

(Pub. L. 109-451, title II, §213, Dec. 22, 2006, 120 Stat. 3361.)

### Editorial Notes

#### REFERENCES IN TEXT

The Reclamation Reform Act of 1982, referred to in subsec. (b)(1), is title II of Pub. L. 97-293, Oct. 12, 1982, 96 Stat. 1263, which enacted subchapter I-A (§390aa et seq.) of chapter 12 of this title, amended sections 373a, 422e, 425b, and 485h of this title, and repealed section 383 of Title 25, Indians. For complete classification of this Act to the Code, see Tables.

### § 2433. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this subchapter, to remain available until expended.

(Pub. L. 109-451, title II, §214, Dec. 22, 2006, 120 Stat. 3361.)

### § 2434. Termination of authority

#### (a) In general

Subject to subsection (b), the authority of the Secretary to carry out this subchapter terminates on the date that is 10 years after December 22, 2006.

#### (b) Exception

The termination of authority under subsection (a) shall have no effect on—

- (1) any loans guaranteed by the United States under this subchapter; or
- (2) the administration of any loan guaranteed under this subchapter before the effective date of the termination of authority.

(Pub. L. 109-451, title II, §215, Dec. 22, 2006, 120 Stat. 3361.)

## CHAPTER 43—SUSPENDED ENTRIES AND CLAIMS; PATENTS

Sec.	
2501.	“Suspended entries of public lands” and “suspended preemption land claims”.
2502.	Adjudications as to suspended entries; approval.
2503.	Patents surrendered and new ones issued.
2504.	Extent of foregoing provisions.
2505.	Suspension of entries for correction of clerical errors; patents.
2506.	Limitations of suits to annul patents.
2507.	Entries and final proofs, made out of proper district, confirmed.

### § 2501. “Suspended entries of public lands” and “suspended preemption land claims”

The Secretary of the Interior, or such officer as he may designate, is authorized to decide upon principles of equity and justice, as recognized in courts of equity, and in accordance with regulations to be approved by the Secretary of the Interior, consistently with such principles, all cases of suspended entries of public lands and of suspended preemption land claims, and to adjudicate in what cases patents shall issue upon the same.

(R.S. §2450; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244; Sept. 20, 1922, ch. 350, 42 Stat. 857; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

### Editorial Notes

#### CODIFICATION

Section was formerly classified to section 1161 of this title prior to editorial reclassification and renumbering as this section.

R.S. §2450 derived from acts Aug. 3, 1846, ch. 78, §1, 9 Stat. 51; Mar. 3, 1853, ch. 152, §1, 10 Stat. 258; June 26, 1856, ch. 47, 11 Stat. 22; June 1, 1874, ch. 200, 18 Stat. 50; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244.

### Executive Documents

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

“Secretary of the Interior, or such officer as he may designate,” substituted for “Commissioner of the General Land Office” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

### § 2502. Adjudications as to suspended entries; approval

Every such adjudication shall be approved by the Secretary of the Interior and shall operate only to divest the United States of the title to the land embraced thereby, without prejudice to the rights of conflicting claimants.

(R.S. §2451; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244; Sept. 20, 1922, ch. 350, 42 Stat. 858.)

### Editorial Notes

#### CODIFICATION

Section was formerly classified to section 1162 of this title prior to editorial reclassification and renumbering as this section.

R.S. §2451 derived from acts Aug. 3, 1846, ch. 78, §1, 9 Stat. 51; Feb. 27, 1877, ch. 69, §1, 19 Stat. 244.

### § 2503. Patents surrendered and new ones issued

Where patents have been already issued on entries which are approved by the Secretary of the Interior, the Secretary of the Interior, or such officer as he may designate, upon the canceling of the outstanding patent, is authorized to issue a new patent, on such approval, to the person who made the entry, his heirs or assigns.

(R.S. §2456; Sept. 20, 1922, ch. 350, 42 Stat. 858; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

### Editorial Notes

#### CODIFICATION

Section was formerly classified to section 1163 of this title prior to editorial reclassification and renumbering as this section.

R.S. §2456 derived from act Mar. 3, 1853, ch. 152, §2, 10 Stat. 258.

### Executive Documents

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2,

eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

“Secretary of the Interior, or such officer as he may designate,” substituted for “Commissioner of the General Land Office” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

#### § 2504. Extent of foregoing provisions

Sections 2501 to 2503 of this title shall be applicable to all cases of suspended entries and locations, which have arisen in the Bureau of Land Management since the 26th day of June 1856 as well as to all cases of a similar kind which may hereafter occur, embracing as well locations under bounty-land warrants as ordinary entries or sales, including homestead entries and preemption locations or cases; where the law has been substantially complied with, and the error or informality arose from ignorance, accident, or mistake which is satisfactorily explained; and where the rights of no other claimant or preemptor are prejudiced, or where there is no adverse claim.

(R.S. § 2457; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 1164 of this title prior to editorial reclassification and renumbering as this section.

R.S. § 2457 derived from act June 26, 1856, ch. 47, 11 Stat. 22.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

“Bureau of Land Management” substituted for “General Land Office” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

#### § 2505. Suspension of entries for correction of clerical errors; patents

Whenever it shall appear to the Secretary of the Interior, or such officer as he may designate, that a clerical error has been committed in the entry of any of the public lands such entry may be suspended, upon proper notification to the claimant, through the local land office, until the error has been corrected; and all entries made under the preemption, homestead, desert-land, or timber-culture laws, in which final proof and payment may have been made and certificates issued, and to which there are no adverse claims originating prior to final entry and which have been sold or incumbered prior to the 1st day of March, 1888, and after final entry, to bona fide purchasers, or incumbrancers, for a valuable consideration, shall unless upon an investigation by a Government agent, fraud on the part of the purchaser has been found, be confirmed and patented upon presentation of satisfactory proof to the Land Department of such sale or

incumbrance: *Provided*, That after the lapse of two years from the date of the issuance of the receipt of such officer as the Secretary of the Interior may designate upon the final entry of any tract of land under the homestead, timber-culture, desert-land, or preemption laws, or under this act, and when there shall be no pending contest or protest against the validity of such entry, the entryman shall be entitled to a patent conveying the land by him entered, and the same shall be issued to him; but this proviso shall not be construed to require the delay of two years from the date of said entry before the issuing of a patent therefor.

(Mar. 3, 1891, ch. 561, § 7, 26 Stat. 1098; Oct. 28, 1921, ch. 114, § 1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### Editorial Notes

##### REFERENCES IN TEXT

This act, referred to in text, means act Mar. 3, 1891, ch. 561, 26 Stat. 1095, which enacted sections 161, 162, 173, 174, 185, 202, 212, 321, 323, 325, 327 to 329, 663, 671, 687a-6, 718, 728, 732, 893, 946 to 949, 989, 2505, and 2506 of this title, former section 1181 of this title, sections 471, 607, 611, 611a, and 613 of Title 16, Conservation, section 426 of Title 25, Indians, former section 495 of Title 25, and sections 30, 36, 44, 45, 48, and 52 of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Tables.

##### CODIFICATION

Section was formerly classified to section 1165 of this title prior to editorial reclassification and renumbering as this section, and to section 165 of this title prior to transfer to section 1165 of this title.

#### Statutory Notes and Related Subsidiaries

##### ABOLITION OF OFFICE OF SURVEYOR GENERAL AND TRANSFER OF FUNCTIONS

Act Mar. 3, 1925, abolished office of surveyor general and transferred administration of all activities in charge of surveyors general to Field Surveying Service under jurisdiction of United States Supervisor of Surveys.

#### Executive Documents

##### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

“Secretary of the Interior, or such officer as he may designate” and “receipt of such officer as the Secretary of the Interior may designate” substituted for “Commissioner of the General Land Office” and “register’s receipt”, respectively, on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

#### § 2506. Limitations of suits to annul patents

Suits by the United States to vacate and annul any patent shall only be brought within six years after the date of the issuance of such patents.

(Mar. 3, 1891, ch. 559, 26 Stat. 1093; Mar. 3, 1891, ch. 561, § 8, 26 Stat. 1099.)