

103^D CONGRESS
1ST SESSION

S. 294

To authorize the Secretary of the Interior to formulate a program for the research, interpretation, and preservation of various aspects of colonial New Mexico history, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3 (legislative day, JANUARY 5), 1993

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the Secretary of the Interior to formulate a program for the research, interpretation, and preservation of various aspects of colonial New Mexico history, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Colonial New Mexico
5 Commemorative Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

1 (1) in 1598, almost a decade before the first
2 permanent English settlement was established at
3 Jamestown, Spanish colonists entered New Mexico,
4 beginning more than 2 centuries of colonization that
5 would indelibly mark the character of the American
6 Southwest;

7 (2) because of the flow of history, New Mexico
8 has remained a unique area of the Spanish border-
9 lands;

10 (3) as a result of its remoteness, New Mexico
11 changed more slowly than other settlements and has
12 retained many significant remnants of colonial cus-
13 toms, language, and attitudes; and

14 (4) the interaction of the American Indian and
15 Hispanic colonial heritages resulted in customs, ar-
16 chitecture, and many other manifestations that are
17 unique to today's American culture.

18 (b) PURPOSE.—In order to enhance the preservation,
19 interpretation, and public understanding of various as-
20 pects of colonial New Mexico, the purpose of this Act is
21 to authorize the Secretary of the Interior to formulate a
22 program for the research, interpretation, and preservation
23 of various aspects of colonial New Mexico history.

24 **SEC. 3. DEFINITIONS.**

25 As used in this Act:

1 (1) COMMITTEE.—The term “Committee”
2 means the Colonial New Mexico Preservation Advi-
3 sory Committee established by section 6.

4 (2) PLAN.—The term “plan” means the com-
5 prehensive management plan described in section 5.

6 (3) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

8 **SEC. 4. DUTIES OF SECRETARY.**

9 (a) PLAN.—

10 (1) PREPARATION.—The Secretary shall pre-
11 pare the comprehensive management plan in accord-
12 ance with section 5.

13 (2) IMPLEMENTATION.—In close consultation
14 with the Office of Cultural Affairs of the State of
15 New Mexico and the Committee, the Secretary
16 shall—

17 (A) coordinate the activities of Federal,
18 State, and local governments, and private busi-
19 nesses and organizations, to carry out the plan
20 and the purpose of this Act; and

21 (B) consistent with standards established
22 by the Secretary for the preservation of historic
23 properties and for educational programs, and
24 consistent with the National Historic Preserva-
25 tion Act (16 U.S.C. 470 et seq.), prepare guide-

1 lines and standards for projects, as identified in
2 the plan, that will further public understanding
3 of colonial New Mexico history.

4 (b) GRANTS.—

5 (1) IN GENERAL.—From funds appropriated,
6 donated, or otherwise made available to the Sec-
7 retary, the Secretary shall award grants to tribal,
8 governmental, and nongovernmental entities to con-
9 serve and protect structures, objects, and sites, and
10 help support cultural events, that have outstanding
11 significance in the commemoration of colonial New
12 Mexico, except that the Federal share shall not ex-
13 ceed 50 percent of the cost of each project.

14 (2) NON-FEDERAL SHARE.—The non-Federal
15 share may be in the form of cash or services, includ-
16 ing donation of labor for project implementation.

17 (c) SURVEYS AND ARCHAEOLOGICAL INVESTIGA-
18 TIONS.—The Secretary shall contract for surveys and ar-
19 chaeological and historical investigations of sites relating
20 to colonial New Mexico, including the preparation of re-
21 ports and maps, and the curation of artifacts.

22 (d) PUBLICATIONS.—The Secretary shall publish
23 study reports and educational materials.

24 (e) NOMINATIONS TO NATIONAL REGISTER OF HIS-
25 TORIC PLACES.—The Secretary shall prepare thematic

1 nominations to the National Register of Historic Places
2 of colonial sites and resources in New Mexico.

3 (f) STAFF OF OTHER AGENCIES.—On a reimbursable
4 basis, the Secretary may procure the services of personnel
5 detailed from the State of New Mexico or other Federal
6 agencies.

7 (g) DONATIONS.—The Secretary may seek and ac-
8 cept donations of funds or services from public and private
9 entities to carry out this Act.

10 **SEC. 5. COMPREHENSIVE MANAGEMENT PLAN.**

11 (a) IN GENERAL.—Not later than 2 years after funds
12 are made available for purposes of this Act, the Secretary,
13 in consultation with the Committee, the State of New
14 Mexico, units of local government, and private groups,
15 shall prepare a comprehensive management plan to pro-
16 vide direction for commemorative actions and projects.

17 (b) CONTENTS.—The plan shall—

18 (1) establish a process and procedures for un-
19 dertaking research relating to colonial New Mexico
20 and a program for regular publication of research
21 materials and findings;

22 (2) develop a survey program to further evalu-
23 ate known resources and identify sites and features
24 that require additional study;

1 (3) identify a core system of interpretive sites
2 and features that would provide a comprehensive
3 overview of the colonial New Mexico story;

4 (4) prepare interpretive materials to address
5 the colonial New Mexico story and identify locations
6 where this material will be available to the public;

7 (5) evaluate and recommend high priority sites
8 and resources that need protection and assistance;

9 (6) with the assistance of site owners, prepare
10 options for the protection and management of high
11 priority colonial New Mexico resources;

12 (7) evaluate and recommend highway routes, in
13 existence on the date of the plan, that could be des-
14 ignated by the State of New Mexico as colonial New
15 Mexico tour routes; and

16 (8) evaluate the feasibility of and need for de-
17 veloping commemorative centers in New Mexico in
18 accordance with section 7(a).

19 **SEC. 6. ESTABLISHMENT OF ADVISORY COMMITTEE.**

20 (a) **IN GENERAL.**—There is established in the De-
21 partment of the Interior the Colonial New Mexico Preser-
22 vation Advisory Committee to advise the Secretary with
23 respect to the administration of this Act.

24 (b) **MEMBERSHIP.**—

1 (1) COMPOSITION.—The Committee shall be
2 composed of 15 members who have knowledge of
3 New Mexico colonial history and culture and who
4 shall be appointed by the Secretary, of whom—

5 (A) three members shall be appointed from
6 recommendations submitted by the Governor of
7 New Mexico, of whom one member shall rep-
8 resent the Office of Cultural Affairs of the
9 State of New Mexico;

10 (B) one member shall be appointed from
11 recommendations submitted by the All Indian
12 Pueblo Council;

13 (C) one member—

14 (i) shall be from the general public;

15 and

16 (ii) shall have knowledge of colonial
17 history in New Mexico;

18 (D) four members—

19 (i) shall be appointed from rec-
20 ommendations submitted by local govern-
21 ments in New Mexico; and

22 (ii) shall represent Hispanic commu-
23 nities;

1 (E) one member shall be appointed from
2 recommendations submitted by the President of
3 the University of New Mexico;

4 (F) one member shall be appointed from
5 recommendations submitted by the President of
6 New Mexico State University;

7 (G) one member shall be appointed from
8 recommendations jointly submitted by the Nav-
9 ajo and Apache tribal governments;

10 (H) one member shall have professional ex-
11 pertise in the colonial history of New Mexico;

12 (I) one member shall have professional ex-
13 pertise in architectural history; and

14 (J) one member shall be the Secretary or
15 the Secretary's designee and shall serve in an
16 ex-officio capacity.

17 (2) CHAIRPERSON.—

18 (A) IN GENERAL.—The Committee shall
19 elect a chairperson from among its members.

20 (B) TERM.—The chairperson shall serve
21 for a term of 2 years.

22 (3) VACANCIES.—A vacancy in the Committee
23 shall be filled in the manner in which the original
24 appointment was made.

25 (4) TERMS.—

1 (A) IN GENERAL.—Each member of the
2 Committee shall be appointed for a term of 5
3 years.

4 (B) MEMBERS FILLING VACANCIES.—A
5 member appointed to fill a vacancy shall serve
6 for the remainder of the term for which the
7 member's predecessor was appointed.

8 (C) EXTENDED SERVICE.—A member of
9 the Committee may serve after the expiration of
10 the member's term until a successor is ap-
11 pointed.

12 (5) COMPENSATION.—Members of the Commit-
13 tee shall serve without compensation.

14 (6) TRAVEL EXPENSES.—While away from
15 their homes or regular places of business in the per-
16 formance of services for the Committee, members of
17 the Committee shall be allowed travel expenses, in-
18 cluding per diem in lieu of subsistence, in the same
19 manner as persons employed intermittently in the
20 Government service are allowed expenses under sec-
21 tion 5703 of title 5, United States Code.

22 (c) MEETINGS.—

23 (1) IN GENERAL.—The Committee shall meet
24 at least twice annually or at the call of the chair-

1 person or a majority of the members of the Commit-
2 tee.

3 (2) QUORUM.—A simple majority of members
4 of the Committee shall constitute a quorum.

5 (d) HEARINGS.—To carry out this section, the Com-
6 mittee may hold public hearings, take testimony, and
7 record the views of the public regarding the plan and im-
8 plementation of the plan.

9 (e) TERMINATION.—The Committee shall terminate
10 10 years after completion of the appointment of the first
11 group of members.

12 **SEC. 7. COMMEMORATIVE CENTERS.**

13 (a) IN GENERAL.—

14 (1) IN GENERAL.—The Secretary may develop
15 commemorative centers, operate educational pro-
16 grams, provide technical assistance, conduct cultural
17 events, and prepare media materials, except that the
18 Federal share of a project shall not exceed 50 per-
19 cent of the total cost of development.

20 (2) NON-FEDERAL SHARE.—The non-Federal
21 share may be in the form of cash or services.

22 (b) ESPAÑOLA PLAZA CENTER.—

23 (1) IN GENERAL.—In consultation with the
24 Committee, the Secretary may pay to the city of
25 Española, New Mexico, the Federal share of plan-

1 ning, developing, and operating a commemorative
2 center as an element of the Spanish Commemorative
3 Plaza.

4 (2) FEDERAL SHARE.—The Federal share may
5 not exceed 50 percent of the total cost of the
6 Española Plaza project.

7 (3) NON-FEDERAL SHARE.—The non-Federal
8 share may be in the form of cash or services.

9 **SEC. 8. GALISTEO BASIN STUDY.**

10 In accordance with the National Park Service docu-
11 ment entitled “Alternative Concepts for Commemorating
12 Spanish Colonization” and dated February 1991, the Sec-
13 retary shall undertake a special resource study of the
14 major prehistoric and historic sites in the Galisteo Basin
15 relating to colonial New Mexico. The study shall include
16 evaluations of significance, site integrity, threats, and pro-
17 tection and management options.

18 **SEC. 9. PUEBLO TRAIL.**

19 (a) REDESIGNATION.—The Masau Trail, as des-
20 ignated by title II of Public Law 100–225 (16 U.S.C.
21 460uu–11 et seq.), is redesignated as the Pueblo Trail.

22 (b) LEGAL REFERENCES.—Any reference in any
23 record, map, or other document of the United States to
24 the Masau Trail is deemed to be a reference to the Pueblo
25 Trail.

1 (c) CONFORMING AMENDMENTS.—

2 (1) The title heading of title II of Public Law
3 100–225 (16 U.S.C. 460uu–11 et seq.) is amended
4 by striking “MASAU” and inserting “PUEBLO”.

5 (2) Public Law 100–225 (16 U.S.C. 460uu et
6 seq.) is amended by striking “Masau” each place it
7 appears in sections 201, 204, and 510 and inserting
8 “Pueblo”.

9 **SEC. 10. ANNUAL REPORTS.**

10 (a) IN GENERAL.—The Secretary shall submit an an-
11 nual report to Congress that lists with respect to this
12 Act—

13 (1) actions taken by the Secretary;

14 (2) entities to which any grants were made dur-
15 ing the fiscal year and any recipients of technical as-
16 sistance; and

17 (3) actions taken to protect and interpret sig-
18 nificant sites, structures, and objects relating to co-
19 lonial New Mexico.

20 (b) COST ESTIMATES.—The report shall include de-
21 tailed cost estimates of projects that are proposed to be
22 funded under this Act during the next fiscal year.

1 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the De-
3 partment of the Interior \$5,000,000 to carry out this Act,
4 to remain available until expended.

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