

(Pub. L. 86-599, §4, formerly §6, July 7, 1960, 74 Stat. 337; renumbered §4, Pub. L. 109-58, title X, §1009(a)(1)(D), Aug. 8, 2005, 119 Stat. 934.)

Editorial Notes

PRIOR PROVISIONS

A prior section 4 of Pub. L. 86-599 was classified to section 664 of this title, prior to repeal by Pub. L. 109-58, §1009(a)(1)(C).

§ 667. Repealed. Pub. L. 109-58, title X, § 1009(a)(1)(C), Aug. 8, 2005, 119 Stat. 934

Section, Pub. L. 86-599, §7, July 7, 1960, 74 Stat. 337, related to reports to President and Congress.

§ 668. Authorization of appropriations

(a) Fiscal year beginning July 1, 1960

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended, not to exceed \$2,000,000 to be used to carry out the purposes of this chapter for the fiscal year beginning July 1, 1960.

(b) Fiscal years beginning after June 30, 1961

There are hereby authorized to be appropriated for each fiscal year beginning after June 30, 1961, such sums as may be necessary to carry out the purposes of this chapter.

(c) Availability of sums

Sums appropriated to carry out the purposes of this chapter shall remain available until expended.

(Pub. L. 86-599, §5, formerly §8, July 7, 1960, 74 Stat. 337; renumbered §5, Pub. L. 109-58, title X, §1009(a)(1)(D), Aug. 8, 2005, 119 Stat. 934.)

Editorial Notes

PRIOR PROVISIONS

A prior section 5 of Pub. L. 86-599 was renumbered section 3 and is classified to section 665 of this title.

CHAPTER 19—LEAD AND ZINC STABILIZATION PROGRAM

§§ 681 to 689. Omitted

Editorial Notes

CODIFICATION

Section 681, Pub. L. 87-347, §1, Oct. 3, 1961, 75 Stat. 766, stated purpose of this chapter as establishment and maintenance of a program of stabilization payments (which terminated December 31, 1969) to small domestic producers of lead and zinc ores and concentrates in order to stabilize the mining of lead and zinc by such producers. See note for section 687 below.

Section 682, Pub. L. 87-347, §2, Oct. 3, 1961, 75 Stat. 766; Pub. L. 89-238, §1(1), Oct. 5, 1965, 79 Stat. 925, provided for stabilization payments (which terminated December 31, 1969) and conditions and limitations of payments. See note for section 687 below.

Section 683, Pub. L. 87-347, §3, Oct. 3, 1961, 75 Stat. 767; Pub. L. 89-238, §1(2), Oct. 5, 1965, 79 Stat. 925, provided for additional limitations on payments which terminated on December 31, 1969. See note for section 687 below.

Section 684, Pub. L. 87-347, §4, Oct. 3, 1961, 75 Stat. 767, authorized Secretary to promulgate such regulations and require such reports as deemed necessary to carry out program of stabilization payments (which

terminated December 31, 1969) under this chapter. See note for section 687 below.

Section 685, Pub. L. 87-347, §5, Oct. 3, 1961, 75 Stat. 768, authorized Secretary to delegate functions relating to stabilization payments (which terminated December 31, 1969) under this chapter to Administrator of General Services. See note for section 687 below.

Section 686, Pub. L. 87-347, §6, Oct. 3, 1961, 75 Stat. 768; Pub. L. 88-75, July 25, 1963, 77 Stat. 92; Pub. L. 89-238, §1(3), Oct. 5, 1965, 79 Stat. 925, defined terms as used in this chapter relating to stabilization payments which terminated December 31, 1969. See note for section 687 below.

Section 687, Pub. L. 87-347, §7, Oct. 3, 1961, 75 Stat. 768; Pub. L. 89-238, §1(4), Oct. 5, 1965, 79 Stat. 925, provided that no payment be made under this chapter after Dec. 31, 1969, but permitted authorized payment only if application therefor was filed not later than Mar. 31, 1970.

Section 688, Pub. L. 87-347, §8, Oct. 3, 1961, 75 Stat. 768, required annual reports to Congress on operations relating to stabilization payments (which terminated December 31, 1969) under this chapter not later than first day of March each year. See note for section 687 above.

Section 689, Pub. L. 87-347, §9, Oct. 3, 1961, 75 Stat. 768; Pub. L. 89-238, §1(5), Oct. 5, 1965, 79 Stat. 925, related to penalties for procuring a stabilization payment (which terminated December 31, 1969) not entitled to under this chapter and civil and criminal liability for keeping a payment not entitled to under this chapter. See note for section 687 above.

CHAPTER 20—CONVEYANCES TO OCCUPANTS OF UNPATENTED MINING CLAIMS

Sec.

- 701. Authorization to convey; acreage limitations; qualified applicants; payment; "qualified officer of the United States" defined.
- 702. "Qualified applicant" defined.
- 703. Withdrawal of lands in aid of a governmental unit.
- 704. Purchase of substitute lands; limitations; conditions; payment; conveyance of less than a fee.
- 705. Purchase price of conveyed interest; installment payments.
- 706. Liabilities of occupants; trespass; limitations.
- 707. Reservation of mineral rights.
- 708. Assignments; succession.
- 709. Disposition of payments and fees.

§ 701. Authorization to convey; acreage limitations; qualified applicants; payment; "qualified officer of the United States" defined

The Secretary of the Interior may convey to any occupant of an unpatented mining claim which is determined by the Secretary to be invalid an interest, up to and including a fee simple, in and to an area within the claim of not more than (a) five acres or (b) the acreage actually occupied by him, whichever is less. The Secretary may make a like conveyance to any occupant of an unpatented mining claim who, after notice from a qualified officer of the United States that the claim is believed to be invalid, relinquishes to the United States all rights in and to such claim which he may have under the mining laws. Any conveyance authorized by this section, however, shall be made only to a qualified applicant, as that term is defined in section 702 of this title, who applies therefor within the period ending June 30, 1971, and upon payment of an amount established in accordance with section 705 of this title.

As used in this section, the term “qualified officer of the United States” means the Secretary of the Interior or an employee of the Department of the Interior so designated by him: *Provided*, That the Secretary may delegate his authority to designate qualified officers to the head of any other department or agency of the United States with respect to lands within the administrative jurisdiction of that department or agency.

(Pub. L. 87-851, §1, Oct. 23, 1962, 76 Stat. 1127; Pub. L. 90-111, §1, Oct. 23, 1967, 81 Stat. 311.)

Editorial Notes

AMENDMENTS

1967—Pub. L. 90-111 extended from Oct. 23, 1967, to June 30, 1971, the period in which qualified individuals shall apply for conveyances authorized by this section.

§ 702. “Qualified applicant” defined

For the purposes of this chapter a qualified applicant is a residential occupant-owner, as of October 23, 1962, of valuable improvements in an unpatented mining claim which constitute for him a principal place of residence and which he and his predecessors in interest were in possession of for not less than seven years prior to July 23, 1962.

(Pub. L. 87-851, §2, Oct. 23, 1962, 76 Stat. 1127.)

§ 703. Withdrawal of lands in aid of a governmental unit

Where the lands for which application is made under section 701 of this title have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may convey an interest therein only with the consent of the head of the governmental unit concerned and under such terms and conditions as said head may deem necessary.

(Pub. L. 87-851, §3, Oct. 23, 1962, 76 Stat. 1127.)

§ 704. Purchase of substitute lands; limitations; conditions; payment; conveyance of less than a fee

(a) If the Secretary of the Interior determines that conveyance of an interest under section 701 of this title is otherwise justified but the consent required by section 703 of this title is not given, he may, in accordance with such procedural rules and regulations as he may prescribe, grant the applicant a right to purchase, for residential use, an interest in another tract of land, five acres or less in area, from tracts made available by him for sale under this chapter (1) from the unappropriated and unreserved lands of the United States, or (2) from lands subject to classification under section 315f of title 43. Said right shall not be granted until arrangements satisfactory to the Secretary have been made for termination of the applicant’s occupancy of his unpatented mining claim and for settlement of any liability for the unauthorized use thereof which may have been incurred and shall expire five years from the date on which it was granted

unless sooner exercised. The amount to be paid for the interest shall be determined in accordance with section 705 of this title.

(b) Any conveyance of less than a fee made under this chapter shall include provision for removal from the tract of any improvements or other property of the applicant at the close of the period for which the conveyance is made, or if it be an interest terminating on the death of the applicant, within one year thereafter.

(Pub. L. 87-851, §4, Oct. 23, 1962, 76 Stat. 1127.)

§ 705. Purchase price of conveyed interest; installment payments

The Secretary of the Interior, prior to any conveyance under this chapter, shall determine the fair market value of the interest to be conveyed, exclusive of the value of any improvements placed on the lands involved by the applicant or his predecessors in interest. Said value shall be determined as of the date of appraisal. In establishing the purchase price to be paid by the applicant for the interest, the Secretary shall take into consideration any equities of the applicant and his predecessors in interest, including conditions of prior use and occupancy. In any event the purchase price for any interest conveyed shall not exceed its fair market value nor be less than \$5 per acre. The Secretary may, in his discretion, allow payment to be made in installments.

(Pub. L. 87-851, §5, Oct. 23, 1962, 76 Stat. 1128.)

§ 706. Liabilities of occupants; trespass; limitations

(a) The execution of a conveyance as authorized by section 701 of this title shall not relieve any occupant of the land conveyed of any liability, existing on the date of said conveyance, to the United States for unauthorized use of the land in and to which an interest is conveyed.

(b) Except where a mining claim embracing land applied for under this chapter by a qualified applicant was located at a time when the land included therein was withdrawn or otherwise not subject to such location, no trespass charges shall be sought or collected by the United States from any qualified applicant who has filed an application for land in the mining claim pursuant to this chapter, based upon occupancy of such claim, whether residential or otherwise, for any period preceding the final administrative determination of the invalidity of the mining claim by the Secretary of the Interior or the voluntary relinquishment of the mining claim, whichever occurs earlier. Nothing contained in this chapter shall be construed as creating any liability for trespass to the United States which would not exist in the absence of this chapter. Relief under this section shall be limited to persons who file applications for conveyances pursuant to section 701 of this title within the period ending June 30, 1971.

(Pub. L. 87-851, §6, Oct. 23, 1962, 76 Stat. 1128; Pub. L. 90-111, §2, Oct. 23, 1967, 81 Stat. 311.)

Editorial Notes

AMENDMENTS

1967—Subsec. (b). Pub. L. 90-111 extended from Oct. 23, 1967 to June 30, 1971, the period in which relief shall be