

107TH CONGRESS
2D SESSION

H. R. 5238

To provide for the protection of archeological sites in the Galisteo Basin
in New Mexico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2002

Mr. UDALL of New Mexico introduced the following bill; which was referred
to the Committee on Resources

A BILL

To provide for the protection of archeological sites in the
Galisteo Basin in 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 “Galisteo Basin Archeo-
5 logical Protection Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The Galisteo Basin and surrounding area of
9 New Mexico is the location of many well preserved

1 prehistoric and historic archeological resources of
2 Native American and Spanish colonial cultures.

3 (2) These resources include the largest ruins of
4 Pueblo Indian settlements in the United States,
5 spectacular examples of Native American rock art,
6 and ruins of Spanish colonial settlements.

7 (3) These resources are being threatened by
8 natural causes, urban development, vandalism, and
9 uncontrolled excavations.

10 (b) PURPOSE.—The purpose of this Act is to provide
11 for the preservation, protection, and interpretation of the
12 nationally significant archeological resources in the
13 Galisteo Basin in New Mexico.

14 **SEC. 3. ESTABLISHMENT OF GALISTEO BASIN ARCHEO-**
15 **LOGICAL PROTECTION SITES.**

16 (a) IN GENERAL.—The following archeological sites
17 located in the Galisteo Basin in the State of New Mexico,
18 totaling approximately 4,591 acres, are hereby designated
19 as Galisteo Basin Archeological Protection Sites:

Name	Acres
Arroyo Hondo Pueblo	21
Burnt Corn Pueblo	110
Chamisa Locita Pueblo	16
Comanche Gap Petroglyphs	764
Espinoso Ridge Site	160
La Cienega Pueblo & Petroglyphs	126
La Cienega Pithouse Village	179
La Cieneguilla Petroglyphs/Camino Real Site	531
La Cieneguilla Pueblo	11
Lamy Pueblo	30
Lamy Junction Site	80
Las Huertas	44

Name	Acres
Pa ako Pueblo	29
Petroglyph Hill	130
Pueblo Blanco	878
Pueblo Colorado	120
Pueblo Galisteo/Las Madres	133
Pueblo Largo	60
Pueblo She	120
Rote Chert Quarry	5
San Cristobal Pueblo	520
San Lazaro Pueblo	360
San Marcos Pueblo	152
Upper Arroyo Hondo Pueblo	12
Total Acreage	4,591

1 (b) AVAILABILITY OF MAPS.—The archeological pro-
2 tection sites listed in subsection (b) are generally depicted
3 on a series of 19 maps entitled “Galisteo Basin Archeo-
4 logical Protection Sites” and dated July, 2002. The Sec-
5 retary of the Interior (in this Act referred to as the “Sec-
6 retary”) shall keep the maps on file and available for pub-
7 lic inspection in appropriate offices in New Mexico of the
8 Bureau of Land Management and the National Park Serv-
9 ice.

10 (c) BOUNDARY ADJUSTMENTS.—The Secretary may
11 make minor boundary adjustments to the archeological
12 protection sites by publishing notice thereof in the Federal
13 Register.

14 **SEC. 4. ADDITIONAL SITES.**

15 (a) IN GENERAL.—The Secretary shall—

16 (1) continue to search for additional Native
17 American and Spanish colonial sites in the Galisteo
18 Basin area of New Mexico; and

1 (2) submit to Congress, not later than 3 years
2 after the date that funds become available for this
3 purpose and thereafter as needed, recommendations
4 for additions to, deletions from, and modifications of
5 the boundaries of the list of archeological protection
6 sites in section 3.

7 (b) ADDITIONS ONLY BY STATUTE.—Except as pro-
8 vided by section 3(d), additions to or deletions from the
9 list in section 3 shall be made only by an Act of Congress.

10 **SEC. 5. ADMINISTRATION.**

11 (a) IN GENERAL.—

12 (1) FEDERAL LANDS.—The Secretary shall ad-
13 minister archeological protection sites located on
14 Federal land in accordance with the provisions of
15 this Act, the Archeological Resources Protection Act
16 of 1979 (16 U.S.C. 470aa et seq.), the Native Amer-
17 ican Graves Protection and Repatriation Act (25
18 U.S.C. 3001 et seq.), and other applicable laws in a
19 manner that will protect, preserve, and maintain the
20 archeological resources and provide for research
21 thereon.

22 (2) NON-FEDERAL LANDS.—The Secretary shall
23 have no authority to administer archeological protec-
24 tion sites which are on non-Federal lands except to
25 the extent provided for in a cooperative agreement

1 entered into between the Secretary and the land-
2 owner.

3 (3) CLARIFICATION RELATED TO PRIVATE
4 LANDS.—Nothing in this Act shall be construed to
5 extend the authorities of the Archeological Resources
6 Protection Act of 1979 or the Native American
7 Graves Protection and Repatriation Act to private
8 lands which are designated as an archeological pro-
9 tection site.

10 (b) MANAGEMENT PLAN.—

11 (1) IN GENERAL.—Not later than 3 complete
12 fiscal years after the date that funds are made avail-
13 able for this purpose, the Secretary shall prepare
14 and transmit to the Committee on Energy and Nat-
15 ural Resources of the Senate and the Committee on
16 Resources of the House of Representatives, a gen-
17 eral management plan for the identification, re-
18 search, protection, and public interpretation of—

19 (A) the archeological protection sites lo-
20 cated on Federal land; and

21 (B) sites on State or private lands for
22 which the Secretary has entered into coopera-
23 tive agreements pursuant to section 6.

24 (2) CONSULTATION.—The general management
25 plan shall be developed by the Secretary in consulta-

1 tion with the Governor of New Mexico, the New
2 Mexico State Land Commissioner, affected Native
3 American pueblos, and other interested parties.

4 **SEC. 6. COOPERATIVE AGREEMENTS.**

5 The Secretary is authorized to enter into cooperative
6 agreements with owners of non-Federal lands with regard
7 to an archeological protection site, or portion thereof, lo-
8 cated on their property. The purpose of such an agreement
9 shall be to enable to the Secretary to assist with the pro-
10 tection, preservation, maintenance, and administration of
11 the archeological resources and associated lands. Where
12 appropriate, a cooperative agreement may also provide for
13 public interpretation of the site.

14 **SEC. 7. ACQUISITIONS.**

15 (a) IN GENERAL.—The Secretary is authorized to ac-
16 quire, from willing sellers only, lands and interests therein
17 within the boundaries of the archeological protection sites,
18 including access thereto, by donation, by purchase with
19 donated or appropriated funds, or by exchange.

20 (b) STATE LANDS.—The Secretary may acquire
21 lands or interests therein owned by the State of New Mex-
22 ico or a political subdivision thereof only by donation or
23 exchange, except that State trust lands may only be ac-
24 quired by exchange.

1 **SEC. 8. WITHDRAWAL.**

2 Subject to valid existing rights, all Federal lands
3 within the archeological protection sites are hereby
4 withdrawn—

5 (1) from all forms of entry, appropriation, or
6 disposal under the public land laws and all amend-
7 ments thereto;

8 (2) from location, entry, and patent under the
9 mining law and all amendments thereto; and

10 (3) from disposition under all laws relating to
11 mineral and geothermal leasing, and all amendments
12 thereto.

13 **SEC. 9. SAVINGS PROVISIONS.**

14 Nothing in this Act shall be construed—

15 (1) to authorize the regulation of privately
16 owned lands within an area designated as an archeo-
17 logical protection site;

18 (2) to modify, enlarge, or diminish any author-
19 ity of Federal, State, or local governments to regu-
20 late any use of privately owned lands;

21 (3) to modify, enlarge, or diminish any author-
22 ity of Federal, State, tribal, or local governments to
23 manage or regulate any use of land as provided for
24 by law or regulation; or

- 1 (4) to restrict or limit a tribe from protecting
- 2 cultural or religious sites on tribal lands.

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