

Calendar No. 563

105TH CONGRESS
2^D SESSION

S. 1998

[Report No. 105-322]

To authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 28, 1998

Mr. HATCH (for himself, Mr. BENNETT, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

SEPTEMBER 9, 1998

Reported by Mr. CAMPBELL, without amendment

A BILL

To authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, 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 “Four Corners Interpre-

5 tive Center Act”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the Four Corners Monument is nationally
4 significant as the only geographic location in the
5 United States where 4 State boundaries meet;

6 (2) the States with boundaries that meet at the
7 Four Corners area are Arizona, Colorado, New Mex-
8 ico, and Utah;

9 (3) between 1868 and 1875 the boundary lines
10 that created the Four Corners were drawn, and in
11 1899 a monument was erected at the site;

12 (4) a United States postal stamp will be issued
13 in 1999 to commemorate the centennial of the origi-
14 nal boundary marker;

15 (5) the Four Corners area is distinct in char-
16 acter and possesses important historical, cultural,
17 and prehistoric values and resources within the sur-
18 rounding cultural landscape;

19 (6) although there are no permanent facilities
20 or utilities at the Four Corners Monument Tribal
21 Park, each year the park attracts approximately
22 250,000 visitors;

23 (7) the area of the Four Corners Monument
24 Tribal Park falls entirely within the Navajo Nation
25 or Ute Mountain Ute Tribe reservations;

1 (8) the Navajo Nation and the Ute Mountain
2 Ute Tribe have entered into a Memorandum of Un-
3 derstanding governing the planning and future de-
4 velopment of the Four Corners Monument Tribal
5 Park;

6 (9) in 1992, through agreements executed by
7 the governors of Arizona, Colorado, New Mexico,
8 and Utah, the Four Corners Heritage Council was
9 established as a coalition of Federal, State, tribal,
10 and private interests;

11 (10) the State of Arizona has obligated \$45,000
12 for planning efforts and \$250,000 for construction
13 of an interpretive center at the Four Corners Monu-
14 ment Tribal Park;

15 (11) numerous studies and extensive consulta-
16 tion with American Indians have demonstrated that
17 development at the Four Corners Monument Tribal
18 Park would greatly benefit the people of the Navajo
19 Nation and the Ute Mountain Ute Tribe;

20 (12) the Arizona Department of Transportation
21 has completed preliminary cost estimates that are
22 based on field experience with rest-area development
23 for the construction for a Four Corners Monument
24 Interpretive Center and surrounding infrastructure,

1 including restrooms, roadways, parking, water, elec-
2 trical, telephone, and sewage facilities;

3 (13) an interpretive center would provide im-
4 portant educational and enrichment opportunities
5 for all Americans; and

6 (14) Federal financial assistance and technical
7 expertise are needed for the construction of an inter-
8 pretive center.

9 (b) PURPOSES.—The purposes of this Act are—

10 (1) to recognize the importance of the Four
11 Corners Monument and surrounding landscape as a
12 distinct area in the heritage of the United States
13 that is worthy of interpretation and preservation;

14 (2) to assist the Navajo Nation and the Ute
15 Mountain Ute Tribe in establishing the Four Cor-
16 ners Interpretive Center and related facilities to
17 meet the needs of the general public;

18 (3) to highlight and showcase the collaborative
19 resource stewardship of private individuals, Indian
20 tribes, universities, Federal agencies, and the gov-
21 ernments of States and political subdivisions thereof
22 (including counties); and

23 (4) to promote knowledge of the life, art, cul-
24 ture, politics, and history of the culturally diverse
25 groups of the Four Corners region.

1 **SEC. 3. DEFINITIONS.**

2 As used in this Act:

3 (1) CENTER.—The term “Center” means the
4 Four Corners Interpretive Center established under
5 section 4, including restrooms, parking areas, vendor
6 facilities, sidewalks, utilities, exhibits, and other visi-
7 tor facilities.

8 (2) FOUR CORNERS HERITAGE COUNCIL.—The
9 term “Four Corners Heritage Council” means the
10 nonprofit coalition of Federal, State, and tribal enti-
11 ties established in 1992 by agreements of the Gov-
12 ernors of the States of Arizona, Colorado, New Mex-
13 ico, and Utah.

14 (3) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 (4) RECIPIENT.—The term “recipient” means
17 the State of Arizona, Colorado, New Mexico, or
18 Utah, or any consortium of 2 or more of these
19 States.

20 (5) FOUR CORNERS MONUMENT.—The term
21 “Four Corners Monument” means the physical
22 monument where the boundaries of the States of Ar-
23 izona, Colorado, New Mexico and Utah meet.

24 (6) FOUR CORNERS MONUMENT TRIBAL
25 PARK.—The term “Four Corners Monument Tribal

1 Park” means lands within the legally defined bound-
2 ary of the Four Corners Monument Tribal Park.

3 **SEC. 4. FOUR CORNERS MONUMENT INTERPRETIVE CEN-**
4 **TER.**

5 (a) ESTABLISHMENT.—Subject to the availability of
6 appropriations, the Secretary is authorized to establish
7 within the boundaries of the Four Corners Monument
8 Tribal Park a center for the interpretation and commemo-
9 ration of the Four Corners Monument, to be known as
10 the “Four Corners Interpretive Center”.

11 (b) LAND.—Land for the Center shall be designated
12 and made available by the Navajo Nation or the Ute
13 Mountain Ute Tribe within the boundary of the Four Cor-
14 ners Monument Tribal Park in consultation with the Four
15 Corners Heritage Council and in accordance with—

16 (1) the memorandum of understanding between
17 the Navajo Nation and the Ute Mountain Ute Tribe
18 that was entered into on October 22, 1996; and

19 (2) applicable supplemental agreements with
20 the Bureau of Land Management, the National Park
21 Service, the United States Forest Service.

22 (c) CONCURRENCE.—Notwithstanding any other pro-
23 vision of this Act, no such center shall be established with-
24 out the consent of the Navajo Nation and the Ute Moun-
25 tain Ute Tribe.

1 (d) COMPONENTS OF CENTER.—The Center shall in-
2 clude—

3 (1) a location for permanent and temporary ex-
4 hibits depicting the archaeological, cultural, and nat-
5 ural heritage of the Four Corners region;

6 (2) a venue for public education programs;

7 (3) a location to highlight the importance of ef-
8 forts to preserve southwestern archaeological sites
9 and museum collections;

10 (4) a location to provide information to the gen-
11 eral public about cultural and natural resources,
12 parks, museums, and travel in the Four Corners re-
13 gion; and

14 (5) visitor amenities including restrooms, public
15 telephones, and other basic facilities.

16 **SEC. 5. CONSTRUCTION GRANT.**

17 (a) GRANT.—The Secretary is authorized to award
18 a Federal grant to the recipient described in section 3(4)
19 for up to 50 percent of the cost to construct the Center.
20 To be eligible for the grant, the recipient shall provide as-
21 surances that—

22 (1) the non-Federal share of the costs of con-
23 struction is paid from non-Federal sources. The non-
24 Federal sources may include contributions made by
25 States, private sources, the Navajo Nation and the

1 Ute Mountain Ute Tribe for planning, design, con-
2 struction, furnishing, startup, and operational ex-
3 penses;

4 (2) the aggregate amount of non-Federal funds
5 contributed by the States used to carry out the ac-
6 tivities specified in subparagraph (A) will not be less
7 than \$2,000,000, of which each of the States that
8 is party to the grant will contribute equally in cash
9 or in kind;

10 (3) States may use private funds to meet the
11 requirements of paragraph (2); and

12 (4) the State of Arizona may apply \$45,000 au-
13 thorized by the State of Arizona during fiscal year
14 1998 for planning and \$250,000 that is held in re-
15 serve by that State for construction toward the Ari-
16 zona share.

17 (b) GRANT REQUIREMENTS.—In order to receive a
18 grant under this Act, the recipient shall—

19 (1) submit to the Secretary a proposal that
20 meets all applicable—

21 (A) laws, including building codes and reg-
22 ulations;

23 (B) requirements under the Memorandum
24 of Understanding described in paragraph (2) of
25 this subsection; and

1 (C) provides such information and assur-
2 ances as the Secretary may require; and

3 (2) the recipient shall enter into a Memorandum of Understanding (MOU) with the Secretary
4 providing—

5 (A) a timetable for completion of construction and opening of the Center;

6 (B) assurances that design, architectural and construction contracts will be competitively
7 awarded;

8 (C) specifications meeting all applicable Federal, State, and local building codes and
9 laws;

10 (D) arrangements for operations and maintenance upon completion of construction;

11 (E) a description of center collections and educational programing;

12 (F) a plan for design of exhibits including, but not limited to, collections to be exhibited,
13 security, preservation, protection, environmental controls, and presentations in accordance with
14 professional museum standards;

15 (G) an agreement with the Navajo Nation and the Ute Mountain Ute Tribe relative to site
16 selection and public access to the facilities; and
17

1 (H) a financing plan developed jointly by
2 the Navajo Nation and the Ute Mountain Ute
3 Tribe outlining the long-term management of
4 the Center, including but not limited to—

5 (i) the acceptance and use of funds
6 derived from public and private sources to
7 minimize the use of appropriated or bor-
8 rowed funds;

9 (ii) the payment of the operating costs
10 of the Center through the assessment of
11 fees or other income generated by the Cen-
12 ter;

13 (iii) a strategy for achieving financial
14 self-sufficiency with respect to the Center
15 by not later than 5 years after the date of
16 enactment of this Act; and

17 (iv) defining appropriate vendor
18 standards and business activities at the
19 Four Corners Monument Tribal Park.

20 **SEC. 6. SELECTION OF GRANT RECIPIENT.**

21 The Secretary is authorized to award a grant in ac-
22 cordance with the provisions of this Act. The Four Cor-
23 ners Heritage Council may make recommendations to the
24 Secretary on grant proposals regarding the design of fa-
25 cilities at the Four Corners Monument Tribal Park.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 IN GENERAL.—

3 (1) AUTHORIZATIONS.—There are authorized to
4 be appropriated to carry out this Act—

5 (A) \$2,000,000 for fiscal year 1999; and

6 (B) \$50,000 for each of fiscal years 2000
7 through 2004 for maintenance and operation of
8 the center, program development, or staffing in
9 a manner consistent with the requirements of
10 section 5(b).

11 (2) CARRYOVER.—Any funds made available
12 under this section that are unexpended at the end
13 of the fiscal year for which those funds are appro-
14 priated may be used by the Secretary through fiscal
15 year 2001 for the purposes for which those funds
16 were made available.

17 (3) RESERVATION OF FUNDS.—The Secretary
18 may reserve funds appropriated pursuant to this Act
19 until a proposal meeting the requirements of this
20 Act is submitted, but no later than September 30,
21 2000.

22 **SEC. 8. DONATIONS.**

23 Notwithstanding any other provision of law, for pur-
24 poses of the planning, construction, and operation of the
25 Center, the Secretary may accept, retain, and expand do-

1 nations of funds, and use property or services donated
2 from private persons and entities or from public entities.

3 **SEC. 9. STATUTORY CONSTRUCTION.**

4 Nothing in this Act is intended to abrogate, modify,
5 or impair any right or claim of the Navajo Nation or the
6 Ute Mountain Ute Tribe, that is based on any law (includ-
7 ing any treaty, Executive order, agreement, or Act of Con-
8 gress).

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