

105TH CONGRESS
2D SESSION

H. R. 4004

To authorize the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona, and to establish the Lower East Side Tenement National Historic Site, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 1998

Mr. HAYWORTH introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona, and to establish the Lower East Side Tenement National Historic Site, 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 **TITLE I—CASA MALPAIS**

4 **SEC. 101. CONGRESSIONAL FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—The Congress finds and declares
6 that—

1 (1) the Casa Malpais National Historic Land-
2 mark was occupied by one of the largest and most
3 sophisticated Mogollon communities in the United
4 States;

5 (2) the landmark includes a 58-room masonry
6 pueblo, including stairways, Great Kiva complex,
7 and fortification walls, a prehistoric trail, and cata-
8 comb chambers where the deceased were placed;

9 (3) the Casa Malpais was designated as a na-
10 tional historic landmark by the Secretary of the In-
11 terior in 1964; and

12 (4) the State of Arizona and the community of
13 Springerville are undertaking a program of interpre-
14 tation and preservation of the landmark.

15 (b) PURPOSE.—It is the purpose of this title to assist
16 in the preservation and interpretation of the Casa Malpais
17 National Historic Landmark for the benefit of the public.

18 **SEC. 102. COOPERATIVE AGREEMENTS.**

19 (a) IN GENERAL.—In furtherance of the purpose of
20 this title, the Secretary of the Interior is authorized to
21 enter into cooperative agreements with the State of Ari-
22 zona and the town of Springerville, Arizona, pursuant to
23 which the Secretary may provide technical assistance to
24 interpret, operate, and maintain the Casa Malpais Na-
25 tional Historic Landmark and may also provide financial

1 assistance for planning, staff training, and development
 2 of the Casa Malpais National Historic Landmark, but not
 3 including other routine operations.

4 (b) ADDITIONAL PROVISIONS.—Any such agreement
 5 may also contain provisions that—

6 (1) the Secretary, acting through the Director
 7 of the National Park Service, shall have right to ac-
 8 cess at all reasonable times to all public portions of
 9 the property covered by such agreement for the pur-
 10 pose of interpreting the landmark; and

11 (2) no changes or alterations shall be made in
 12 the landmark except by mutual agreement between
 13 the Secretary and the other parties to all such
 14 agreements.

15 **SEC. 103. APPROPRIATIONS.**

16 There are authorized to be appropriated such sums
 17 as may be necessary to provide financial assistance in ac-
 18 cordance with this title.

19 **TITLE II—LOWER EASTSIDE** 20 **TENEMENT**

21 **SEC. 201. FINDINGS AND PURPOSES.**

22 (a) FINDINGS.—Congress finds that—

23 (1) immigration, and the resulting diversity of
 24 cultural influences, is a key factor in defining Amer-
 25 ican identity; the majority of United States citizens

1 trace their ancestry to persons born in nations other
2 than the United States;

3 (2) the latter part of the 19th century and the
4 early part of the 20th century marked a period in
5 which the volume of immigrants coming to the
6 United States far exceeded that of any time prior to
7 or since that period;

8 (3) no single identifiable neighborhood in the
9 United States absorbed a comparable number of im-
10 migrants than the Lower East Side neighborhood of
11 Manhattan in New York City;

12 (4) the Lower East Side Tenement at 97 Or-
13 chard Street in New York City is an outstanding
14 survivor of the vast number of humble buildings that
15 housed immigrants to New York City during the
16 greatest wave of immigration in American history;

17 (5) the Lower East Side Tenement is owned
18 and operated as a museum by the Lower East Side
19 Tenement Museum;

20 (6) the Lower East Side Tenement Museum is
21 dedicated to interpreting immigrant life within a
22 neighborhood long associated with the immigrant ex-
23 perience in the United States, New York's Lower
24 East Side, and its importance to United States his-
25 tory; and

1 (7) the National Park Service found the Lower
2 East Side Tenement at 97 Orchard Street to be na-
3 tionally significant; the Secretary of the Interior de-
4 clared it a National Historic Landmark on April 19,
5 1994, and the National Park Service through a spe-
6 cial resource study found the Lower East Side Tene-
7 ment suitable and feasible for inclusion in the Na-
8 tional Park System.

9 (b) PURPOSES.—The purposes of this title are—

10 (1) to ensure the preservation, maintenance,
11 and interpretation of this site and to interpret at the
12 site the themes of immigration, tenement life in the
13 later half of the 19th century and the first half of
14 the 20th century, the housing reform movement, and
15 tenement architecture in the United States;

16 (2) to ensure continued interpretation of the
17 nationally significant immigrant phenomenon associ-
18 ated with New York City’s Lower East Side and its
19 role in the history of immigration to the United
20 States; and

21 (3) to enhance the interpretation of the Castle
22 Clinton, Ellis Island, and Statue of Liberty National
23 Monuments.

24 **SEC. 202. DEFINITIONS.**

25 As used in this title:

1 (1) HISTORIC SITE.—The term “historic site”
2 means the Lower East Side Tenement at 97 Or-
3 chard Street on Manhattan Island in New York
4 City, New York, and designated as a national his-
5 toric site by section 4.

6 (2) MUSEUM.—The term “Museum” means the
7 Lower East Side Tenement Museum, a nonprofit or-
8 ganization established in New York City, which owns
9 and operates the tenement building at 97 Orchard
10 Street and manages other properties in the vicinity
11 of 97 Orchard Street as administrative and program
12 support facilities for 97 Orchard Street.

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

15 **SEC. 203. ESTABLISHMENT OF HISTORIC SITE.**

16 (a) DESIGNATION.—To further the purposes of this
17 title and the Act entitled “An Act to provide for the pres-
18 ervation of historic American sites, buildings, objects, and
19 antiquities of national significance, and for other pur-
20 poses”, approved August 21, 1935 (16 U.S.C. 461 et
21 seq.), the Lower East Side Tenement at 97 Orchard
22 Street, in the City of New York, State of New York, is
23 designated a national historic site.

24 (b) STATUS AS AFFILIATED SITE.—The Lower East
25 Side Tenement National Historic Site shall be an affiliated

1 site of the National Park System. The Secretary shall co-
2 ordinate the operation and interpretation of the historic
3 site with that of the Lower East Side Tenement Historic
4 Site and the Statue of Liberty, Ellis Island, and Castle
5 Clinton National Monument, as the historic site's story
6 and interpretation of the immigrant experience in the
7 United States is directly related to the themes and pur-
8 poses of these national Monuments.

9 (c) OWNERSHIP AND OPERATION.—The Lower East
10 Side Tenement National Historic Site shall continue to be
11 owned, operated, and managed by the Lower East Side
12 Tenement Museum, a nonprofit institution.

13 **SEC. 204. MANAGEMENT OF THE SITE.**

14 (a) COOPERATIVE AGREEMENT.—The Secretary is
15 authorized to enter into a cooperative agreement with the
16 Lower East Side Tenement Museum to ensure the mark-
17 ing, interpretation, and preservation of the national his-
18 toric site designated by this title.

19 (b) ASSISTANCE.—The Secretary is authorized to
20 provide technical and financial assistance to the Lower
21 East Side Tenement Museum to mark, interpret, and pre-
22 serve the national historic site including the making of
23 preservation-related capital improvements and repairs.

24 (c) MANAGEMENT PLAN.—The Secretary shall, work-
25 ing with the Lower East Side Tenement Museum, develop

1 a general management plan for the historic site to define
2 the National Park Service's roles and responsibilities with
3 regard to the interpretation and the preservation of the
4 national historic site. The plan shall also outline how in-
5 terpretation and programming for the Lower East Side
6 Tenement National Historic Site and the Statue of Lib-
7 erty, Ellis Island, and Castle Clinton national monuments
8 will be integrated and coordinated so as to enhance the
9 stories at each of the 4 sites. Such plan shall be completed
10 within 2 years after the enactment of this Act.

11 (d) SAVINGS CLAUSE.—Nothing in this title author-
12 izes the Secretary to acquire the property at 97 Orchard
13 Street or to assume overall financial responsibility for the
14 operation, maintenance, or management of the Lower
15 East Side Tenement National Historic Site.

16 **SEC. 205. APPROPRIATIONS.**

17 There are authorized to be appropriated such sums
18 as are necessary to carry out this title.

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