

107TH CONGRESS  
2D SESSION

# S. 3138

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.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 2002

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

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## 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Hibben Center for Ar-  
5       chaeological Research Act of 2002”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

1           (1) when the Chaco Culture National Historical  
2           Park was established in 1907 as the Chaco Canyon  
3           National Monument, the University of New Mexico  
4           owned a significant portion of the land located with-  
5           in the boundaries of the Park;

6           (2) during the period from the 1920's to 1947,  
7           the University of New Mexico conducted archae-  
8           ological research in the Chaco Culture National His-  
9           torical Park;

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

11                (A) conveyed to the United States all  
12                right, title, and interest of the University in and  
13                to the land in the Park; and

14                (B) entered into a memorandum of agree-  
15                ment with the National Park Service estab-  
16                lishing a research partnership with the Park;

17          (4) since 1971, the Chaco Culture National  
18          Historical Park, through memoranda of under-  
19          standing and cooperative agreements with the Uni-  
20          versity of New Mexico, has maintained a research  
21          museum collection and archive at the University;

22          (5) both the Park and the University have  
23          large, significant archaeological research collections  
24          stored at the University in multiple, inadequate, in-  
25          accessible, and cramped repositories; and

1           (6) insufficient storage at the University makes  
 2           research on and management, preservation, and con-  
 3           servation of the archaeological research collections  
 4           difficult.

5 **SEC. 3. DEFINITIONS.**

6           In this Act:

7           (1) HIBBEN CENTER.—The term “Hibben Cen-  
 8           ter” means the Hibben Center for Archaeological  
 9           Research to be constructed at the University under  
 10          section 4(a).

11          (2) PARK.—The term “Park” means the Chaco  
 12          Culture National Historical Park in the State of  
 13          New Mexico.

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

16          (4) TENANT IMPROVEMENT.—The term “tenant  
 17          improvement” includes—

18                (A) finishing the interior portion of the  
 19                Hibben Center leased by the National Park  
 20                Service under section 4(c)(1); and

21                (B) installing in that portion of the Hibben  
 22                Center—

23                   (i) permanent fixtures; and

24                   (ii) portable storage units and other  
 25                   removable objects.

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

3 **SEC. 4. HIBBEN CENTER FOR ARCHAEOLOGICAL RE-**  
4 **SEARCH.**

5       (a) ESTABLISHMENT.—The Secretary may, in co-  
6 operation with the University, construct and occupy a por-  
7 tion of the Hibben Center for Archaeological Research at  
8 the University.

9       (b) GRANTS.—

10           (1) IN GENERAL.—The Secretary may provide  
11 to the University a grant to pay the Federal share  
12 of the construction and related costs for the Hibben  
13 Center under paragraph (2).

14           (2) FEDERAL SHARE.—The Federal share of  
15 the construction and related costs for the Hibben  
16 Center shall be 37 percent.

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

21       (c) LEASE.—

22           (1) IN GENERAL.—Before funds made available  
23 under section 5 may be expended for construction  
24 costs under subsection (b)(1) or for the costs for  
25 tenant improvements under paragraph (2), the Uni-

1       versity shall offer to enter into a long-term lease  
2       with the United States that—

3               (A) provides to the National Park Service  
4               space in the Hibben Center for storage, re-  
5               search, and offices; and

6               (B) is acceptable to the Secretary.

7               (2) TENANT IMPROVEMENTS.—The Secretary  
8       may design, construct, and furnish tenant improve-  
9       ments for, and pay any moving costs relating to, the  
10      portion of the Hibben Center leased to the National  
11      Park Service under paragraph (1).

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

18              (1) the curation of and conduct of research on  
19      artifacts in the museum collection described in sec-  
20      tion 2(4); and

21              (2) the development, use, management, and op-  
22      eration of the portion of the Hibben Center leased  
23      to the National Park Service under subsection  
24      (c)(1).

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

2 (a) IN GENERAL.—There are authorized to be  
3 appropriated—

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

6 (2) to pay the costs of carrying out section  
7 4(c)(2), \$2,198,000.

8 (b) AVAILABILITY.—Amounts made available under  
9 subsection (a) shall remain available until expended.

10 (c) REVERSION.—If the lease described in section  
11 4(c)(1) is not executed by the date that is 2 years after  
12 the date of enactment of this Act, any amounts made  
13 available under subsection (a) shall revert to the Treasury  
14 of the United States.

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