

pared in close consultation with appropriate departments of the State of New Mexico and using previous studies of the area.

**(b) Review and recommendation of suitability or nonsuitability of specific lands**

(1) The general management plan for the conservation area shall review and recommend the suitability or nonsuitability for preservation as wilderness of those lands comprising approximately 17,468 acres, identified as “Wilderness Study Area” (hereafter in this part referred to as the “WSA”) on the map referenced in section 460uu of this title.

(2) Pending submission of a recommendation and until otherwise directed by an Act of Congress, the Secretary, acting through the Director of the Bureau of Land Management, shall manage the lands within the WSA so as to maintain their potential for inclusion within the National Wilderness Preservation System.

**(c) Review and recommendation of suitability or nonsuitability of roadless lands**

(1) The general management plan for the monument shall review and recommend the suitability or nonsuitability for preservation as wilderness of all roadless lands within the boundaries of the monument as established by this subchapter except those lands within the areas identified as “potential development areas” on the map referenced in section 460uu of this title.

(2) Pending the submission of a recommendation and until otherwise directed by Act of Congress, the Secretary, through the Director of the National Park Service, shall manage all roadless lands within the boundaries of the monument so as to maintain their potential for inclusion in the National Wilderness Preservation System, except those lands within the areas identified as “potential development areas” on the map referenced in section 460uu of this title.

(Pub. L. 100-225, title V, §501, Dec. 31, 1987, 101 Stat. 1543.)

REFERENCES IN TEXT

The fiscal year of enactment of this subchapter, referred to in subsec. (a), is the fiscal year of the enactment of Pub. L. 100-225, which enacted this subchapter, and was approved Dec. 31, 1987.

The Archaeological Resources Protection Act of 1979, referred to in subsec. (a)(3), is Pub. L. 96-95, Oct. 31, 1979, 93 Stat. 721, which is classified generally to chapter 1B (§470aa et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 470aa of this title and Tables.

The National Historic Preservation Act, referred to in subsec. (a)(3), is Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, as amended, which is classified generally to subchapter II (§470 et seq.) of chapter 1A of this title. For complete classification of this Act to the Code, see section 470 of this title and Tables.

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

**§ 460uu-42. Acquisition of lands and interests**

Within the monument and the conservation area, the Secretary is authorized to acquire

lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency, except that such lands or interests therein owned by the State of New Mexico or a political subdivision thereof may be acquired only by exchange. It is the sense of Congress that the Secretary is to complete the acquisition of non-Federal subsurface interests underlying the monument and the conservation area no later than three full fiscal years after the fiscal year of enactment of this subchapter.

(Pub. L. 100-225, title V, §502, Dec. 31, 1987, 101 Stat. 1544.)

REFERENCES IN TEXT

The fiscal year of enactment of this subchapter, referred to in text, is the fiscal year of the enactment of Pub. L. 100-225, which enacted this subchapter, and was approved Dec. 31, 1987.

**§ 460uu-43. State exchanges of lands and interests**

(a) Upon the request of the State of New Mexico (hereinafter referred to as the “State”) and pursuant to the provisions of this section, the Secretary shall exchange public lands or interests in lands elsewhere in the State of New Mexico, of approximately equal value and selected by the State, acting through its Commissioner of Public Lands, for any lands or interests therein owned by the State (hereinafter referred to as “State lands”) located within the boundaries of the monument or the conservation area which the State wishes to exchange with the United States.

(b) Within six months after December 31, 1987, the Secretary shall notify the New Mexico Commissioner of Public Lands what State lands are within the monument or the conservation area. The notice shall contain a listing of all public lands or interest therein within the boundaries of the State of New Mexico which have not been withdrawn from entry and which the Secretary, pursuant to the provisions of sections 1712 and 1716 of title 43, has identified as appropriate for transfer to the State in exchange for State lands. Such listing shall be updated at least annually. If the New Mexico Commissioner of Public Lands gives notice to the Secretary of the State’s desire to obtain public lands so listed, the Secretary shall notify the Commissioner in writing as to whether the Department of the Interior considers the State lands within the monument or conservation area to be of approximately equal value to the listed lands or interests in lands the Commissioner has indicated the State desires to obtain. It is the sense of the Congress that the exchange of lands and interests therein with the State pursuant to this section should be completed within two years after December 31, 1987.

(Pub. L. 100-225, title V, §503, Dec. 31, 1987, 101 Stat. 1544.)

**§ 460uu-44. Mineral exchanges**

**(a) Authorization; matters considered**

The Secretary is authorized and directed to exchange the Federal mineral interests in the lands described in subsection (b) of this section

for the private mineral interests in the lands described in subsection (c) of this section, if—

(1) the owner of such private mineral interests has made available to the Secretary all information requested by the Secretary as to the respective values of the private and Federal mineral interests to be exchanged; and

(2) on the basis of information obtained pursuant to paragraph (1) and any other information available, the Secretary has determined that the mineral interests to be exchanged are of approximately equal value; and

(3) the Secretary has determined—

(A) that except insofar as otherwise provided in this section, the exchange is not inconsistent with the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.]; and

(B) that the exchange is in the public interest.

**(b) Location of Federal mineral interests**

The Federal mineral interests to be exchanged under this section underlie the lands, comprising approximately 15,008 acres, depicted as “Proposed for transfer to Santa Fe Pacific” on the map referenced in subsection (d) of this section.

**(c) Location of private mineral interests**

The private mineral interests to be exchanged pursuant to this section underlie the lands, comprising approximately 15,141 acres, depicted as “Proposed for transfer to U.S.” on the map referenced in subsection (d) of this section.

**(d) Identification of mineral interests; legal description**

(1) The mineral interests identified in this section underlie those lands depicted as “Proposed for transfer to Santa Fe Pacific” and as “Proposed for transfer to U.S.” on a map entitled “El Malpais Leg. Boundary, HR3684/S56”, revised 5-8-87.

(2) As soon as practicable after December 31, 1987, the Secretary shall file a legal description of the mineral interest areas designated under this section with the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. Such legal description shall have the same force and effect as if included in this subchapter, except that the Secretary may correct clerical and typographical errors in such legal description. The legal description shall be on file and available for public inspection in the offices of the Director of the Bureau of Land Management, Department of the Interior.

**(e) Time of completion of exchanges**

It is the sense of the Congress that all exchanges pursuant to this section shall be completed no later than three years after December 31, 1987.

(Pub. L. 100-225, title V, §504, Dec. 31, 1987, 101 Stat. 1545.)

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a)(3)(A), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, as amended, which is classified principally to chapter 35 (§1701 et seq.) of Title 43,

Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

**§ 460uu-45. Acoma Pueblo exchanges**

**(a) Lands to be exchanged**

(1) Upon the request of the Pueblo of Acoma, the Secretary shall acquire by exchange any lands held in trust for the Pueblo of Acoma (hereinafter referred to as “trust lands”) located within the boundary of the conservation area which the Pueblo wishes to exchange pursuant to this section. Such trust lands shall be exchanged either for—

(A) lands described in subsection (c) of this section (with respect to trust lands west of New Mexico Highway 117); or

(B) public lands of approximately equal value located outside the monument and outside the conservation area but within the boundaries of the State of New Mexico which are selected by the Pueblo of Acoma, so long as such exchange is consistent with applicable law and Bureau of Land Management resource management plans developed pursuant to the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.].

(2) All lands selected by and transferred to the Pueblo of Acoma at its request pursuant to this section shall thereafter be held in trust by the Secretary for the Pueblo of Acoma in the same manner as the lands for which they were exchanged.

(3) Any lands west of New Mexico Highway 117 which are acquired by the Secretary pursuant to this section shall be incorporated into the monument and managed accordingly, and section 460uu-3 of this title and all other provisions of this subchapter and other law applicable to lands designated by this subchapter as part of the monument shall apply to such incorporated lands.

**(b) Public lands available for exchange**

For purposes of acquiring lands pursuant to subsection (a) of this section, the Secretary, consistent with applicable law and Bureau of Land Management resource management plans described in subsection (a) of this section, shall make public lands within the boundaries of the State of New Mexico available for exchange. Nothing in this subchapter shall be construed as authorizing or requiring revocation of any existing withdrawal or classification of public land except in a manner consistent with applicable law.

**(c) Public lands available for transfer; management of lands not exchanged or transferred**

(1) The Secretary shall make the lands within the areas identified as “Acoma Potential Exchange Areas” on the map referenced in section 460uu-21 of this title available for transfer to the Pueblo of Acoma pursuant to this subsection.