service and congressional leaders of the past intended that the system be broadly representative of diverse natural and cultural elements of our nation. Clearly, Christiansted National Historic Site represents a chapter in our nation's history not found anywhere else. And clearly, Congress has entrusted the National Park Service to manage these resources in perpetuity.

If the stewardship responsibility of Christiansted National Historic Site were to be transferred to the Government of the Virgin Islands, it could be viewed as an indication that the national significance of this valuable resource no longer exists.

We also question the Government of the Virgin Islands' ability to manage this resource to the standards established in the National Park System. We wonder whether the territory possesses both the expertise and the financial resources to manage the park well. The territory's record of managing cultural sites is uneven at best. The Government of the Virgin Islands' parks are geared toward active, day-use recreation, like ball fields and basketball courts, and we applaud the territory's efforts for providing these services. However, its administration of its two cultural sites, Fort Frederick in Fredericksted and Fort Christian in Charlotte Amalie, falls short of the standards set by the National Park System. In 1984, the territory assumed title and control of Government House, a structure located within the national historic site. Unfortunately, the territory has not been able to maintain this

structure adequately. Furthermore, we understand, that within the last six months, the Governor proclaimed that the territory should not undertake any new obligations because of its financial burdens.

Additionally, we are concerned by indications that one of the territory's reasons for desiring management control of the site is economic development. Certainly it is within the Governor's purview to stimulate economic development in the territory--it is sorely needed, but not at the expense of the historic site. The territory has developed plans to construct a boardwalk near the Fort and an earlier plan proposed to build a restaurant in the commandant quarters of Fort Christianvaern. The National Park Service's job is to protect the nation's heritage for current and future generations, not to promote economic development.

As Assistant Secretary Frampton stated in a recent letter to Governor Schneider, the National Park Service fully supports partnerships as part of the effort to preserve the outstanding resources in the Virgin Islands. We will be pleased to work with the Governor to resolve the issues of concern to him and to preserve the compatibility of the Fort and the town.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions.