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2D SESSION

# S. 1998

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

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## 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

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## 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”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

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

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

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

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

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

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

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

24          (8) the Navajo Nation and the Ute Mountain  
25 Ute Tribe have entered into a Memorandum of Un-

1 derstanding governing the planning and future de-  
2 velopment of the Four Corners Monument Tribal  
3 Park;

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

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

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

18 (12) the Arizona Department of Transportation  
19 has completed preliminary cost estimates that are  
20 based on field experience with rest-area development  
21 for the construction for a Four Corners Monument  
22 Interpretive Center and surrounding infrastructure,  
23 including restrooms, roadways, parking, water, elec-  
24 trical, telephone, and sewage facilities;

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

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

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

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

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

16          (3) to highlight and showcase the collaborative  
17          resource stewardship of private individuals, Indian  
18          tribes, universities, federal agencies, and the govern-  
19          ments of States and political subdivisions thereof  
20          (including counties); and

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

24 **SEC. 3. DEFINITIONS.**

25          As used in this Act:

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

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

12           (3) SECRETARY.—The term “Secretary” means  
13 the Secretary of the Interior.

14           (4) RECIPIENT.—The term “Recipient” means  
15 the State of Arizona, Colorado, New Mexico, or  
16 Utah, or any consortium of two or more of these  
17 states.

18           (5) FOUR CORNERS MONUMENT.—The term  
19 “Four Corners Monument” means the physical  
20 monument where the boundaries of the states of Ari-  
21 zona, Colorado, New Mexico and Utah meet.

22           (6) FOUR CORNERS MONUMENT TRIBAL  
23 PARK.—The term “Four Corners Monument Tribal  
24 Park” means lands within the legally defined bound-  
25 ary of the Four Corners Monument Tribal Park.

1 **SEC. 4. FOUR CORNERS MONUMENT INTERPRETIVE CEN-**  
2 **TER.**

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

9 (b) Land for the Center shall be designated and made  
10 available by the Navajo Nation or the Ute Mountain Ute  
11 Tribe within the boundary of the Four Corners Monument  
12 Tribal Park in consultation with the Four Corners Herit-  
13 age Council and in accordance with—

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

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

20 (c) CONCURRENCE.—Notwithstanding any other  
21 provision of this act, no such center shall be established  
22 without the consent of the Navajo Nation and the Ute  
23 Mountain Ute Tribe.

24 (d) COMPONENTS OF CENTER.—The Center shall in-  
25 clude—

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

4           (2) a venue for public education programs;

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

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

12          (5) visitor amenities including restrooms, public  
13          telephones, and other basic facilities.

14 **SEC. 5. CONSTRUCTION GRANT.**

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

20               (1) the non-Federal share of the costs of con-  
21               struction is paid from non-Federal sources. The non-  
22               Federal sources may include contributions made by  
23               States, private sources, the Navajo Nation and the  
24               Ute Mountain Ute Tribe for planning, design, con-

1 construction, furnishing, startup, and operational ex-  
2 penses;

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

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

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

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

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

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

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

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

3 (2) the recipient shall enter into a Memoran-  
4 dum of Understanding (MOU) with the Secretary  
5 providing—

6 (A) a timetable for completion of construc-  
7 tion and opening of the Center;

8 (B) assurances that design, architectural  
9 and construction contracts will be competitively  
10 awarded;

11 (C) specifications meeting all applicable  
12 Federal, state, and local building codes and  
13 laws;

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

16 (E) a description of center collections and  
17 educational programming;

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

23 (G) an agreement with the Navajo Nation  
24 and the Ute Mountain Ute Tribe relative to site  
25 selection and public access to the facilities; and

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 Corners  
23 Heritage Council may make recommendations to the Sec-  
24 retary on grant proposals regarding the design of facilities  
25 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 2004 for maintenance and operation of the cen-  
8 ter, program development, or staffing in a man-  
9 ner consistent with the requirements of Section  
10 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 act  
20 is submitted, but no later than September 30, 2000.

21 **SEC. 8. DONATIONS.**

22 Notwithstanding any other provision of law, for pur-  
23 poses of the planning, construction, and operation of the  
24 Center, the Secretary may accept, retain, and expand do-  
25 nations of funds, and use property or services donated  
26 from private persons and entities or from public entities.

1 **SEC. 9. STATUTORY CONSTRUCTION.**

2       Nothing in this Act is intended to abrogate, modify,  
3 or impair any right or claim of the Navajo Nation or the  
4 Ute Mountain Ute Tribe, that is based on any law (in-  
5 cluding any treaty, Executive order, agreement, or Act of  
6 Congress).

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