

Calendar No. 368

108TH CONGRESS
1ST SESSION

H. R. 506

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2003

Received; read twice and placed on the calendar

AN ACT

To provide for the protection of archaeological 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Galisteo Basin Archae-
3 ological Sites Protection Act”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—The Congress finds that—

6 (1) the Galisteo Basin and surrounding area of
7 New Mexico is the location of many well preserved
8 prehistoric and historic archaeological resources of
9 Native American and Spanish colonial cultures;

10 (2) these resources include the largest ruins of
11 Pueblo Indian settlements in the United States,
12 spectacular examples of Native American rock art,
13 and ruins of Spanish colonial settlements; and

14 (3) these resources are being threatened by nat-
15 ural causes, urban development, vandalism, and un-
16 controlled excavations.

17 (b) PURPOSE.—The purpose of this Act is to provide
18 for the preservation, protection, and interpretation of the
19 nationally significant archaeological resources in the
20 Galisteo Basin in New Mexico.

21 **SEC. 3. GALISTEO BASIN ARCHAEOLOGICAL PROTECTION**
22 **SITES.**

23 (a) IN GENERAL.—Except as provided in subsection
24 (d), the following archaeological sites located in the
25 Galisteo Basin in the State of New Mexico, totaling ap-

- 1 approximately 4,591 acres, are hereby designated as Galisteo
 2 Basin Archaeological 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
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

3 (b) AVAILABILITY OF MAPS.—The archaeological
 4 protection sites listed in subsection (a) are generally de-
 5 picted on a series of 19 maps entitled “Galisteo Basin Ar-
 6 chaeological Protection Sites” and dated July, 2002. The
 7 Secretary of the Interior (hereinafter referred to as the
 8 “Secretary”) shall keep the maps on file and available for
 9 public inspection in appropriate offices in New Mexico of
 10 the Bureau of Land Management and the National Park
 11 Service.

12 (c) BOUNDARY ADJUSTMENTS.—The Secretary may
 13 make minor boundary adjustments to the archaeological

1 protection sites by publishing notice thereof in the Federal
2 Register.

3 (d) WITHDRAWAL OF PRIVATE PROPERTY.—Upon
4 the written request of an owner of private property in-
5 cluded within the boundary of an archaeological site pro-
6 tected under this Act, the Secretary shall immediately re-
7 move that private property from within that boundary.

8 **SEC. 4. ADDITIONAL SITES.**

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

10 (1) continue to search for additional Native
11 American and Spanish colonial sites in the Galisteo
12 Basin area of New Mexico; and

13 (2) submit to Congress, within three years after
14 the date funds become available and thereafter as
15 needed, recommendations for additions to, deletions
16 from, and modifications of the boundaries of the list
17 of archaeological protection sites in section 3 of this
18 Act.

19 (b) ADDITIONS ONLY BY STATUTE.—Additions to or
20 deletions from the list in section 3 shall be made only by
21 an Act of Congress.

22 **SEC. 5. ADMINISTRATION.**

23 (a) IN GENERAL.—

24 (1) The Secretary shall administer archae-
25 ological protection sites located on Federal land in

1 accordance with the provisions of this Act, the Ar-
2 chaeological Resources Protection Act of 1979 (16
3 U.S.C. 470aa et seq.), the Native American Graves
4 Protection and Repatriation Act (25 U.S.C. 3001 et
5 seq.), and other applicable laws in a manner that
6 will protect, preserve, and maintain the archae-
7 ological resources and provide for research thereon.

8 (2) The Secretary shall have no authority to ad-
9 minister archaeological protection sites which are on
10 non-Federal lands except to the extent provided for
11 in a cooperative agreement entered into between the
12 Secretary and the landowner.

13 (3) Nothing in this Act shall be construed to
14 extend the authorities of the Archaeological Re-
15 sources Protection Act of 1979 or the Native Amer-
16 ican Graves Protection and Repatriation Act to pri-
17 vate lands which are designated as an archaeological
18 protection site.

19 (b) MANAGEMENT PLAN.—

20 (1) IN GENERAL.—Within three complete fiscal
21 years after the date funds are made available, the
22 Secretary shall prepare and transmit to the Com-
23 mittee on Energy and Natural Resources of the
24 United States Senate and the Committee on Re-
25 sources of the United States House of Representa-

1 tives, a general management plan for the identifica-
2 tion, research, protection, and public interpretation
3 of—

4 (A) the archaeological protection sites lo-
5 cated on Federal land; and

6 (B) for sites on State or private lands for
7 which the Secretary has entered into coopera-
8 tive agreements pursuant to section 6 of this
9 Act.

10 (2) CONSULTATION.—The general management
11 plan shall be developed by the Secretary in consulta-
12 tion with the Governor of New Mexico, the New
13 Mexico State Land Commissioner, affected Native
14 American pueblos, and other interested parties.

15 **SEC. 6. COOPERATIVE AGREEMENTS.**

16 The Secretary is authorized to enter into cooperative
17 agreements with owners of non-Federal lands with regard
18 to an archaeological protection site, or portion thereof, lo-
19 cated on their property. The purpose of such an agreement
20 shall be to enable the Secretary to assist with the protec-
21 tion, preservation, maintenance, and administration of the
22 archaeological resources and associated lands. Where ap-
23 propriate, a cooperative agreement may also provide for
24 public interpretation of the site.

1 **SEC. 7. ACQUISITIONS.**

2 (a) IN GENERAL.—The Secretary is authorized to ac-
3 quire lands and interests therein within the boundaries of
4 the archaeological protection sites, including access there-
5 to, by donation, by purchase with donated or appropriated
6 funds, or by exchange.

7 (b) CONSENT OF OWNER REQUIRED.—The Secretary
8 may only acquire lands or interests therein with the con-
9 sent of the owner thereof.

10 (c) STATE LANDS.—The Secretary may acquire lands
11 or interests therein owned by the State of New Mexico
12 or a political subdivision thereof only by donation or ex-
13 change, except that State trust lands may only be acquired
14 by exchange.

15 **SEC. 8. WITHDRAWAL.**

16 Subject to valid existing rights, all Federal lands
17 within the archaeological protection sites are hereby with-
18 drawn—

19 (1) from all forms of entry, appropriation, or
20 disposal under the public land laws and all amend-
21 ments thereto;

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

24 (3) from disposition under all laws relating to
25 mineral and geothermal leasing, and all amendments
26 thereto.

1 **SEC. 9. SAVINGS PROVISIONS.**

2 Nothing in this Act shall be construed—

3 (1) to authorize the regulation of privately
4 owned lands within an area designated as an archae-
5 ological protection site;

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

9 (3) to modify, enlarge, or diminish any author-
10 ity of Federal, State, tribal, or local governments to
11 manage or regulate any use of land as provided for
12 by law or regulation; or

13 (4) to restrict or limit a tribe from protecting
14 cultural or religious sites on tribal lands.

 Passed the House of Representatives November 4,
2003.

Attest:

JEFF TRANDAHL,

Clerk.

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