

116TH CONGRESS  
1ST SESSION

# H. R. 2181

---

## AN ACT

To provide for the withdrawal and protection of certain  
Federal land in the State of New Mexico.

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 “Chaco Cultural Herit-  
3 age Area Protection Act of 2019”.

4 **SEC. 2. FINDINGS.**

5       Congress finds that—

6           (1) there are archeological, sacred, and historic  
7 resources located throughout the Greater Chaco re-  
8 gion, which spans the States of New Mexico, Ari-  
9 zona, Utah, and Colorado;

10          (2) the Chaco Culture National Historical Park,  
11 a unit of the National Park System and a United  
12 Nations Educational, Scientific and Cultural Organi-  
13 zation World Heritage Site, is known around the  
14 world—

15           (A) for multi-story buildings constructed  
16 by the Chacoan people that are still standing;  
17 and

18           (B) as the nerve center of a culture that  
19 spread throughout and dominated the Four  
20 Corners area during the 9th, 10th, and 11th  
21 centuries;

22          (3) the Chacoan people built hundreds of miles  
23 of roads and a network of villages, shrines, and com-  
24 munications sites, many of which are still visible;

1           (4) many Pueblos and Indian Tribes in the  
2       Four Corners area claim cultural affiliation with,  
3       and are descended from, the Chacoan people;

4           (5) the landscape around the Chaco Culture  
5       National Historical Park includes hundreds of inter-  
6       nationally and nationally significant cultural re-  
7       sources, including prehistoric roads, communities,  
8       and shrines—

9           (A) many of which are related to the re-  
10       sources found in the Chaco Culture National  
11       Historical Park, including the resources recog-  
12       nized by the amendment made by section 3 of  
13       the Chacoan Outliers Protection Act of 1995  
14       (16 U.S.C. 410ii note; Public Law 104–11)  
15       providing for additional Chaco Culture Archeo-  
16       logical Protection Sites;

17           (B) a significant number of which are con-  
18       centrated within the immediate area sur-  
19       rounding the Chaco Culture National Historical  
20       Park; and

21           (C) that are commonly recognized by ar-  
22       cheologists;

23           (6) long considered one of the best places for  
24       stargazing in the world, Chaco Culture National  
25       Historical Park—

1           (A) in 1991, established a night skies pro-  
2           tection initiative and interpretive program to  
3           protect the night sky in the area of the Chaco  
4           Culture National Historical Park; and

5           (B) in 2013, was certified as an Inter-  
6           national Dark Sky Park;

7           (7) the Greater Chaco landscape in the State of  
8           New Mexico extends beyond Chaco Culture National  
9           Historical Park and encompasses—

10           (A) local communities, including Pueblos  
11           and Indian Tribes; and

12           (B) public land, which includes additional  
13           cultural resources and sacred sites;

14           (8) for over 110 years, the Federal Government  
15           has recognized the importance of the area in which  
16           the Chacoan people lived and has acted to protect  
17           historic and sacred sites in the area, including—

18           (A) Chaco Canyon, which was designated  
19           as a National Monument in 1907 and as the  
20           Chaco Culture National Historical Park in  
21           1980;

22           (B) the Aztec Ruins, which was designated  
23           as a National Monument in 1923 and expanded  
24           in each of 1928, 1930, 1948, and 1988; and

1 (C) the 39 Chaco Culture Archeological  
2 Protection Sites designated in 1995;

3 (9) recognizes that the standard for Tribal con-  
4 sultation is outlined in Executive Order No. 13175  
5 (25 U.S.C. 5301 note; relating to consultation and  
6 coordination with Indian Tribal governments);

7 (10) extensive natural gas development has oc-  
8 curred in the Greater Chaco region that affect the  
9 health, safety, economies, and quality of life of local  
10 communities;

11 (11) renewed interest in oil exploration and pro-  
12 duction within the Mancos/Gallup Shale play has in-  
13 creased the potential for—

14 (A) significant impacts on resources and  
15 visitor experiences at the Chaco Culture Na-  
16 tional Historical Park; and

17 (B) additional impacts on local commu-  
18 nities in the Greater Chaco region, including  
19 Pueblos and Indian Tribes;

20 (12) a mineral withdrawal in the landscape  
21 around the Chaco Culture National Historical Park  
22 would prevent leasing and development on Federal  
23 lands and of Federal minerals in the immediate area  
24 surrounding the Chaco Culture National Historical  
25 Park, which would protect resources and visitor ex-

1       periences at the Chaco Culture National Historical  
2       Park; and

3               (13) additional studies and protective measures  
4       should be undertaken to address health, safety, and  
5       environmental impacts on communities and interests  
6       of Pueblos and Indian Tribes in the Greater Chaco  
7       landscape.

8   **SEC. 3. DEFINITIONS.**

9       In this Act:

10           (1) COVERED LEASE.—The term “covered  
11       lease” means any oil and gas lease for Federal  
12       land—

13               (A) on which drilling operations have not  
14       been commenced before the end of the primary  
15       term of the applicable lease;

16               (B) that is not producing oil or gas in pay-  
17       ing quantities; and

18               (C) that is not subject to a valid coopera-  
19       tive or unit plan of development or operation  
20       certified by the Secretary to be necessary.

21           (2) FEDERAL LAND.—

22               (A) IN GENERAL.—The term “Federal  
23       land” means—

24                   (i) any Federal land or interest in  
25       Federal land that is within the boundaries

1 of the Chaco Cultural Heritage Withdrawal  
2 Area, as depicted on the Map; and

3 (ii) any land or interest in land lo-  
4 cated within the boundaries of the Chaco  
5 Cultural Heritage Withdrawal Area, as de-  
6 picted on the Map, that is acquired by the  
7 Federal Government after the date of en-  
8 actment of this Act.

9 (B) EXCLUSION.—The term “Federal  
10 land” does not include trust land (as defined in  
11 section 3765 of title 38, United States Code).

12 (3) MAP.—The term “Map” means the map  
13 prepared by the Bureau of Land Management enti-  
14 tled “Chaco Cultural Heritage Withdrawal Area”  
15 and dated April 2, 2019.

16 (4) SECRETARY.—The term “Secretary” means  
17 the Secretary of the Interior.

18 **SEC. 4. WITHDRAWAL OF CERTAIN FEDERAL LAND IN THE**  
19 **STATE OF NEW MEXICO.**

20 (a) IN GENERAL.—Subject to any valid existing  
21 rights, the Federal land is withdrawn from—

22 (1) all forms of entry, appropriation, and dis-  
23 posal under the public land laws;

24 (2) location, entry, and patent under mining  
25 laws; and

1           (3) operation of the mineral leasing, mineral  
2           materials, and geothermal leasing laws.

3           (b) AVAILABILITY OF MAP.—The Map shall be made  
4           available for inspection at each appropriate office of the  
5           Bureau of Land Management.

6           (c) CONVEYANCE OF FEDERAL LAND TO INDIAN  
7           TRIBES.—Notwithstanding subsection (a), the Secretary  
8           may convey the Federal land to, or exchange the Federal  
9           land with, an Indian Tribe in accordance with a resource  
10          management plan that is approved as of the date of enact-  
11          ment of this Act, as subsequently developed, amended, or  
12          revised in accordance with the Federal Land Policy and  
13          Management Act of 1976 (43 U.S.C. 1701 et seq.) and  
14          any other applicable law.

15   **SEC. 5. OIL AND GAS LEASE MANAGEMENT.**

16          (a) TERMINATION OF NON-PRODUCING LEASES.—A  
17          covered lease—

18                (1) shall automatically terminate by operation  
19                of law pursuant to section 17(e) of the Mineral  
20                Leasing Act (30 U.S.C. 226(e)) and subpart 3108  
21                of title 43, Code of Federal Regulations (or suc-  
22                cessor regulations); and

23                (2) may not be extended by the Secretary.

24          (b) WITHDRAWAL OF TERMINATED, RELINQUISHED,  
25          OR ACQUIRED LEASES.—Any portion of the Federal land

1 subject to a covered lease terminated under subsection (a)  
2 or otherwise or relinquished or acquired by the United  
3 States on or after the date of enactment of this Act is  
4 withdrawn from—

5 (1) all forms of entry, appropriation, and dis-  
6 posal under the public land laws;

7 (2) location, entry, and patent undermining  
8 laws; and

9 (3) operation of the mineral leasing, mineral  
10 materials, and geothermal leasing laws.

11 **SEC. 6. EFFECT.**

12 Nothing in this Act—

13 (1) affects the mineral rights of an Indian  
14 Tribe or member of an Indian Tribe to trust land  
15 or allotment land; or

16 (2) precludes improvements to, or rights-of-way  
17 for water, power, or road development on, the Fed-  
18 eral land to assist communities adjacent to or in the  
19 vicinity of the Federal land.

20 **SEC. 7. DETERMINATION OF BUDGETARY EFFECTS.**

21 The budgetary effects of this Act, for the purpose of  
22 complying with the Statutory Pay-As-You-Go Act of 2010,  
23 shall be determined by reference to the latest statement  
24 titled “Budgetary Effects of PAYGO Legislation” for this  
25 Act, submitted for printing in the Congressional Record

1 by the Chairman of the House Budget Committee, pro-  
2 vided that such statement has been submitted prior to the  
3 vote on passage.

Passed the House of Representatives October 30,  
2019.

Attest:

*Clerk.*



116TH CONGRESS  
1ST SESSION

**H. R. 2181**

---

**AN ACT**

To provide for the withdrawal and protection of  
certain Federal land in the State of New Mexico.