

## Union Calendar No. 302

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 491

[Report No. 112-435]

To modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2011

Mr. HEINRICH introduced the following bill; which was referred to the  
Committee on Natural Resources

APRIL 16, 2012

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, 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. BOUNDARY MODIFICATION AND TRANSFER OF**  
4 **ADMINISTRATIVE JURISDICTION, CIBOLA NA-**  
5 **TIONAL FOREST, NEW MEXICO.**

6 (a) BOUNDARY MODIFICATION.—

7 (1) MODIFICATION.—The boundaries of Cibola  
8 National Forest in the State of New Mexico, are  
9 modified to include the land depicted for such inclu-  
10 sion on the Forest Service map titled “Crest of Mon-  
11 tezuma Proposed Land Transfer” and dated October  
12 26, 2009.

13 (2) AVAILABILITY AND CORRECTION OF MAP.—  
14 The map referred to in paragraph (1) shall be on  
15 file and available for public inspection in the appro-  
16 priate offices of the Forest Service. The Chief of the  
17 Forest Service may make technical and clerical cor-  
18 rections to the map.

19 (b) TRANSFER OF BUREAU OF LAND MANAGEMENT  
20 LAND.—

21 (1) TRANSFER.—The Secretary of the Interior  
22 shall transfer to the administrative jurisdiction of  
23 the Secretary of the Agriculture, for inclusion in,  
24 and administration as part of, Cibola National For-  
25 est, the public land administered by the Bureau of

1 Land Management and identified as the “Crest of  
2 Montezuma” on the map referred to in subsection  
3 (a).

4 (2) EFFECT OF TRANSFER ON EXISTING PER-  
5 MITS.—In the case of any permit or other land use  
6 authorization for public land transferred under para-  
7 graph (1) that is still in effect as of the transfer  
8 date, the Secretary of Agriculture shall administer  
9 the permit or other land use authorization according  
10 to the terms of the permit or other land use author-  
11 ization. Upon expiration of such a permit or author-  
12 ization, the Secretary of Agriculture may reauthorize  
13 the use covered by the permit or authorization under  
14 authorities available to the Secretary on such terms  
15 and conditions as the Secretary considers in the  
16 public interest.

17 (c) LAND ACQUISITION AUTHORITY.—Subject to the  
18 appropriation of funds to carry out this subsection and  
19 the consent of the owner of private land included within  
20 the boundaries of Cibola National Forest by subsection  
21 (a), the Secretary of Agriculture may acquire the private  
22 land.

23 (d) MANAGEMENT OF ACQUIRED LAND.—

24 (1) MANAGEMENT.—Any federally owned lands  
25 that have been or hereafter may be acquired for Na-

1 tional Forest System purposes within the boundaries  
2 of Cibola National Forest, as modified by subsection  
3 (a), shall be managed as lands acquired under the  
4 Act of March 1, 1911 (commonly known as the  
5 Weeks Act; 16 U.S.C. 515 et seq.), and in accord-  
6 ance with the other laws and regulations pertaining  
7 to the National Forest System.

8 (2) WITHDRAWAL FROM MINING AND CERTAIN  
9 OTHER USES.—The land depicted on the map re-  
10 ferred to in subsection (a) and acquired by the Sec-  
11 retary of Agriculture is hereby withdrawn from—

12 (A) all forms of entry, appropriation, or  
13 disposal under the public land laws;

14 (B) location, entry, and patent under the  
15 public land mining laws; and

16 (C) operation of the mineral leasing and  
17 geothermal leasing laws and the mineral mate-  
18 rials laws.

19 (e) RELATION TO LAND AND WATER CONSERVATION  
20 FUND ACT.—For purposes of section 7 of the Land and  
21 Water Conservation Fund Act of 1965 (16 U.S.C. 460l-  
22 9), the boundaries of Cibola National Forest, as modified  
23 by subsection (a), shall be considered to be boundaries of  
24 the Cibola National Forest as of January 1, 1965.

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