

ness or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe.

(Dec. 18, 1942, ch. 764, § 2, 56 Stat. 1057.)

#### Statutory Notes and Related Subsidiaries

##### TRANSFER OF FUNCTIONS

For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see note set out under section 1 of this title.

#### § 15. Repealed. Pub. L. 86-533, § 1(17), June 29, 1960, 74 Stat. 248

Section, act Dec. 18, 1942, ch. 764, § 3, 56 Stat. 1057, related to reports to Congress of expenditures and donations to laboratory established under sections 13 to 16 of this title.

#### § 16. Research laboratory for utilization of anthracite coal; establishment of advisory committee; composition; functions; appointment

The Secretary of the Interior, acting through the United States Bureau of Mines, may, in his discretion, create and establish an advisory committee composed of not more than six members to exercise consultative functions, when required by the Secretary, in connection with the administration of sections 13 to 16 of this title. The said committee shall be composed of representatives of anthracite coal mine owners, of representatives of anthracite coal mine workers and the public in equal number. The members of said committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws.

(Dec. 18, 1942, ch. 764, § 4, 56 Stat. 1057.)

#### Statutory Notes and Related Subsidiaries

##### TRANSFER OF FUNCTIONS

For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see note set out under section 1 of this title.

##### TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 1013 of Title 5, Government Organization and Employees.

### CHAPTER 2—MINERAL LANDS AND REGULATIONS IN GENERAL

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- 21. Mineral lands reserved.
- 21a. National mining and minerals policy; "minerals" defined; execution of policy under other authorized programs.

Sec.

- 22. Lands open to purchase by citizens.
- 23. Length of claims on veins or lodes.
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- 27. Mining tunnels; right to possession of veins on line with; abandonment of right.
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- 28-1. Inclusion of certain surveys in labor requirements of mining claims; conditions and restrictions.
- 28-2. Definitions.
- 28a. Omitted.
- 28b. Annual assessment work on mining claims; temporary deferment; conditions.
- 28c. Length and termination of deferment.
- 28d. Performance of deferred work.
- 28e. Recordation of deferment.
- 28f. Fee.
- 28g. Location fee.
- 28h. Co-ownership.
- 28i. Failure to pay.
- 28j. Other requirements.
- 28k. Regulations.
- 28l. Collection of mining law administration fees.
- 29. Patents; procurement procedure; filing: application under oath, plat and field notes, notices, and affidavits; posting plat and notice on claim; publication and posting notice in office; certificate; adverse claims; payment per acre; objections; nonresident claimant's agent for execution of application and affidavits.
- 30. Adverse claims; oath of claimants; requisites; waiver; stay of land office proceedings; judicial determination of right of possession; successful claimants' filing of judgment roll, certificate of labor, and description of claim in land office, and acreage and fee payments; issuance of patents for entire or partial claims upon certification of land office proceedings and judgment roll; alienation of patent title.
- 31. Oath: agent or attorney in fact, beyond district of claim.
- 32. Findings by jury; costs.
- 33. Existing rights.
- 34. Description of vein claims on surveyed and unsurveyed lands; monuments on ground to govern conflicting calls.
- 35. Placer claims; entry and proceedings for patent under provisions applicable to vein or lode claims; conforming entry to legal subdivisions and surveys; limitation of claims; homestead entry of segregated agricultural land.
- 36. Subdivisions of 10-acre tracts; maximum of placer locations; homestead claims of agricultural lands; sale of improvements.
- 37. Proceedings for patent where boundaries contain vein or lode; application; statement including vein or lode; issuance of patent; acreage payments for vein or lode and placer claim; costs of proceedings; knowledge affecting construction of application and scope of patent.
- 38. Evidence of possession and work to establish right to patent.
- 39. Surveyors of mining claims.
- 40. Verification of affidavits.
- 41. Intersecting or crossing veins.
- 42. Patents for nonmineral lands: application, survey, notice, acreage limitation, payment.

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 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”.