

Calendar No. 202108TH CONGRESS
1ST SESSION**S. 643****[Report No. 108-94]**

To authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2003

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

JULY 11, 2003

Reported by Mr. DOMENICI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico, 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 This Act may be cited as the “Hibben Center for Ar-
3 chaeological Research Act of 2003”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) when the Chaco Culture National Historical
7 Park was established in 1907 as the Chaco Canyon
8 National Monument, the University of New Mexico
9 owned a significant portion of the land located with-
10 in the boundaries of the Park;

11 (2) during the period from the 1920’s to 1947,
12 the University of New Mexico conducted archae-
13 ological research in the Chaco Culture National His-
14 torical Park;

15 (3) in 1949, the University of New Mexico—

16 (A) conveyed to the United States all
17 right, title, and interest of the University in and
18 to the land in the Park; and

19 (B) entered into a memorandum of agree-
20 ment with the National Park Service estab-
21 lishing a research partnership with the Park;

22 (4) since 1971, the Chaco Culture National
23 Historical Park, through memoranda of under-
24 standing and cooperative agreements with the Uni-
25 versity of New Mexico, has maintained a research
26 museum collection and archive at the University;

1 (5) both the Park and the University have
2 large, significant archaeological research collections
3 stored at the University in multiple, inadequate, in-
4 accessible, and cramped repositories; and

5 (6) insufficient storage at the University makes
6 research on and management, preservation, and con-
7 servation of the archaeological research collections
8 difficult.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) HIBBEN CENTER.—The term “Hibben Cen-
12 ter” means the Hibben Center for Archaeological
13 Research to be constructed at the University under
14 section 4(a).

15 (2) PARK.—The term “Park” means the Chaco
16 Culture National Historical Park in the State of
17 New Mexico.

18 (3) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior.

20 (4) TENANT IMPROVEMENT.—The term “tenant
21 improvement” includes—

22 (A) finishing the interior portion of the
23 Hibben Center leased by the National Park
24 Service under section 4(e)(1); and

1 (B) installing in that portion of the Hibben
2 Center—

3 (i) permanent fixtures; and

4 (ii) portable storage units and other
5 removable objects.

6 (5) UNIVERSITY.—The term “University”
7 means the University of New Mexico.

8 **SEC. 4. HIBBEN CENTER FOR ARCHAEOLOGICAL RE-**
9 **SEARCH.**

10 (a) ESTABLISHMENT.—The Secretary may, in co-
11 operation with the University, construct and occupy a por-
12 tion of the Hibben Center for Archaeological Research at
13 the University.

14 (b) GRANTS.—

15 (1) IN GENERAL.—The Secretary may provide
16 to the University a grant to pay the Federal share
17 of the construction and related costs for the Hibben
18 Center under paragraph (2).

19 (2) FEDERAL SHARE.—The Federal share of
20 the construction and related costs for the Hibben
21 Center shall be 37 percent.

22 (3) LIMITATION.—Amounts provided under
23 paragraph (1) shall not be used to pay any costs to
24 design, construct, and furnish the tenant improve-
25 ments under subsection (c)(2).

1 (c) LEASE.—

2 (1) IN GENERAL.—Before funds made available
3 under section 5 may be expended for construction
4 costs under subsection (b)(1) or for the costs for
5 tenant improvements under paragraph (2), the Uni-
6 versity shall offer to enter into a long-term lease
7 with the United States that—

8 (A) provides to the National Park Service
9 space in the Hibben Center for storage, re-
10 search, and offices; and

11 (B) is acceptable to the Secretary.

12 (2) TENANT IMPROVEMENTS.—The Secretary
13 may design, construct, and furnish tenant improve-
14 ments for, and pay any moving costs relating to, the
15 portion of the Hibben Center leased to the National
16 Park Service under paragraph (1).

17 (d) COOPERATIVE AGREEMENTS.—To encourage col-
18 laborative management of the Chacoan archaeological ob-
19 jects associated with northwestern New Mexico, the Sec-
20 retary may enter into cooperative agreements with the
21 University, other units of the National Park System, other
22 Federal agencies, and Indian tribes for—

23 (1) the curation of and conduct of research on
24 artifacts in the museum collection described in sec-
25 tion 2(4); and

1 (2) the development, use, management, and op-
2 eration of the portion of the Hibben Center leased
3 to the National Park Service under subsection
4 (e)(1).

5 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) **IN GENERAL.**—There are authorized to be appro-
7 priated—

8 (1) to pay the Federal share of the construction
9 costs under section 4(b), \$1,574,000; and

10 (2) to pay the costs of carrying out section
11 4(e)(2), \$2,198,000.

12 (b) **AVAILABILITY.**—Amounts made available under
13 subsection (a) shall remain available until expended.

14 (c) **REVERSION.**—If the lease described in section
15 4(e)(1) is not executed by the date that is 2 years after
16 the date of enactment of this Act, any amounts made
17 available under subsection (a) shall revert to the Treasury
18 of the United States.

19 **SECTION 1. SHORT TITLE.**

20 *This Act may be cited as the “Hibben Center Act”.*

21 **SEC. 2. LEASE AGREEMENT.**

22 (a) **AUTHORIZATION.**—*The Secretary of the Interior*
23 *may enter into an agreement with the University of New*
24 *Mexico to lease space in the Hibben Center for Archae-*
25 *ological Research at the University of New Mexico for re-*

1 *search on, and curation of, the archaeological research col-*
 2 *lections of the National Park Service relating to the Chaco*
 3 *Culture National Historical Park and Aztec Ruins Na-*
 4 *tional Monument.*

5 (b) *TERM; RENT.*—*The lease shall provide for a term*
 6 *not exceeding 40 years and a nominal annual lease pay-*
 7 *ment.*

8 (c) *OPERATING EXPENSES.*—*The lease may require the*
 9 *Secretary to contribute a pro rata share of the Hibben Cen-*
 10 *ter's annual operating expenses, in addition to any nomi-*
 11 *nal annual rent.*

12 (d) *IMPROVEMENTS.*—*The lease shall permit the Sec-*
 13 *retary to make improvements and install furnishings and*
 14 *fixtures related to the use and curation of the collections.*

15 **SEC. 3. GRANT.**

16 *Upon execution of the lease, the Secretary may con-*
 17 *tribute to the University of New Mexico up to 37 percent*
 18 *of the cost of construction of the Hibben Center, not to ex-*
 19 *ceed \$1,750,000.*

20 **SEC. 4. COOPERATIVE AGREEMENT.**

21 *The Secretary may enter into cooperative agreements*
 22 *with the University of New Mexico, Federal agencies, and*
 23 *Indian tribes for the curation of and conduct of research*
 24 *on artifacts, and to encourage collaborative management of*

1 *the Chacoan archaeological artifacts associated with north-*
2 *western New Mexico.*

3 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

4 *There are authorized to be appropriated to the Sec-*
5 *retary such sums as may be necessary for the purposes of*
6 *this Act.*

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