

Public Law 87-320

September 26, 1961

[H. R. 2280]

AN ACT

To provide for the withdrawal of certain public lands forty miles east of Fairbanks, Alaska, for use by the Department of the Army as a Nike range.

Fairbanks,
Alaska.
Reservation of
lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to valid existing rights the public lands aggregating approximately six hundred and seven thousand eight hundred acres described in application for withdrawal, serial number Fairbanks 022929 published in the Federal Register of May 26, 1959, page 4218 (Federal Register Document 59-4405; filed, May 25, 1959; 8:49 antemeridian), are hereby withdrawn from all forms of use and appropriation under the public land laws including the mining and mineral leasing laws and disposals of materials under the Act of July 31, 1947, as amended (61 Stat. 681; 30 U.S.C. 601-604), except as provided in subsection (b) of this section and reserved for the use of the Department of the Army as a Nike range for a period of ten years or, if extended by the Secretary of the Interior, for a period of fifteen years, or for any shorter period as may be determined by the Secretary of the Army upon notice to the Secretary of the Interior.

Use for military
purposes.

(b) The lands and resources withdrawn and reserved by subsection (a) of this section shall be subject to use, appropriation, and disposition in a manner that will not interfere with the use of the withdrawn area by the Department of the Army during the period December 15 to March 15 annually in accordance with schedules adopted by the Department of the Army.

(c) All occupancy and use under homestead entries, mining locations, mineral leases or other appropriation or use conformable with the Public Land Laws of the United States as aforesaid which may be effectuated within the area withdrawn and reserved under subsection (b) of this Act shall be subject to the paramount and exclusive right of the Army to utilize the lands for Nike range and incidental military purposes during the period December 15 to March 15 annually until termination of the withdrawal and reservation effected by this Act, and all documents authorizing use or occupancy or effecting disposition of such lands shall expressly preserve to the United States the paramount and exclusive right above specified.

Disposition.

(d) Upon request of the Secretary of the Interior at the time of final termination of the reservation effected by this Act, the Department of the Army shall make safe for nonmilitary uses the land withdrawn and reserved, or such portions thereof as may be specified by the Secretary of the Interior, by neutralizing unexploded ammunition, bombs, artillery projectiles, or other explosive objects and chemical agents. Thereafter the Secretary of the Interior pursuant to law shall provide for the appropriate use or disposition of all or any part of the land withdrawn and reserved under provisions of this Act. Nothing in this subsection, however, shall be construed to prevent the Secretary of the Army at that time from making application for further withdrawal and reservation of all or part of said lands under laws and regulations then existing.

Approved September 26, 1961.