

Federal lands within units of the National Park System established or expanded by or pursuant to this Act are hereby withdrawn from all forms of appropriation or disposal under the public land laws, including location, entry, and patent under the United States mining laws, disposition under the mineral leasing laws, and from future selections by the State of Alaska and Native Corporations.

(Pub. L. 96-487, title II, §206, Dec. 2, 1980, 94 Stat. 2384.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 96-487, Dec. 2, 1980, 94 Stat. 2371, known as the Alaska National Interest Lands Conservation Act. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

SUBCHAPTER LIX—G—CHACO CULTURE NATIONAL HISTORICAL PARK

§ 410ii. Findings and purpose

(a) The Congress finds that—

(1) archeological research in the San Juan Basin conducted over the past several years has greatly increased public knowledge of the scope of the prehistoric culture referred to as Chacoan Anasazi;

(2) the discoveries and the increased general interest in the Chaco phenomenon have come at a time when the San Juan Basin is experiencing extensive exploration and development for a wide variety of energy-related resources, including coal, uranium, oil, and natural gas;

(3) development of the San Juan Basin's important natural resources and the valid existing rights of private property owners will not be adversely affected by the preservation of the archeological integrity of the area; and

(4) in light of the national significance of the Chacoan sites and the urgent need to protect them, continued cooperation between Federal agencies and private corporations is necessary to provide for development in the San Juan Basin in a manner compatible with preservation and archeological research.

(b) It is the purpose of this subchapter to recognize the unique archeological resources associated with the prehistoric Chacoan culture in the San Juan Basin and surrounding areas; to provide for the preservation and interpretation of these resources; and to facilitate research activities associated with these resources.

(Pub. L. 96-550, title V, §501, Dec. 19, 1980, 94 Stat. 3227; Pub. L. 104-11, §2, May 18, 1995, 109 Stat. 158.)

Editorial Notes

AMENDMENTS

1995—Subsec. (b). Pub. L. 104-11 substituted "San Juan Basin and surrounding areas" for "San Juan Basin".

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-413, §1, Oct. 30, 2004, 118 Stat. 2325, provided that: "This Act [enacting provisions set out as a

note under section 410ii-6 of this title] may be cited as the 'Hibben Center Act'."

SHORT TITLE OF 1995 AMENDMENT

Pub. L. 104-11, §1, May 18, 1995, 109 Stat. 158, provided that: "This Act [amending this section and sections 410ii-1, 410ii-3, and 410ii-5 of this title] may be cited as the 'Chacoan Outliers Protection Act of 1995'."

§ 410ii-1. Establishment

(a) Abolition of Chaco Canyon National Monument

There is hereby established in the State of New Mexico, the Chaco Culture National Historical Park comprising approximately thirty three thousand nine hundred and eighty nine acres as generally depicted on the map entitled "Chaco Culture National Historical Park", numbered 310/80,032-A and dated August 1979. The Chaco Canyon National Monument is hereby abolished, as such, and any funds available for the purpose of the monument shall be available for the purpose of the Chaco Culture National Historical Park.

(b) Designation of Chaco Culture Archeological Protection Sites

(1) Thirty-nine outlying sites as generally depicted on a map entitled "Chaco Culture Archeological Protection Sites", numbered 310/80,033-B and dated September 1991, are hereby designated as "Chaco Culture Archeological Protection Sites". The thirty-nine archeological protection sites totaling approximately 14,372 acres¹ identified as follows:

Name:	Acres
Allentown	380
Andrews Ranch	950
Bee Burrow	480
Bisa'ani	131
Casa del Rio	40
Casamero	160
Chimney Rock	3,160
Coolidge	450
Dalton Pass	135
Dittert	480
Great Bend	26
Greenlee Ruin	60
Grey Hill Spring	23
Guadalupe	115
Halfway House	40
Haystack	565
Hogback	453
Indian Creek	100
Jaquez	66
Kin Nizhoni	726
Lake Valley	30
Manuelito-Atsee Nitsaa	60
Manuelito-Kin Hochoi	116
Morris 41	85
Muddy Water	1,090
Navajo Springs	260
Newcomb	50
Peach Springs	1,046
Pierre's Site	440
Raton Well	23
Salmon Ruin	5
San Mateo	61
Sanostee	1,565
Section 8	10
Skunk Springs/Crumbled House	533
Standing Rock	348

¹ So in original. Probably should be "acres are".

Name:	Acres
Toh-la-kai	10
Twin Angeles	40
Upper Kin Klizhin	60.

(2) The map referred to in paragraph (1) shall be kept on file and available for public inspection in the appropriate offices of the National Park Service, the office of the State Director of the Bureau of Land Management located in Santa Fe, New Mexico, the office of the Area Director of the Bureau of Indian Affairs located in Window Rock, Arizona, and the offices of the Arizona and New Mexico State Historic Preservation Officers.

(Pub. L. 96-550, title V, § 502, Dec. 19, 1980, 94 Stat. 3227; Pub. L. 104-11, § 3, May 18, 1995, 109 Stat. 158.)

Editorial Notes

AMENDMENTS

1995—Subsec. (b). Pub. L. 104-11 designated existing provisions as par. (1), increased number of outlying protection sites from 33 to 39, updated number designation and date on site designation maps, increased total acreage from 8,771 to 14,372 acres, and added par. (2).

§ 410ii-2. Repealed. Pub. L. 104-333, div. I, title VIII, § 814(d)(1)(B), Nov. 12, 1996, 110 Stat. 4196

Section, Pub. L. 96-550, title V, § 503, Dec. 19, 1980, 94 Stat. 3228, related to additions and deletions to Chaco Culture Archeological Protection Sites.

§ 410ii-3. Acquisition of properties

(a) Methods of acquisition

The Secretary is authorized to acquire lands, waters, and interests therein within the boundaries of the Chaco Culture National Historical Park (hereinafter referred to as the “park”) and the archeological protection sites as identified in section 410ii-1 of this title by donation, purchase with donated or appropriated funds, or exchange. Property owned by the State of New Mexico or any political subdivision thereof, may be acquired by exchange or donation only. Property held in trust for the benefit of any Indian tribe or for the benefit of any individual member thereof may be acquired only with the consent of such owner or beneficial owner as the case may be.

(b) Conveyance by tribal authorities

The respective tribal authorities are authorized to convey by exchange, purchase, on¹ donation the beneficial interest in any lands designated by section 410ii-1 of this title and held in trust by the United States for the respective tribes, to the Secretary, subject to such terms and conditions as the tribal authority deems necessary and which the Secretary deems consistent with the purposes of this subchapter.

(c) Private properties; acquisition by exchange and cooperative agreements

(1) The Secretary shall attempt to acquire private lands or interests therein by exchange prior to acquiring lands by any other method authorized pursuant to this section.

¹ So in original. Probably should be “or”.

(2) The Secretary shall seek to use a combination of land acquisition authority under this section and cooperative agreements (pursuant to section 410ii-4 of this title) to accomplish the purposes of archeological resource protection at those sites described in section 410ii-1(b) of this title that remain in private ownership.

(d) Exchange of Federal property; pool, acreage designation

(1) For purposes of completing an exchange pursuant to subsections (a) and (b), the Secretary shall designate a pool of at least three times the private acreage described in subsections (a) and (b), comprised of Federal property interests of a similar resource character to property to be exchanged. Federal property shall, whenever possible, be designated in blocks of at least one section in size, but in no event shall the blocks designated be less than one-quarter of a section in size.

(2) The Secretary may include within the pool any Federal property under his jurisdiction except units of the National Park System, National Forest System, or the National Wildlife Refuge System that are nominated by the owner of the private property to be exchanged. Exchanges shall be on the basis of equal value, and either party to the exchange may pay or accept cash in order to equalize the value of the property exchange, except that if the parties agree to an exchange and the Secretary determines it is in the public interest, such exchange may be made for other than equal values.

(e) Federal lands exchanged for non-Federal property

All Federal lands, waters, and interests therein excluded from the boundaries of Chaco Canyon National Monument by this subchapter may be exchanged for non-Federal property to be acquired pursuant to this subchapter. Any lands so excluded shall be managed by the Secretary under the provisions of the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.]. Transfer of administration of such lands to the Bureau of Land Management shall not be considered a withdrawal as that term is defined in section 103(j) of the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1702(j)].

(Pub. L. 96-550, title V, § 504, Dec. 19, 1980, 94 Stat. 3228; Pub. L. 104-11, § 4, May 18, 1995, 109 Stat. 159.)

Editorial Notes

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (e), 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.

AMENDMENTS

1995—Subsec. (c)(2). Pub. L. 104-11 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The Secretary shall attempt to enter into cooperative agreements pursuant to section 410ii-4 of this title with owners of private property for those archeological protection sites described in section 410ii-1(b) of this title. The Secretary shall acquire fee title to any such pri-