Public Law 107–138
107th Congress

An Act

Feb. 6, 2002
[H.R. 1913]

To require the valuation of nontribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

New Mexico.

SECTION 1. PUEBLO OF ACOMA LAND AND MINERAL CONSOLIDATION.

Deadline.

(a) VALUATION.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Interior shall determine the extent and the value of the nontribal interest ownership of the subsurface rights, including mineral rights, within the boundaries of the Acoma Indian Reservation.

(b) LAND EXCHANGES.—Upon completion of the valuation required by subsection (a), the Secretary shall, unless the Secretary exercises an option under subsection (c), negotiate an exchange with any willing sellers of interests in nontribal land (including interests in mineral or other surface or subsurface rights) within the boundaries of the Acoma Indian Reservation for interests in Federal land that is—

(1) located within the boundaries of the State of New Mexico;

(2) identified by the Bureau of Land Management as available for disposal; and

(3) of approximately the same value as the interest in land for which it is being exchanged.

(c) PURCHASE OPTION.—At the discretion of the Secretary, instead of a land exchange under subsection (b), the Secretary may acquire interests in nontribal land (including interests in mineral or other surface or subsurface rights) within the boundaries of the Acoma Indian Reservation through—

(1) direct cash purchase of the interests in nontribal land for the fair market value determined under subsection (a); and

(2) issuance to any owner of the interests in nontribal land of a Certificate of Bidding Rights in such form and manner as provided for under regulations promulgated by the Secretary under provisions of the Act of February 25, 1920 (commonly known as the Mineral Leasing Act (30 U.S.C. 181 et seq.)) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) for mineral leasing and bidding rights equal to the fair market value determined under subsection (a).

(d) COST SHARING.—The costs of the valuation required under subsection (a) and any land exchange under subsection (b) shall be equally shared between the owners of the interests in nontribal land and the Secretary. This subsection shall apply to the cost

Applicability.

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of the valuation under subsection (a) even if the Secretary elects to exercise the options for acquisition under subsection (c).

SEC. 2. TIMELINE; LAND TAKEN INTO TRUST.

The Secretary shall complete such negotiations and exchanges not later than 3 years after the date of the enactment of this Act and shall place interests in land within the boundaries of the Acoma Indian Reservation that are acquired under this Act into trust for the Pueblo of Acoma. Deadline.

Approved February 6, 2002.

LEGISLATIVE HISTORY—H.R. 1913:

HOUSE REPORTS: No. 107–285 (Comm. on Resources).
CONGRESSIONAL RECORD:
Vol. 147 (2001): Nov. 27, considered and passed House.
Vol. 148 (2002): Jan. 28, considered and passed Senate.