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### AUTHORIZING AN INTERPRETIVE CENTER AND RELATED VISITOR FACILITIES WITHIN THE FOUR CORNERS MONU- MENT TRIBAL PARK, AND FOR OTHER PURPOSES

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AUGUST 27, 1999.—Ordered to be printed

Filed under authority of the order of the Senate of August 5, 1999

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Mr. CAMPBELL, from the Committee on Indian Affairs,  
submitted the following

### REPORT

[To accompany S. 28]

The Committee on Indian Affairs, to which was referred the bill (S. 28) to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute, and recommends that the bill as amended do pass.

#### PURPOSES

The purpose of S. 28 is to establish the Four Corners Interpretive Center within the boundaries of the existing Four Corners Monument Tribal Park to interpret and commemorate the Four Corners Monument, and to highlight the natural splendor and beauty of the American southwest for tourism and related purposes. The Four Corners area is the only location in the United States linking four states: Arizona, Colorado, New Mexico, and Utah.

#### BACKGROUND

The Four Corners Monument was erected in 1899 to honor the only geographic location in the nation where the boundaries of four states, Arizona, Colorado, New Mexico, and Utah, meet. The Four Corners Monument Tribal Park itself is located on lands that fall within the Navajo Nation and the Ute Mountain reservations. In

1996, these Indian tribes entered into a memorandum of understanding governing future development of the park.

Once the home of the Anasazi people, the Four Corners Area is unique in terms of its geography, history, culture, and archaeology, and is visited each year by more than 250,000 domestic and international travelers. Although the area is endowed with natural assets, a lack of permanent facilities such as restrooms, roadways, parking, water, electrical services, telephone, and sewerage at the park is thought to hinder the full development of the park and surrounding economies.

#### SUMMARY OF THE PROVISIONS OF S. 28

This legislation would establish the Four Corners Interpretive Center within the boundaries of the tribal park on land provided by the Navajo Nation or the Ute Mountain Ute Tribe. The Interpretive Center is to serve as an educational hub providing cultural, historical, and archaeological information, and is to be complemented with an array of amenities to attract domestic and international visitors to the area.

The bill authorizes the Secretary of the Interior to award federal grant funds to a state or a consortium of two or more states (of the four states involved) for purposes of construction. This construction grant will not exceed \$2,000,000 and can provide for up to fifty percent (50%) of the total cost of construction of the center.

To be eligible for such grant funds, the recipient state or states must supply matching funds for planning, design, construction, furnishing, start-up and operational expenses. Such matching funds may be made in cash or in kind, and may be provided by the states, the Navajo Nation, the Ute Mountain Ute Tribe, or private sources.

The bill requires that grant applications include provisions regarding the application of local laws, including building codes and regulations. Also, grant applicants must enter into a memorandum of understanding with the Secretary of the Interior regarding the planning and construction of the Interpretive Center, as well as specifications for the operation of the Interpretive Center.

Grant applications must also include a financing plan to be developed jointly by the Navajo Nation and Ute Mountain Ute Tribe regarding leveraged funding sources; fee assessments by the Center to cover operating expenses; plans to achieve the strategic objective of Center self-sufficiency no later than five years after enactment; and defined vendor standards and business activities at the Park.

#### SECTION-BY-SECTION ANALYSIS OF S. 28

Sec. 1. Short Title. The title of this bill is the Four Corners Interpretive Center Act.

Sec. 2. Findings and Purpose. The Four Corners Monument is the only geographic location where four state boundaries meet; Arizona, Colorado, New Mexico, and Utah. It is estimated that 250,000 people visit the Four Corners Tribal Park each year. The Four Corners Monument is located on land within the Navajo Nation or Ute Mountain Ute Tribe reservations. In 1996, the Navajo Nation and Ute Mountain Ute Tribe entered into a memorandum

of understanding governing the planning and future development of the Four Corners Monument Tribal Park.

There are four purposes of this bill: (1) to recognize the distinct heritage of the area, (2) to help build much-needed facilities for the general public, (3) to highlight the collaborative resource stewardship of the parties involved, and (4) to promote the cultural diversity of the region.

Sec. 3. Definitions. The definitions contained in this section include: Center, Eligible Entity, Four Corners Heritage Council, Four Corners Monument, Four Corners Monument Tribal Park, and Secretary.

Sec. 4. Four Corners Interpretive Center. The Secretary is authorized to establish a Four Corners Interpretive Center on lands made available by the Navajo Nation or the Ute Mountain Ute Tribe. The Interpretive Center will include exhibits, educational and informational venues, and visitor amenities.

Sec. 5. Construction Grants. The Secretary is authorized to award a grant for up to fifty percent (50%) of the construction of the Interpretive Center and this grant will not exceed \$2,000,000. An eligible grant recipient is either one of the four states involved or a consortium of two or more of these states. The grant recipient will meet the remaining construction costs through state, private, or tribal sources. In addition, the recipient's contribution will not be less than \$2,000,000 and can be met in cash or in kind.

In order for a state or consortium of states to receive this grant, the proposal must meet all applicable requirements and also the recipient must enter into a memorandum of understanding with the Secretary regarding certain provisions. The provisions in the memorandum will include a timetable for completion of construction; assurances that construction contracts are competitively awarded; specifications meeting all applicable laws; arrangements for the operation and maintenance of the Interpretive Center; a description of the Interpretive Center's collections and educational programming; a plan for the designs of exhibits that is in accordance with professional museum standards; an agreement with the Navajo Nation and the Ute Mountain Ute Tribe relative to the site selection and public access to the facility; and a financing plan outlining the long-term management of the Interpretive Center.

Sec. 6. Selection of Grant Recipient. The Four Corners Heritage Council may make recommendations to the Secretary on grant proposals regarding the design of the Four Corners Interpretive Center and its facilities.

Sec. 7. Authorization of Appropriations. The Department of the Interior is authorized to appropriate \$2,000,000 in fiscal year 2000 and \$50,000 for each of the following fiscal years 2001–2005. The funds awarded in fiscal year 2000 can be carried over until fiscal year 2002. The Secretary may reserve funds until September 30, 2001 while waiting for a grant proposal that meets the requirements of this Act.

Sec. 8. Donations. The Secretary may accept, retain, and expend donated funds and use donated property or services from private or public entities.

Sec. 9. Statutory Construction. Nothing in this Act is intended to abrogate or modify any right/claim of the Navajo Nation or the Ute

Mountain Ute Tribe (including any treaty, Executive order, agreement, or Act of Congress).

#### LEGISLATIVE HISTORY

S. 28, the Four Corners Interpretive Center Act, was introduced on January 19, 1999, by Senator Hatch, for himself, and for Senators Bingaman and Bennett with Campbell, Domenici, and Allard joining as co-sponsors on January 28, 1999. The bill was referred to the Committee on Indian Affairs. On June 16, 1999, the Committee on Indian Affairs convened a business meeting to consider S. 28 and other measures that had been referred to it. The committee favorably reported a substitute amendment to S. 28 to the full Senate.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTE

On June 16, 1999, the Committee on Indian Affairs, in an open business session, adopted an amendment in the nature of a substitute to S. 28 by voice vote and ordered the bill, as amended, reported favorably to the Senate.

#### COST AND BUDGETARY CONSIDERATION

The cost estimate for S. 28 as calculated by the Congressional Budget Office, is set forth below:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, June 23, 1999.*

Hon. BEN NIGHTHORSE CAMPBELL,  
*Chairman, Committee on Indian Affairs,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 28, the Four Corners Interpretive Center Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

#### *S. 28—Four Corners Interpretive Center Act*

S. 28 would authorize the Secretary of the Interior to establish the Four Corners Interpretive Center to commemorate the Four Corners Monument, located where the boundaries of Arizona, Colorado, New Mexico, and Utah meet. The interpretive center would be built on land made available by the Navajo Nation or the Ute Mountain Ute Tribe within Four Corners Monument Tribal Park. S. 28 would authorize the Secretary to award a federal grant to Arizona, Colorado, New Mexico, Utah, or any consortium of these states for up to 50 percent of the cost of constructing the center. S. 28 would authorize the appropriation of \$2.25 million over fiscal years 2000 through 2005 to carry out the bill. In addition, the bill would authorize the Secretary to accept donations from private or

public entities for planning, building, and operating the interpretive center.

CBO estimates that implementing S. 28 would increase discretionary outlays by about \$2 million over the 2000–2001 period and by about \$50,000 a year for fiscal years 2001 through 2005, assuming appropriation of the authorized amounts. Because enacting the bill could affect direct spending and government receipts, pay-as-you-go procedures would apply, but CBO estimates that any such effects would be insignificant. S. 28 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. State and tribal governments might incur some costs as a result of the bill's enactment, but these costs would be voluntary.

The CBO staff contact is Megan Carroll. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

#### REGULATORY IMPACT STATEMENT

Paragraph 11(b) of rule XXVI of the Standing Rules of the Senate requires that each report accompanying a bill to evaluate the regulatory paperwork impact that would be incurred in implementing the legislation. The Committee has concluded that enactment of S. 28 will create only de minimis regulatory or paperwork burdens.

#### EXECUTIVE COMMUNICATIONS

The Committee has received no official communication from the Administration on the provisions of the bill.

#### CHANGES IN EXISTING LAW

In compliance with subsection 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill are required to be set out in the accompanying Committee report. The Committee finds that enactment of S. 28 will not result in any changes in existing law.