James M. Ridenour  
Director  
National Park Service  
U.S. Department of Interior  
Washington, D.C. 20240

Dear Mr. Ridenour:

The Casa Malpais National Historic Landmark is a 14.5 acre archaeological site located near the towns of Springerville and Eagar in northeastern Arizona. The site was occupied around A.D. 1250 by one of the largest and most sophisticated Mogollon communities in the United States.

Casa Malpais is an extraordinarily rich archaeological site. A large masonry pueblo including stairways, Great Kiva complex, fortification wall, prehistoric trail, sacred chambers and rock panels are just some of the features of this site. Due to its size, condition, and complexity, the site offers an unparalleled opportunity to study ancient society in the southwest and, as such, is of national significance.

We intend to prepare legislation that would establish the Casa Malpais National Historic Landmark as an affiliated unit of the National Park Service. We request your assistance in helping us draft this legislation, as well as your technical and financial assistance for planning, staff training and development of the Casa Malpais site.

The local communities support this legislation. The Town of Springerville is in the process of obtaining the property from the State of Arizona and it has expended $100,000 to investigate,
interpret and protect the site. Local officials have also taken steps to ensure that all research and development of the site is conducted in consultation with affiliated local Native American tribes.

Thank you for your assistance. We look forward to your early response and to your participation in a partnership so vital to this resource and to the future of the Round Valley communities.

Sincerely yours,

Jim Kolbè
Member of Congress

Jon Kyl
Member of Congress

cc: Stanley Albright, Regional Director, Western Region, NPS
Dennis Silva, Mayor of Springerville
Art Eagar, Mayor of Eagar
Gordon Howe, Director of Economic Development, Springerville
Gary Cummings, National Park Service

JK:Mm
NATIONAL PARK SERVICE
DIVISION OF CONGRESSIONAL LIAISON (190)

Date: 9/11/91

CONTROL NUMBER: CL-91-15859 FINAL SIGNATURE DUE DATE: __________
TO: ____________________________
NAME: KOLBE/KYL
CONSTITUENT: ____________________
SUBJECT: LEGISLATION

DESCRIPTION: REQUESTING ASSISTANCE IN DRAFTING LEGISLATION

PLEASE PROCESS THE ATTACHED CORRESPONDENCE AS INDICATED BELOW:

SIGNATURE LEVEL:

1. DRAFT BY: ____________________________

2. FINAL BY: 9/25/91

PLEASE SEND COPY OF RESPONSE AND CONTROL SLIP TO 190

3. DIRECT REPLY (IN REGION) BY:

______ PLEASE FAX COPY OF RESPONSE AND CONTROL SLIP TO 190

______ PLEASE SEND COPY OF RESPONSE AND CONTROL SLIP TO 190.
(Do not use blue envelope.)

4. REVIEW FOR ACTION AS APPROPRIATE:

5. BULK MAIL: FOR APPROPRIATE ACTION

6 FOR FURTHER INFORMATION, PLEASE CALL: COOKE ___-208-3933

ATTACHMENT
Honorable Jim Kolbe  
House of Representatives  
Washington, D.C. 20515  

Dear Mr. Kolbe:  

In accordance with your request to the National Park Service of August 28, 1991, the Service has prepared the enclosed draft of a bill, "To authorize the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona."

This draft has been prepared as a service to you. It has not been reviewed within the Department or cleared by the Office of Management and Budget. We can, therefore, make no commitment at this time concerning the position of the Department on this matter.

Sincerely,

[Signature]

Pamela E. Somers  
Legislative Counsel

Enclosure

cc: Honorable Richard G. Darman  
Director, Office of Management and Budget
Honorable Richard G. Darman  
Director, Office of Management and Budget  
Attention: Assistant Director for  
Legislative Reference  
Washington, D.C. 20503

Dear Mr. Darman:

Pursuant to OMB Circular A-19, enclosed is a copy of a draft bill and letter this Department has sent to the Honorable Jim Kolbe and the Honorable Jon Kyl, House of Representatives, "To authorize the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona."

This draft legislation was supplied as a service to Representatives Kolbe and Kyl at their request.

Sincerely,

Pamela E. Somers  
Legislative Counsel

Enclosures
A Bill

To authorize the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL FINDINGS AND PURPOSE

(a) FINDINGS - The Congress finds and declares that -

(1) The Casa Malpais National Historic Landmark was occupied by one of the largest and most sophisticated Mogollon communities in the United States;

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

(3) the Casa Malpais was designated as a national historical landmark by the Secretary of the Interior in 1964; and

(4) the State of Arizona and the community of Springerville are undertaking a program of interpretation and preservation of the landmark.

(b) PURPOSE - It is the purpose of this Act to assist in the preservation and interpretation of this landmark for the benefit of the public.

SECTION 2. COOPERATIVE AGREEMENTS

In furtherance of the purpose of this Act, the Secretary of the Interior is authorized to enter into cooperative agreements with the State of Arizona and the Town of Springerville pursuant to which the Secretary may provide technical assistance to interpret, operate, and maintain the Casa Malpais National Historic Landmark, and may also include provisions by which the Secretary will provide financial assistance for planning, staff training, and development of the landmark, but not including other routine operations. Such agreement may also contain provisions that -

(1) the Secretary of the Interior, acting through the National Park Service, shall have right of access at all reasonable times to all public
portions of the property covered by such agreement for the purpose of interpreting the landmark; and

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

SECTION 3. APPROPRIATIONS

There is authorized to be appropriated such sums as may be necessary to provide financial assistance in accordance with this Act.
Memorandum

To: Chief, Legislation Division
From: Chief Historian

Subject: H.R. 5111, Casa Malpais NHL; H.R. 5144, Sandy Hook Unit, Gateway National Recreation Area

Thank you for the opportunity to comment on the subject bills.

H.R. 5111: It appears, on the face of this bill, that it covers activities that are already sufficiently authorized under existing historic preservation legislation and are essentially consistent with NHL program activities. Recent media attention to the "catacomb chambers" has proven controversial, especially in the wake of the passage of NAGPRA, and the bill should probably either delete reference to these chambers (p. 2, lines 3-4) or substitute language that stresses great sensitivity to issues of human dignity and cultural diversity. I would defer to the Western Regional Office, Division of National Register Programs, as to whether this National Historic Landmark needs higher priority for technical assistance than other NHLs in that division's area. My main question would be whether the funds indicated in Section 3 will actually be appropriated.

H.R. 5144: This bill should be more specific about applicability of the Secretary's Standards and Guidelines for Archeology and Historic Preservation and refer to them by their full correct name. It should also indicate the applicability of Sections 106 and 110(f) of the National Historic Preservation Act, not only for initial rehabilitation but for continuing maintenance. Language on reimbursement seems weak (Section 3).

cc: 001 RF; 400 RF; 418 Casa Malpais NHL; 418 Charleton; 418 Levy; 418 Gateway NRA (park files); WRO, R. Kelly; WR, A. Huston; 422 R. Biallass; 424 Travers

LFeller:mg:5/21/92
Feller disk 13, item casa-leg.mmo
United States Department of the Interior
National Park Service

National Register of Historic Places
Inventory—Nomination Form

See instructions in How to Complete National Register Forms
Type all entries—complete applicable sections

1. Name

historic CASA MALPAIS (AZ Q:15:3)
and/or common

2. Location

T9N R29E, Section 20, east of U.S. Route 60,
2 miles north of Springerville

Springerville X vicinity of

3. Classification

<table>
<thead>
<tr>
<th>Category</th>
<th>Ownership</th>
<th>Status</th>
<th>Present Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>district</td>
<td>public (leased</td>
<td>occupied</td>
<td>museum</td>
</tr>
<tr>
<td>building(s)</td>
<td>private</td>
<td>X unoccupied</td>
<td>park</td>
</tr>
<tr>
<td>structure</td>
<td>both</td>
<td>X work in progress</td>
<td>private residence</td>
</tr>
<tr>
<td>X site</td>
<td>Public Acquisition</td>
<td>X yes: restricted</td>
<td>X other: (grazing)</td>
</tr>
<tr>
<td>object</td>
<td>in process</td>
<td>X yes: unrestricteds</td>
<td></td>
</tr>
</tbody>
</table>

4. Owner of Property

name Arizona State Lands Department
street & number 1624 West Adams

city, town Phoenix X vicinity of state Arizona

city, town St. Johns state Arizona

city, town Tucson state Arizona

5. Location of Legal Description

courthouse, registry of deeds, etc. Apache County Courthouse

6. Representation in Existing Surveys

title Arizona Archeological Survey

has this property been determined eligible? X yes _ no

date 6/24/48

federal X state county local

depository for survey records Arizona State Museum, University of Arizona
<table>
<thead>
<tr>
<th>Item number</th>
<th>Representation in Existing Surveys (continued)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peabody Museum Site Files, Upper Gila Expedition 1947-1949, Site Number 150 (Danson and Malde 1950; Danson 1957)</td>
<td></td>
</tr>
<tr>
<td>Chicago Natural History Museum Site Files, Southwest Expedition 1956, Site Number 75 (Martín, Renaldo and Longacre 1961).</td>
<td></td>
</tr>
</tbody>
</table>
INTRODUCTION

Casa Malpais (AZ Q:15:3) is situated on terraces of a fallen basalt cliff along the upper Little Colorado River approximately two miles north of Springerville, Arizona at an elevation just under 2130 m (7000 ft) (Photographs 1 and 2). The site encompasses approximately 14.3 acres and dates from late Pueblo III to early Pueblo IV times (A.D. 1250-1325). It consists of a large masonry pueblo, a three-room roomblock, four unidentifiable features, terrace wall segments, and other features such as a trail, a stairway (Photograph 3), petroglyphs (Photograph 5), grinding areas, and trash areas adjacent to the pueblo and in various crevices (Maps A and B; see also Attachment 1 for a description and measurements of the various features and structures). The site has never been tested or excavated.

Geologically, Casa Malpais is located within the structural subdivision known as the Mogollon Slope, a broad homocline extending northward from the Mogollon Rim. The site is constructed on a fallen basalt flow cliff and talus of the White Mountain Volcanic Field which dates to the Middle Tertiary (Akers 1964:5; Stone 1980:1).

The principal vegetation growing on the site today consists of snakeweed ( Gutierrezia spp.), four-wing saltbush ( Atriplex canescens), wolfberry ( Lycium pallidum), barberry ( Berberis fremontii) and a variety of grasses including blue grama ( Bouteloua gracilis) and side-oats grama ( Bouteloua curtipendula), and some forbes. A few small juniper trees ( Juniperus spp.) also grow on and near the site, but primarily the area is open.

Although there are no currently known springs or active seeps near Casa Malpais, the proximity of the site to the well-watered flood plain of the Little Colorado and Nutrioso Creek probably afforded the inhabitants of Casa Malpais abundant water as well as agricultural land. The Springerville area has an annual rainfall of 12.11 inches (Akers 1964:6).

Casa Malpais was initially recorded (as site 150) during the Peabody Museum's Upper Gila Expedition which covered west central New Mexico and east central Arizona between 1947 and 1949 (Danson 1957:63). The site, because of its unique location and temporal placement in the upper Little Colorado region, was chosen for more detailed study and mapping in 1949 (Danson and Malde 1950; Map C). Casa Malpais was also briefly recorded (site 75) in 1956 during the Chicago Natural History Museum's Southwest Expedition (Martin, Rinaldo and Longacre 1961).
The following description of the Casa Malpais National Historic Landmark is based on a recent reconnaissance and mapping of the site by the Arizona State Museum (Neily 1986) from October 29 to November 2, 1985 (Maps A and B). The principal part of the site is situated on the highest terrace, designated Terrace E in the 1950 study by Danson and Malde. This area includes the remains of a former large roomblock (the pueblo), the Great Kiva, and other platforms and structures (Map A). A plan of the roomblock or pueblo proper is provided in Map B.

Terrace E is separated from the ridge edge by a jumble of boulders, crevices, and a hidden valley created as the cliff slumped away from the ridge. The crevices of the terrace on which the pueblo was constructed were apparently filled in to create a platform for the structures. Southeast and adjacent to the pueblo on this terrace is an extensive area of bedrock with numerous deep crevices. This area is probably similar to the original on which the pueblo was constructed.

**TERRACE E: THE PUEBLO, GREAT KIVA, TERRACE STRUCTURES AND WALLS**

The principal roomblock, the pueblo, as originally mapped by Danson and Malde consisted of 58 apparently fairly distinct room outlines (Map C); however, due to vandalism and natural deterioration, the only room outlines that could be definitely identified in the 1985 study were those that had been illegally excavated: rooms 12, 16, and 20 (Maps A and B; Photographs 9, 10, and 11). Across the remainder of the rubble mound only 28 slight depressions or rough rubble outlines of the rooms could be distinguished.

Room 16, the only room with all four walls completely exposed, measures 4.30 m by 2.40 m and has been excavated to a depth of 2.0 m. The exposed masonry walls are in good condition but are deteriorating. Potentially datable roof beam fragments are scattered in and around the backdirt from the room. One such beam, recovered by Danson in a 1983 visit to the site, was submitted to the University of Arizona Dendrochronology Laboratory for analysis and dated to A.D. 1268 (Edward B. Danson, personal communication, August 30, 1984).

Surrounding Room 16 is a depressed area in which fill recently removed from Room 16, and probably Room 14 also, has been deposited. This depressed area appears to have been illegally excavated earlier and subsequently refilled.

Two other rooms (12 and 20) also have wall exposed through illegal excavation. While the 1 m by 3 m long wall in Room 12 is still intact, the 2.7 m long segment of wall in Room 20 has been badly vandalized. Other walls exposed at the pueblo occur along the northeast portion of the rubble mound facing the trash fill overlying the talus boulders. These wall segments have been exposed by the extensive vandalism in this area which had taken place before the original mapping of the site.
One other probable room (10), not directly connected to the pueblo room block, was apparently constructed on the fill overlying the talus rubble. This room measures 8.3 m by 3.2 m and is roughly outlined by two small masonry segments in the southeastern and northwestern portions. Other rooms may have been constructed on this fill but due to the extensively disturbed condition of the area no evidence remains.

The Great Kiva (Photographs 6 and 7) is situated about 15 m northwest of the pueblo in a lower lying, confined portion of Terrace E surrounded by bedrock exposures. This masonry structure, as originally mapped by Danson and Malde, remains in fairly good condition although the heights of the walls only extend from 1.20 m to 2.45 m above the interior surface, somewhat less than the 3 m indicated in 1949. Currently there is no indication of the pothole excavated in the firepit area of the structure, and the deflector is partially buried by rubble and brush.

One additional feature of the Great Kiva not originally described by Danson and Malde is a masonry bench identified along the northwest interior wall of the structure. Although mostly covered with rubble, the bench is approximately 60 cm above the present surface and is 70 cm wide. There is no visible indication of benches along the other walls.

A possible boulder wall structure (Structure 3) which was not originally recorded on Terrace E is located approximately 10 m southwest of the Great Kiva. Petroglyphs were identified on the rock knob adjacent to Structure B. A counter-clockwise spiral with a small footprint above it was recognized (Photograph 5). The boulder wall segment that was originally mapped south of the Great Kiva on Terrace E is not presently identifiable.

The extreme northwest end of Terrace E is narrow and surrounded by bedrock and talus. Although two contiguous boulder room structures were originally mapped in this area, there appear to be three contiguous rooms (Structure 4, Rooms 1-3). Two of the rooms occur in the northwest-southeast orientation as previously mapped while a third contiguous room occurs to the northeast. A wall segment which was previously mapped now appears to connect to Structure 4.

Two other possible features were also recorded and mapped in this part of Terrace E. Feature 1 is a small roughly circular boulder alignment which may be a room, although it is difficult to discern from the surface remains. A boulder rubble area measuring 4.5 m by 10.5 m and contiguous to the northeastern room (Room 3) may prove to be part of the structure, although without testing no definite conclusions can be made. A boulder with indications of grinding was found on the rock knob near Structure 3.
To establish the Casa Malpais National Historic Park, in Springerville, Arizona and for other purposes.

103d Congress
1st Session

S. 274

IN THE SENATE OF THE UNITED STATES

February 2 (legislative day, January 5), 1993

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

A BILL

To establish the Casa Malpais National Historic Park, in Springerville, Arizona and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CASA MALPAIS NATIONAL HISTORIC PARK

SECTION 1. SHORT TITLE AND CONGRESSIONAL FINDINGS.
(a) This Act may be cited as the "Casa Malpais National Historical Park Establishment Act of 1993".
(b) The Congress finds that—
(1) the Casa Malpais is historically and culturally significant to the State of Arizona, the Town of Springerville and the Nation;
(2) the Native American population in Arizona and New Mexico has shown strong and sincere interest in the preservation and interpretation of their heritage through the protection of the Casa Malpais;

(3) the Town of Springerville has played a significant role in the preservation of the cultural resources of the Casa Malpais through a program of interpretation and preservation of the landmark;

(4) the Casa Malpais National Historic Landmark was occupied by one of the largest and most sophisticated Mogollon communities in the United States;

(5) the landmark includes a fifty-eight room masonry pueblo, including stairways, Great Kiva complex, and fortification walls, a prehistoric trail, and catacomb chambers where the deceased were placed; and

(6) the Casa Malpais was designated as a national historic landmark by the Secretary of the Interior in 1957.

SEC. 2. ESTABLISHMENT OF CASA MALPAIS NATIONAL HISTORICAL PARK.

(a) In order to preserve, for the benefit and enjoyment of present and future generations, that area in Arizona containing the nationally significant Casa Malpais,
and other significant natural and cultural resources, there
is hereby established the Casa Malpais National Historical
Park (hereinafter in this Act referred to as the "park")
as a unit of the National Park System. The park shall
consist of approximately thirty-five acres, a map of which
shall be on file and available for public inspection in the
offices of the National Park Service, Department of the
Interior, and in the office of the mayor of the Town of
Springerville, Arizona.

(b) The park shall be administered by the Secretary
of the Interior (hereinafter in this Act referred to as the
"Secretary") and the Town of Springerville, Arizona
(hereinafter in this Act referred to as the "Town"), in ac-
cordance with section 3.

(c) Within six months after the date of enactment
of this Act, the Secretary shall file a legal description of
the park with the Committee on Energy and Natural Re-
sources of the United States Senate and the Committee
on Interior and Insular Affairs of the United States House
of Representatives. Such legal description shall have the
same force and legal description as if included in this Act,
except that the Secretary may correct clerical and typo-
graphical errors in such legal description. The legal de-
scription shall be on file and available for public inspection
in the offices of the National Park Service, Department
of the Interior, in the State of Arizona, and in the office of the mayor of the Town of Springerville, Arizona. Provided, That the Secretary may from time to time, after completion of the general management plan referred to in section 108(a), may make minor adjustments to the park boundary by publication of a revised map or other boundary description in the Federal Register.

SEC. 3. ADMINISTRATION AND MANAGEMENT OF THE PARK.

(a) (1) To achieve the purposes of this Act, the Secretary, in cooperation with the Town, shall formulate a comprehensive plan for the protection, preservation, interpretation, development and maintenance of the site.

(2) Within eighteen months following the date of enactment of this section, the Secretary shall transmit the plan to the President of the Senate and the Speaker of the House of Representatives.

(b) The Secretary may, pursuant to cooperative agreement—

(1) provide technical assistance to the Town or unit of local government in the management, protection, and interpretation of the site; and

(2) make periodic grants, which shall be supplemental to any other funds to which the grantee may be entitled under any other provision of law, to the
Town or local unit of government for the annual costs of operation and maintenance, including but not limited to, salaries of personnel and the protection, preservation, and rehabilitation of the site.

(e) The Secretary is authorized to enter into cooperative agreements with either the Town under which the Secretary may manage and interpret any lands owned by the Town and the state of Arizona, respectively, within the boundaries of the Park.

(d) In order to encourage a unified and cost effective interpretive program of the natural, cultural and recreational resources of the Casa Malpais and its environs, the Secretary is authorized to enter into cooperative agreements with other Federal, State, and local public departments and agencies, Indian tribes, and nonprofit entities providing for the interpretation of these resources. Such cooperative agreements may also provide for financial and technical assistance for the planning and implementation of interpretive programs and minimal development related to these programs.

SEC. 4. LAND USE PLANNING.

The Secretary may participate in land use planning conducted by appropriate local authorities for lands adjacent to the park and may provide technical assistance to
such authorities and affected landowners for such planning.

SEC. 5. EXISTING TRANSMISSION OR DISTRIBUTION FACILITIES.

Nothing in this Act shall be construed as authorizing or requiring revocation of any interest or easement for existing transmission or distribution facilities or prohibiting the operation and maintenance of such facilities within or adjacent to the park boundary.

SEC. 6. GENERAL MANAGEMENT PLAN.

(a) Within three years from the date of enactment of this Act, the Secretary, in cooperation with the Town and the State, shall develop and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, a general management plan for the park consistent with the purposes of this Act, including, but not limited to—

(1) a statement of the number of visitors and types of public use within the park which can be accommodated in accordance with the protection and preservation of its resources;

(2) a resource protection program;

(3) a general interpretive program;
(4) a general development plan for the park, including proposals for a visitor's center and recreation facilities, and the estimated cost thereof; and

(b) The general management plan shall be prepared in consultation with the Casa Malpais National Historical Park Advisory Commission established pursuant to section 7, appropriate Indian tribes and their civil officials, the Arizona Historical Preservation Office, and other interested parties.

SEC. 7. CASA MALPAIS NATIONAL HISTORICAL PARK ADVISORY COMMISSION.

(a) There is hereby established the Casa Malpais National Historical Park Advisory Commission (hereinafter in this Act referred to as the “Commission”). The Commission shall be composed of members appointed by the Secretary on the recommendation of the mayor of Springerville for terms of 5 years as follows:

(1) one member, who shall have professional expertise in history and/or archeology, appointed from recommendations submitted by the Governor of the State of Arizona;

(2) one member, who shall have professional expertise in history, appointed from recommendations submitted by the mayor of the Town of Springerville, Arizona;
(3) one member, who shall have professional expertise in Indian history or ceremonial activities, appointed from recommendations submitted by the Inter-Tribal Council of Arizona;

(4) one member, who shall have professional expertise in outdoor recreation;

(5) one member, who shall be an affected landowner;

(6) one member, who shall have professional expertise in cultural anthropology;

(7) one member from the general public;

(8) the Mayor of the Town of Springerville or his or her designee, ex officio; and

(9) the Director of the National Park Service, or his or her designee, ex officio.

(b) Any member of the Commission may serve after the expiration of his or her term until a successor is appointed. A vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the
same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5, United States Code.

(d) The Chair and other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

(e) The Commission shall meet at the call of the Chair or a majority of its members, but not less than twice annually. Six members of the Commission shall constitute a quorum. Consistent with the public meeting requirements of section 10 of the Federal Advisory Committee Act (5 U.S.C. App.), the Commission shall, from time to time, meet with persons concerned with Indian history and historic preservation, and with other interested persons.

(f) The Commission may make such bylaws, rules, and regulations as it considers necessary to carry out its functions under this Act. Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(g) The Commission shall advise the Secretary and the Town on the management and development of the park, and on the preparation of the general management plan referred to in section 6(a). The Secretary, or his or her designee, shall from time to time, but at least semi-annually, meet and consult with the Commission on mat-
10

letters relating to the management and development of the
park.

3 SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums
as may be necessary for the purposes of this Act.

(a) To enable the Secretary of the commission to make the

(b) To enable the Secretary of the commission to make the

(c) To enable the Secretary of the commission to make the

(d) To enable the Secretary of the commission to make the

(e) To enable the Secretary of the commission to make the

(f) To enable the Secretary of the commission to make the
I ask unanimous consent that the bill as well as a letter that I have received from the mayor of Springfield appear in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**SECTION 1. SHORT TITLE AND CONGRESSIONAL RESOLUTION**

(a) This Act may be cited as the “Casa Malpais National Historic Park Establishment Act of 1993.”

(b) The Park shall be administered by the Secretary of the Interior in accordance with section 4.

**SECTION 2. ESTABLISHMENT OF CASA MALPAIS NATIONAL HISTORICAL PARK**

(a) In order to preserve, for the benefit and enjoyment of present and future generations, the portion of the national historic landmark occupied by the one largest and most sophisticated Mogollon communities in the United States, the site designated as a National Historical Park, it is estimated that the number of visitors could grow to more than 90,000 in each of the next 5 years.

(b) Under this Act, the Secretary of the Interior shall administer the Park in accordance with section 4.

(c) The Secretary may also provide technical assistance to the Town or unit of local government in the management, protection, and interpretation of the site.

(d) The Secretary may, pursuant to cooperative agreements,

1. Provide technical assistance to the Town or unit of local government in the management, protection, and interpretation of the site.
2. Make periodic grants, which shall be supplemental to any other funds to which the grantee may be entitled under any other provision of law, to the Town or unit of local government for the annual costs of operation and maintenance, including but not limited to salaries of personnel and the preservation, protection, and rehabilitation of the site.
3. The Secretary is authorized to enter into cooperative agreements with either the Town or the Secretary which the Secretary may manage and interpret any lands owned by Town and the state of Arizona, respectively, within the boundaries of the Park.

4. To encourage a unified and cost-effective interpretive program of the natural, cultural, and recreational resources of the Casa Malpais and its environs, the Secretary may provide financial and technical assistance for the planning and implementation of interpretive programs and minimal development related to these programs.

**SECTION 3. LAND USE PLANNING**

The Secretary may participate in land use planning conducted by appropriate local authorities for lands adjacent to the park and may provide technical assistance for existing transmission or distribution facilities or prohibiting the operation and maintenance of such facilities within or adjacent to the park.

**SECTION 4. GENERAL MANAGEMENT PLAN**

(a) Within 3 years from the date of enactment of this Act, the Secretary shall develop and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, a general management plan for the park consistent with the purposes of this Act, including, but not limited to—

1. A statement of the number of visitors and types of public use within the park.
2. A resource protection program.
3. An interpretive program.
4. A general development plan for the park, including proposals for a visitor's center and recreation facilities, and the estimated cost thereof.

5. The procedure recommended by the Secretary for the management and protection of the park.

6. The amount of protective land use in the area.
February 2, 1993

J O N G R E S S I O N A L R E C O R D — S E N A T E

S 1037

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are appropriated such sums as may be necessary for the purpose of this Act.

TOWN OF SPRINGVILLE,
Springville, AZ, October 5, 1992.
Re Casa Malpais National Historic Park.

Senator DeConcini:

Hart Senate Office Building, Washington, DC.

Dear Senator DeConcini: On behalf of the Town Council and citizens of Springville, Arizona, I wish to endorse this letter as our strong support for the passage of the Casa Malpais National Park Bill.

We have managed the beginning of this project by providing hand cash dollars, equipment, labor, and a museum site.

We feel that the site is a very important and significant archaeological project and would be a valuable asset among the Parks of the United States.

Last but not least, we feel that the Park would be of value to our Town and the surrounding area in strengthening a soft economy in Apache County.

We appreciate the work and effort you have applied to this Bill and our Town stands ready to asset in any way possible.

Very truly yours,

BARBARA HUNTER, Mayor

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 275. A bill to direct the Secretary of Agriculture to convey certain lands to the town of Taos, NM, and for other purposes; to the Committee on Energy and Natural Resources.

TAOS, NM, LANDS ACT OF 1993

Mr. BINGAMAN. Mr. President, I rise today to introduce legislation that will serve two important purposes. First, it will enable the Federal Government to dispose of unneeded property. And second, it will fulfill an important community need of the town of Taos, NM. This bill directs the Secretary of Agriculture to convey an old Forest Service ranger district office of the town of Taos.

The town will convert this building into a multi-literacy center which will greatly benefit the citizens of Taos and the surrounding area. As an added benefit, the strict preservation standards of Taos's old downtown ensure that the historic integrity of the ranger district building will be preserved.

I am pleased that this transfer will foster adaptive reuse of a significant historic structure.

The town of Taos has wanted to acquire this building for some time, but its limited resources, and the high price of real estate in the community, have long proved prohibitive. This legislation provides a long awaited schedule that makes this property affordable to the town, while allowing the Federal Government to get the fair market value for the building, as required by Federal law. I want to commend my colleagues, particularly Congressman RICHARDSON, in whose district the town of Taos is located, for devising a workable solution to this problem.

Mr. President, this bill has been passed twice by the Senate—in the 101st and 102d Congresses—and was passed by the House last session as well. Unfortunately, we ran out of time to finally enact the bill into law. Since this legislation has broad bipartisan support in both Houses, and will clearly benefit both the Federal Government and the people of Taos, I hope we will be able to quickly pass it into law this year.

I ask that the entire text of my statement and the legislation be printed in the CONGRESSIONAL RECORD.

There being no objection, the bill was ordered to print in the RECORD, as follows:

S. 275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TAOS RANGER DISTRICT.

(a) CONVEYANCE OF PROPERTY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act and subject to the terms and conditions described in subsection (b), the Secretary of Agriculture shall convey by quitclaim deed to the town of Taos, New Mexico, all right, title, and interest of the United States in and to the lands and improvements on the parcel described in paragraph (1).

(2) PROPERTY.—The property referred to in paragraph (1),

(A) is located in the town of Taos, Taos County, New Mexico; and

(B) contains approximately 0.633 acres; and

(c) is described in the warranty deed dated January 22, 1957, by William B. and Mary H. Neff, husband and wife, to the United States, as recorded on January 23, 1957, in book A-34, page 415, of the Record of Deeds of Taos County, New Mexico.

(b) TERMS AND CONDITIONS.—

(1) CONSIDERATION.—

(A) IN GENERAL.—The conveyance described in subsection (a) shall be in consideration of $300,000, payable (subject to the approval of the Secretary of Agriculture)

(i) in full not later than the end of the 100-day period referred to in subsection (a)(1); or

(ii) at the option of the town of Taos, in 30 annual payments of $10,000 each, with each payment due January 1.

(B) DEPOSIT OF FUNDS.—

(1) IN GENERAL.—Sums received pursuant to subparagraph (A) shall be deposited in a special fund in the Treasury and shall remain available until expended.

(ii) EXPENDITURE.—Upon request by the Secretary of Agriculture, the Secretary of the Treasury shall transfer from the special fund to the Secretary of Agriculture such sums as the Secretary of Agriculture determines are necessary for the purpose of acquiring lands and administrative facilities on National Forest System lands within the State of New Mexico.

(C) INTEREST.—The town of Taos shall not be charged interest on sums owed the United States for the conveyance described in subsection (a).

(D) RELEASE.—Upon transfer of the property described in subsection (a), the town of Taos shall release the United States from any liability for claims relating to the property.

(E) LIQUIDATION.—The conveyance described in subsection (a) shall be a conveyance of fee simple title to the property, subject to reversion to the United States if the property is used for other than public purposes or if payment is not made in accordance with paragraph (1).
Memorandum

To: Director
Attention: Legislative Liaison

From: Acting Regional Director

Subject: Comments, S. 274, Casa Malpais National Historical Park

The National Park Service has not studied this resource. If studied and determined suitable and feasible, one alternative could be to manage Casa Malpais as an affiliated area.

During the last session of Congress the concept of Casa Malpais as an affiliated unit was appealing. The local constituency seemed capable and amenable to such an operation. However, the vagaries of the recession now have affected Springerville and we can anticipate that this fine example of Native American architecture under present circumstances could suffer without the full support of the Park Service.

It is precisely because of these extremes that a study is essential.

Attachment
CASA MALPAIS NATIONAL HISTORICAL PARK

BILL #: S. 274

SPONSOR: DeConcini

SUMMARY: S. 274 would establish the Casa Malpais National Historical Park in Springerville, Arizona. The park would consist of 35 acres and would be jointly administered by the Secretary of the Interior and the Town of Springerville. The Secretary would be directed to formulate, in consultation with the Town of Springerville, a comprehensive plan for the park within 18 months of enactment. In addition, the Secretary would be required to develop, in consultation with the town, the State of Arizona, and the park advisory commission, a general management plan for the park and transmit the plan to the Congress within three years of enactment.

The Secretary would be authorized to enter into cooperative agreements with: (1) the town to provide technical assistance for the management, protection, and interpretation of the park and to make grants for the operation and maintenance of the park; (2) the town or the State for the management and interpretation of their lands within the park; and (3) public agencies, Indian tribes, and nonprofit entities for the interpretation of resources related to Casa Malpais. The Secretary would be authorized to participate in land use planning for lands adjacent to the park and to provide technical assistance for such planning. A Casa Malpais National Historical Park Advisory Commission would be established to advise the Secretary on the management and development of the park and the preparation of the general management plan; its nine members would be appointed by the Secretary on the recommendation of the mayor of Springerville. S. 274 would authorize the appropriation of such sums as are necessary to carry out the act.

POSITION:

DATE PREPARED: June 25, 1993
U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Briefing Statement

Region/Office: Western Region, Petrified Forest National Park

Issue: Authorization of Casa Malpais National Historic Landmark, Springerville, Arizona as a unit of the National Park System

Background: Casa Malpais is a 14.3 acre prehistoric pueblo site near Springerville, Arizona in Apache County, Arizona. It was built and occupied by the prehistoric Mogollon Culture around 125-1325 A.D. The Casa Malpais project has been caught up somewhat in recent political strife in Springerville, but all parties appear to support National Park Service status for the site. There are some serious misgivings among Springerville residents about the costs of operating and preserving the site. Springerville has suffered economic decline in the past year with an associated drop in tax revenues. The Casa Malpais site is on state land. The Arizona State Land Department has agreed to sell 40 acres of property containing the site as well as associated rights of way and improvements to Springerville. The town is disputing the state's appraisal of the property however. Springerville, like most towns in northeastern Arizona see tourism as their best chance at economic growth and are willing to work together to enhance tourism in this area. National Park Service status is recognized as beneficial for Casa Malpais. The town has been doing a good job of preserving the Casa Malpais site, although there are some signs that the drive to attract tourists may eventually impact the site's integrity. The site does have national significance. The site is well suited to interpretation of an important prehistoric culture that is not now well represented in the National Park System. Petrified Forest National Park would be the most likely site for providing assistance to the Casa Malpais site.

Current Status: Casa Malpais National Historic Landmark is currently on Arizona State land and is being researched and developed by the town of Springerville via a contract with the Louis Berger and Associates Company as a visitor attraction. The site has received national attention in recent years due to unusual and unique archeological discoveries made there in recent years. The quality of archeological work and preservation has been good, but a recent emphasis on site reconstruction is disturbing. The former Springerville town government requested that Casa Malpais be designated as a National Park Service affiliated area in order to be eligible for National Park Service financial and technical assistance. This proposal was supported by Congressmen Jon Kyl (Arizona 4th District) and Jim Kolbe.
(Arizona 5th District). Legislation that would so authorize the site as an affiliated unit of the National Park System was prepared by the National Park Service Legislation Division and introduced by Congressman Kolbe in 1992. In January, 1993, Arizona Senator Dennis DeConcini introduced legislation that would create a 35-acre Casa Malpais National Historical Park that would be administered by the Secretary of the Interior and the Town of Springerville. Springerville is in an economic decline, and the site has recently suffered some vandalism. These events have led to hopes the National Park Service will take over operation of the site.

Service Position: The Casa Malpais National Historic Landmark resource is probably eligible for National Park Service status. However, management responsibility and ownership of the site is not clear in the legislation. It is unlikely that Springerville will have the financial resources to operate the site to National Park Service standards. We would prefer a more traditional management structure, with the National Park Service owning and operating the site through a park superintendent. An advisory board, similar to that described as the "Casa Malpais National Historical Park Advisory Commission" in the DeConcini bill could meet on a regularly scheduled basis to provide advice and input to the park superintendent. The board should have one member each from the Hopi and Zuni tribes, rather than one Inter-Tribal Council member. Finally, the question of funding must be addressed. The National Park Service cannot assume management of any new areas, regardless of their significance, without the appropriation of sufficient monies to provide for annual operation as well as specific projects, such as planning and site development.

Position Supported By: Most preservation groups appear to be in favor of the proposal. The town of Springerville is in favor of the proposal. Apache County authorities are in favor of the proposal. The Arizona State government is in favor of the proposal. At least three members of the Arizona Congressional Delegation beside Senator DeConcini are in favor of the proposal.

Position Opposed By: There is no organized opposition. Some rural Arizonans are opposed to any federal government operation in this area.

Funding Requirements:

Contact: Superintendent Gary Cummins, P.O. Box 2217, Petrified Forest National Park, AZ 86028, (602) 524-6228, Ext. 225.
The Honorable Bruce Babbitt  
Secretary  
Department of the Interior  
Washington, DC 20241

Dear Mr. Secretary:

The Subcommittee on Public Lands, National Parks and Forests has scheduled a hearing on Thursday, March 3, 1994. The purpose of the hearing is to receive testimony on the following bills currently pending before the Subcommittee:

S. 274, to establish the Casas Malpains National Historical Park in Springerville, Arizona, and for other purposes;

S. 859, to reduce the restrictions on lands conveyed by deed under the Act of June 6, 1926;

S. 1233, to resolve the status of certain lands in Arizona that are subject to a claim as a grant of public lands for railroad purposes, and for other purposes;

S. 1586, to establish the New Orleans Jazz National Historical Park in the State of Louisiana, and for other purposes; and

H.R. 1183, to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Company.

The hearing will be held in Room 366 of the Dirksen Senate Office Building in Washington, D.C. and will begin at 2:00 p.m. The purpose of this letter is to request that you provide an appropriate witness to testify before the Subcommittee regarding these measures.

The Committee rules require that the Department submit 50 copies of its statement at least 24 hours prior to each hearing. For additional information, please contact David Brooks of the Subcommittee staff at 224-8115.

Sincerely,

Dale Bumpers  
Chairman  
Subcommittee on Public Lands, National Parks and Forests
Mr. Chairman, I appreciate the opportunity to provide your Subcommittee with testimony on S. 274, a bill to establish the Casa Malpais National Historical Park in Springerville, Arizona.

We have no recommendation on this bill because no study has been completed. A study would determine whether the area is a suitable or feasible addition to the National Park System. A study also would consider the various alternatives for management of the site, and provide a basis for recommending a preferred alternative, including a boundary. The Park Service has been unable to complete any of these considerations.

S. 274 would establish Casa Malpais National Historical Park as a unit of the National Park System. No land acquisition authority is provided in the bill. If enacted, S. 274 mandates that the Secretary of Interior, in cooperation with the town of Springerville, Arizona, formulate a comprehensive plan for protection, preservation, interpretation, development and maintenance of the site within eighteen months. S. 274 also mandates the completion of a National Park Service General Management Plan within three years. S. 274 authorizes technical
assistance and grants for the Town of Springerville for management of the site, and also establishes an Advisory Commission.

This 35-acre area contains remnants of one of the largest and most sophisticated Mogollon communities in the United States. A 10-acre site was designated a national historic landmark July 19, 1964, and was amended to 14.3 acres in 1988.

Mr. Chairman, this concludes my testimony. I would be pleased to answer any questions.