

- Sec.
 43. Conditions of sale by local legislature.
 44, 45. Omitted.
 46. Additional land districts and officers.
 47. Impairment of rights or interests in certain mining property.
 48. Lands in Michigan, Wisconsin, and Minnesota; sale and disposal as public lands.
 49. Lands in Missouri and Kansas; disposal as agricultural lands.
 49a. Mining laws of United States extended to Alaska; exploration and mining for precious metals; regulations; conflict of laws; permits; dumping tailings; pumping from sea; reservation of roadway; title to land below line of high tide or high-water mark; transfer of title to future State.
 49b. Mining laws relating to placer claims extended to Alaska.
 49c. Recording notices of location of Alaskan mining claims.
 49d. Miners' regulations for recording notices in Alaska; certain records legalized.
 49e. Annual labor or improvements on Alaskan mining claims; affidavits; burden of proof; forfeitures; location anew of claims; perjury.
 49f. Fees of recorders in Alaska for filing proofs of work and improvements.
 50. Grants to States or corporations not to include mineral lands.
 51. Water users' vested and accrued rights; enumeration of uses; protection of interest; rights-of-way for canals and ditches; liability for injury or damage to settlers' possession.
 52. Patents or homesteads subject to vested and accrued water rights.
 53. Possessory actions for recovery of mining titles or for damages to such title.
 54. Liability for damages to stock raising and homestead entries by mining activities.

§ 21. Mineral lands reserved

In all cases lands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law.

(R.S. § 2318.)

Editorial Notes

CODIFICATION

R.S. § 2318 derived from act July 4, 1866, ch. 166, § 5, 14 Stat. 86.

§ 21a. National mining and minerals policy; “minerals” defined; execution of policy under other authorized programs

The Congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage private enterprise in (1) the development of economically sound and stable domestic mining, minerals, metal and mineral reclamation industries, (2) the orderly and economic development of domestic mineral resources, reserves, and reclamation of metals and minerals to help assure satisfaction of industrial, security and environmental needs, (3) mining, mineral, and metallurgical research, including the use and recycling of scrap to promote the wise and efficient use of our natural and reclaimable mineral resources, and (4) the study and development of methods for the disposal, control, and reclamation of mineral waste products, and the reclamation of

mined land, so as to lessen any adverse impact of mineral extraction and processing upon the physical environment that may result from mining or mineral activities.

For the purpose of this section “minerals” shall include all minerals and mineral fuels including oil, gas, coal, oil shale and uranium.

It shall be the responsibility of the Secretary of the Interior to carry out this policy when exercising his authority under such programs as may be authorized by law other than this section.

(Pub. L. 91-631, title I, § 101, formerly § 2, Dec. 31, 1970, 84 Stat. 1876; Pub. L. 104-66, title I, § 1081(b), Dec. 21, 1995, 109 Stat. 721; renumbered title I, § 101, Pub. L. 104-325, § 2(1), (2), Oct. 19, 1996, 110 Stat. 3994.)

Editorial Notes

AMENDMENTS

1995—Pub. L. 104-66 in last par. struck out at end “For this purpose the Secretary of the Interior shall include in his annual report to the Congress a report on the state of the domestic mining, minerals, and mineral reclamation industries, including a statement of the trend in utilization and depletion of these resources, together with such recommendations for legislative programs as may be necessary to implement the policy of this section.”

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 91-631, § 1, Dec. 31, 1970, 84 Stat. 1876, provided: “That this Act [enacting this section] may be cited as the ‘Mining and Minerals Policy Act of 1970’.”

§ 22. Lands open to purchase by citizens

Except as otherwise provided, all valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, shall be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States.

(R.S. § 2319.)

Editorial Notes

CODIFICATION

R.S. § 2319 derived from act May 10, 1872, ch. 152, § 1, 17 Stat. 91.

Words “Except as otherwise provided,” were editorially supplied on authority of act Feb. 25, 1920, ch. 85, 41 Stat. 437, popularly known as the Mineral Lands Leasing Act, which is classified to chapter 3A (§ 181 et seq.) of this title.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Sections 22 to 24, 26 to 28, 29, 30, 33 to 35, 37, 39 to 43, and 47 of this title are based on sections of the Revised Statutes which are derived from act May 10, 1872, ch. 152, 17 Stat. 91, popularly known as the “General Mining Act of 1872” and as the “Mining Law of 1872”.