

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, which was classified generally to subchapter II (§470 et seq.) of chapter 1A of this title. The Act, except for section 1, was repealed and restated in division A (§300101 et seq.) of subtitle III of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

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) for the private mineral interests in the lands described in subsection (c), 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).

(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).