

106TH CONGRESS
1ST SESSION

S. 28

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

JANUARY 19, 1999

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

MAY 12, 1999

Committee discharged; referred to the Committee on Indian Affairs

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 are Arizona, Colorado, New Mexico,
6 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 possess important historical, cultural, and
15 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 of 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;

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 and the Ute Mountain
13 Ute Tribe in establishing the Four Corners Interpre-
14 tive Center and related facilities to meet the needs
15 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 gov-
19 ernments of States and political subdivisions thereof
20 (including counties);

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 restroom, parking areas, vendor
4 facilities, sidewalks, utilities, exhibits, and other vis-
5 itor 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 Ar-
21 izona, 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;

17 (2) applicable supplemental agreements with
18 the Bureau of Land Management, the National Park
19 Service, and 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
25 include—

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.

12 **SEC. 5. CONSTRUCTION GRANT.**

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

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

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

7 (3) The State of Arizona may apply \$45,000
8 authorized by the State of Arizona during fiscal year
9 1998 for planning and \$250,000 that is held in re-
10 serve by the State for construction toward the Ari-
11 zona share.

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

14 (1) submit to the Secretary a proposal that
15 meets all applicable—

16 (A) laws, including building codes and reg-
17 ulations;

18 (B) requirements under the Memorandum
19 of Understanding described in paragraph (2) of
20 this subsection; and

21 (C) provides such information and assur-
22 ances as the Secretary may require.

23 (2) The recipient shall enter into a Memo-
24 randum of Understanding (MOU) with the Secretary
25 providing—

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

3 (B) assurances that design, architectural
4 and construction contracts will be competitively
5 awarded;

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

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

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

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

18 (G) an agreement with the Navajo Nation
19 and the Ute Mountain Ute Tribe relative to site
20 selection and public access to the facilities;

21 (H) a financing plan developed jointly by
22 the Navajo Nation and the Ute Mountain Ute
23 Tribe outlining the long-term management of
24 the Center, including but not limited to—

1 (i) the acceptance and use of funds
2 derived from public and private sources to
3 minimize the use of appropriated or bor-
4 rowed funds;

5 (ii) the payment of the operating costs
6 of the Center through the assessment of
7 fees or other income generated by the Cen-
8 ter;

9 (iii) a strategy for achieving financial
10 self-sufficiency with respect to the Center
11 by not later than 5 years after the date of
12 enactment of this Act;

13 (iv) defining appropriate vendor
14 standards and business activities at the
15 Four Corners Monument Tribal Park.

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

17 The Secretary is authorized to award a grant in ac-
18 cordance with the provisions of this act. The Four Corners
19 Heritage Council may make recommendations to the Sec-
20 retary on grant proposals regarding the design of facilities
21 at the Four Corners Monument Tribal Park.

22 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) **AUTHORIZATIONS.**—There are authorized to be
24 appropriated to carry out this act—

25 (1) \$2,000,000 for fiscal year 2000; and

1 (2) \$50,000 for each of fiscal years 2001–2005
2 for maintenance and operation of the center, pro-
3 gram development, or staffing in a manner con-
4 sistent with the requirements of Section 5(b).

5 (b) CARRYOVER—Any funds made available under
6 this section that are unexpended at the end of the fiscal
7 year for which those funds are appropriated, may be used
8 by the Secretary through fiscal year 2002 for the purposes
9 for which those funds were made available.

10 (c) RESERVATION OF FUNDS.—The Secretary may
11 reserve funds appropriated pursuant to this act until a
12 proposal meeting the requirements of this act is sub-
13 mitted, but no later than September 30, 2001.

14 **SEC. 8. DONATIONS.**

15 Notwithstanding any other provision of law, for pur-
16 poses of the planning, construction, and operation of the
17 Center, the Secretary may accept, retain, and expend do-
18 nations of funds, and use property or services donated
19 from private persons and entities or from public entities.

20 **SEC. 9. STATUTORY CONSTRUCTION.**

21 Nothing in this Act is intended to abrogate, modify,
22 or impair any right or claim of the Navajo Nation
23 or the Ute Mountain Ute Tribe, that is based on any law

1 (including any treaty, Executive order, agreement, or Act
2 of Congress).

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