

# Calendar No. 493

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1727

[Report No. 106-263]

To authorize funding for the expansion annex of the historic Palace of the Governors, a public history museum located, and relating to the history of Hispanic and Native American culture, in the Southwest and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 14, 1999

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

APRIL 12, 2000

Reported by Mr. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

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## A BILL

To authorize funding for the expansion annex of the historic Palace of the Governors, a public history museum located, and relating to the history of Hispanic and Native American culture, in the Southwest 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,*

1 **SECTION 1. SHORT TITLE.**

2 (a) SHORT TITLE.—This act may be cited as “Palace  
3 of the Governors Expansion Act”.

4 **SEC. 2. CONSTRUCTION OF PALACE OF THE GOVERNORS**  
5 **EXPANSION.**

6 (a) FINDINGS.—Congress makes the following find-  
7 ings:

8 (1) The United States has an enriched legacy  
9 of Hispanic influence in politics, government, eco-  
10 nomic development and cultural expression.

11 (2) The Palace of the Governors has been the  
12 center of administrative and cultural activity over a  
13 vast region of the Southwest since its construction  
14 as New Mexico’s second capitol in Santa Fe by Gov-  
15 ernor Pedro de Peralta in 1610.

16 (3) The Palace of the Governors is the oldest  
17 continuously occupied public building in ~~the~~ *the con-*  
18 *tiguous* United States and has been occupied for 390  
19 years.

20 (4) Since its creation the Museum of New Mex-  
21 ico has worked to protect and promote Southwest,  
22 Hispanic and Native American arts and crafts.

23 (5) The Palace of the Governors is the history  
24 division of the Museum of New Mexico and was once  
25 proposed by Teddy Roosevelt to be part of the

1 Smithsonian Museum and known as the “Smithso-  
2 nian West.”

3 (6) The Museum has a extensive and priceless  
4 collection of:

5 (A) Spanish Colonial and Iberian Colonial  
6 paintings including the Sagesser Hyde paint-  
7 ings on buffalo hide dating back to 1706.

8 (B) Pre-Columbian Art.

9 (C) Historic artifacts including:

10 (i) Helmets and armor worn by the  
11 Don Juan Onate expedition conquistadors  
12 who established the first capital in the  
13 United States, San Juan de los Caballeros,  
14 in July of 1598.

15 (ii) The Vara Stick used to measure  
16 land grants and other real property bound-  
17 aries in Dona Ana County, New Mexico.

18 ~~(iii) The Columbus, New Mexico Rail-~~  
19 ~~way Station clock that was shot, stopping~~  
20 ~~the pendulum, freezing for all history the~~  
21 ~~moment when Pancho Villa’s raid began. It~~  
22 ~~marks the beginning of the last invasion of~~  
23 ~~the continental United States.~~

24 ~~(iv) (iii) The field desk of Brigadier~~  
25 ~~General Stephen Watts Kearny who was~~

1 posted to New Mexico during the Mexican  
2 War and whose Army of the West traveled  
3 the Santa Fe trail to occupy the territories  
4 of New Mexico and California.

5 ~~(v)~~ (iv) More than 800,000 other his-  
6 toric photographs, guns, costumes, maps,  
7 books and handicrafts.

8 (7) The Palace of the Governors and the  
9 Sagesser Hyde paintings were designated National  
10 Treasures by the National Trust for Historic Preser-  
11 vation.

12 (8) The facilities both for exhibiting and stor-  
13 age of this irreplaceable collection are so totally in-  
14 adequate and dangerously unsuitable that there ex-  
15 istence is endangered and their preservation is in  
16 jeopardy.

17 (b) DEFINITIONS.—In this section:

18 (1) ANNEX.—The term “Annex” means the  
19 Palace of the Governors, Museum of New Mexico ad-  
20 dition to be located directly behind the historic Pal-  
21 ace of the Governors building at 110 Lincoln Ave-  
22 nue, Santa Fe, New Mexico.

23 (2) SECRETARY.—The term “Secretary” means  
24 the Secretary of Interior.

1           (c) CONSTRUCTION OF THE ANNEX.—Subject to the  
2 availability of appropriations, the Secretary shall award a  
3 grant to New Mexico to pay for the Federal share of the  
4 costs of the final design, construction, furnishing and  
5 equipping of the Palace of the Governors Expansion  
6 Annex that will be located directly behind the historic Pal-  
7 ace of the Governors at 110 Lincoln Avenue, Santa Fe,  
8 New Mexico.

9           (d) GRANT REQUIREMENTS.—

10           (1) IN GENERAL.—In order to receive a grant  
11 awarded under subsection (c), New Mexico, acting  
12 through the Office of Cultural Affairs—

13                   (A) shall submit to the Secretary, within  
14 30 days of the date of enactment of this sec-  
15 tion, a copy of the architectural blueprints for  
16 the Palace of the Governors Expansion Annex.

17                   (B) shall exercise due diligence to obtain  
18 an appropriation from the New Mexico State  
19 Legislature for at least \$8 million.

20                   (C) shall exercise due diligence to expedi-  
21 tiously execute a memorandum of under-  
22 standing recognizing that time is of the essence  
23 for the construction for the Annex because  
24 2010 marks the 400th anniversary of the con-

1           tinuous occupation and use of the Palace of the  
2           Governors.

3           (2) MEMORANDUM OF UNDERSTANDING.—The  
4           memorandum of understanding described in para-  
5           graph (1) shall provide—

6                   (A) the date of completion of the construc-  
7                   tion of the Annex.

8                   (B) that Office of Cultural Affairs shall  
9                   award the contract for construction of the  
10                  Annex in accordance with the New Mexico Pro-  
11                  curement Code; and

12                  (C) that the contract for the construction  
13                  of the Annex shall be awarded pursuant to a  
14                  competitive bidding process.

15           (3) FEDERAL SHARE.—The Federal share of  
16           the costs described in subsection (c) shall be 50 per-  
17           cent.

18           (4) NON-FEDERAL SHARE.—The non-Federal  
19           share of the costs described in section (c) shall be  
20           in cash or in kind fairly evaluated, including land,  
21           art and artifact collections, plant, equipment, or  
22           services. The non-Federal share shall include any  
23           contribution received by New Mexico for the design,  
24           land acquisition, library acquisition, library renova-  
25           tion, Palace of the Governors conservation, and con-

1 construction, furnishing, equipping of the Annex, or do-  
 2 nations of art collections to the Museum of New  
 3 Mexico prior to the date of enactment of this sec-  
 4 tion. The non-Federal share of the costs described in  
 5 subsection (c) shall include the following:

6 (A) Cost of the land at 110 Lincoln Ave-  
 7 nue, Santa Fe, New Mexico.

8 (B) Library acquisition expenditures.

9 (C) Library renovation expenditures.

10 (D) Palace conservation expenditures.

11 (E) New Mexico Foundation and other en-  
 12 dowment funds.

13 (F) Donations of art collections or other  
 14 artifacts.

15 (e) USE OF FUNDS FOR CONSTRUCTION.—FUR-  
 16 NISHING AND EQUIPMENT.—Subject to funds being ap-  
 17 propriated, the funds received under a grant awarded  
 18 under subsection (c) shall be used only for the final design,  
 19 construction, management, inspection, furnishing and  
 20 equipment of the Annex.

21 (f) AUTHORIZATION OF APPROPRIATIONS.—Subject  
 22 to funds being appropriated, there is authorized to be ap-  
 23 propriated to the Secretary to carry out this section a total  
 24 of \$15,000,000 for fiscal year 2001 and succeeding fiscal  
 25 years. Funds appropriated pursuant to the authority of

1 the preceding sentence shall remain available until ex-  
2 pended but are conditioned upon the New Mexico State  
3 legislature appropriating at least \$8 million between date  
4 of enactment and 2010 and other non-federal sources pro-  
5 viding enough funds, when combined with the New Mexico  
6 State legislature appropriations, to make this federal  
7 grant based on a fifty-fifty match.

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