

(b) Forfeiture

All paleontological resources with respect to which a violation under section 470aaa-5 or 470aaa-6 of this title occurred and which are in the possession of any person, shall be subject to civil forfeiture, or upon conviction, to criminal forfeiture.

(c) Transfer of seized resources

The Secretary may transfer administration of seized paleontological resources to Federal or non-Federal educational institutions to be used for scientific or educational purposes.

(Pub. L. 111-11, title VI, §6308, Mar. 30, 2009, 123 Stat. 1176.)

§ 470aaa-8. Confidentiality

Information concerning the nature and specific location of a paleontological resource shall be exempt from disclosure under section 552 of title 5 and any other law unless the Secretary determines that disclosure would—

- (1) further the purposes of this chapter;
- (2) not create risk of harm to or theft or destruction of the resource or the site containing the resource; and
- (3) be in accordance with other applicable laws.

(Pub. L. 111-11, title VI, §6309, Mar. 30, 2009, 123 Stat. 1176.)

§ 470aaa-9. Regulations

As soon as practical after March 30, 2009, the Secretary shall issue such regulations as are appropriate to carry out this chapter, providing opportunities for public notice and comment.

(Pub. L. 111-11, title VI, §6310, Mar. 30, 2009, 123 Stat. 1177.)

§ 470aaa-10. Savings provisions

Nothing in this chapter shall be construed to—

- (1) invalidate, modify, or impose any additional restrictions or permitting requirements on any activities permitted at any time under the general mining laws, the mineral or geothermal leasing laws, laws providing for minerals materials disposal, or laws providing for the management or regulation of the activities authorized by the aforementioned laws including but not limited to the Federal Land Policy Management Act (43 U.S.C. 1701-1784),¹ Public Law 94-429 (commonly known as the “Mining in the Parks Act”) (16 U.S.C. 1901 et seq.), the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201-1358) [30 U.S.C. 1201 et seq.], and the Organic Administration Act (16 U.S.C. 478, 482, 551);
- (2) invalidate, modify, or impose any additional restrictions or permitting requirements on any activities permitted at any time under existing laws and authorities relating to reclamation and multiple uses of Federal land;
- (3) apply to, or require a permit for, casual collecting of a rock, mineral, or invertebrate or plant fossil that is not protected under this chapter;
- (4) affect any land other than Federal land or affect the lawful recovery, collection, or

sale of paleontological resources from land other than Federal land;

(5) alter or diminish the authority of a Federal agency under any other law to provide protection for paleontological resources on Federal land in addition to the protection provided under this chapter; or

(6) create any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in that capacity. No person who is not an officer or employee of the United States acting in that capacity shall have standing to file any civil action in a court of the United States to enforce any provision or amendment made by this chapter.

(Pub. L. 111-11, title VI, §6311, Mar. 30, 2009, 123 Stat. 1177.)

REFERENCES IN TEXT

The Federal Land Policy Management Act (43 U.S.C. 1701-1784), referred to in par. (1), probably means the Federal Land Policy and Management Act of 1976, Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

Public Law 94-429 (commonly known as the “Mining in the Parks Act”), referred to in par. (1), is Pub. L. 94-429, Sept. 28, 1976, 90 Stat. 1342, which is classified principally to chapter 39 (§1901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of this title and Tables.

The Surface Mining Control and Reclamation Act of 1977, referred to in par. (1), is Pub. L. 95-87, Aug. 3, 1977, 91 Stat. 445, which is classified generally to chapter 25 (§1201 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 1201 of Title 30 and Tables.

The Organic Administration Act, referred to in par. (1), is the popular name for certain provisions of act June 4, 1897, ch. 2, 30 Stat. 34, under the headings “UNDER THE DEPARTMENT OF THE INTERIOR.” and “SURVEYING THE PUBLIC LANDS.”, which are classified to sections 473 to 475, 477, 478, 479 to 482, and 551 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 473 of this title and Tables.

§ 470aaa-11. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this chapter.

(Pub. L. 111-11, title VI, §6312, Mar. 30, 2009, 123 Stat. 1177.)

CHAPTER 2—NATIONAL FORESTS**SUBCHAPTER I—ESTABLISHMENT AND ADMINISTRATION**

Sec.	
471.	Repealed.
471a.	Forest reserves in New Mexico and Arizona restricted.
471b.	Repealed.
471c.	Lands in California set aside as reserved forest lands.
471d.	Additional forest reserves in California.
471e.	Extension of boundaries of Sequoia National Forest.
471f.	Cradle of Forestry in America in Pisgah National Forest; establishment; statement of purposes; publication in Federal Register.

¹ See References in Text note below.

Sec.		Sec.	
471g.	Administration, protection, and development; use of natural resources.	489.	Repealed.
471h.	Cooperation with public and private agencies, organizations, and individuals; acceptance of contributions and gifts.	490.	Deposits from timber purchasers to defray cost of disposing of debris.
471i.	Pinelands National Reserve.	491.	Omitted.
471j.	Headwaters Forest and Elk River Property acquisition.	492.	Earth, stone, and timber for Departments of the Army and Navy, and Government works in Alaska.
472.	Laws affecting national forest lands.	493.	Omitted.
472a.	Timber sales on National Forest System lands.	494.	Calaveras Bigtree National Forest.
473.	Revocation, modification, or vacation of orders or proclamations establishing national forests.	495.	Leases of lands for sanitariums or hotels.
474.	Surveys; plats and field notes; maps; effect under Act June 4, 1897.	496.	Disposition of funds.
475.	Purposes for which national forests may be established and administered.	497.	Use and occupation of lands for hotels, resorts, summer homes, stores, and facilities for industrial, commercial, educational or public uses.
476.	Repealed.	497a.	Occupancy and use under permit of lands in Alaska for various purposes; period of permit; size of allotment; prohibitions; termination.
477.	Use of timber and stone by settlers.	497b.	Ski area permits.
478.	Egress or ingress of actual settlers; prospecting.	497c.	Ski area permit rental charge.
478a.	Townsites.	497d.	Recreation residence fees.
479.	Sites for schools and churches.	498.	Cooperative work agreements; disposal of moneys received; refund of excess; payment from appropriation; conflict of interest.
479a.	Conveyance of National Forest System lands for educational purposes.	499.	Disposal of money received by or on account of Forest Service; refund of excess and moneys erroneously collected; receipts from permits.
480.	Civil and criminal jurisdiction.	500.	Payment and evaluation of receipts to State or Territory for schools and roads; moneys received; projections of revenues and estimated payments.
481.	Use of waters.	501.	Expenditures from receipts for roads and trails; cooperation with State authorities; evaluation of receipts.
482.	Mineral lands; restoration to public domain; location and entry.	501a.	Omitted.
482a.	Mining rights in Prescott National Forest.	502.	Rental of property for Forest Service; forage, care, and housing of animals; storage of vehicles and other equipment; pack stock; loss, damage, or destruction of horses, vehicles, and other equipment.
482b.	Mount Hood National Forest; mining rights.	503, 503a.	Repealed or Omitted.
482c.	Patents affecting forest lands.	504.	Purchases of tree seeds, cones, forage plant seed, and nursery stock for national forests.
482d.	Perfection of claims within forest.	504a.	Sale of forest-tree seed and nursery stock to States and political subdivisions; disposition of moneys; exchanges; limitation.
482e.	Lincoln National Forest; mining rights.	505.	Use of national forests established on land reserved for purposes of national defense; maintenance available.
482f.	Patents affecting forest lands.	505a.	Interchange of lands between Department of Agriculture and military departments of Department of Defense; report to Congress.
482g.	Perfection of claims within forest.	505b.	Laws applicable.
482h.	Coronado National Forest; mining rights.	506 to 508a.	Repealed or Omitted.
482h-1.	Protection of scenic values of forest.	508b.	National forests in Minnesota; authority to prospect, develop, mine, remove, and utilize mineral resources.
482h-2.	Cutting of timber; reservation of patent rights.	509 to 510a.	Repealed or Omitted.
482h-3.	Perfection of mining claims.	511.	Reinstatement of entries canceled or relinquished.
482i.	Plumas National Forest; offer of lands; additions; mining rights.	512 to 514.	Omitted or Repealed.
482j.	Santa Fe National Forest; mining rights; protection of scenic values.	515.	Examination, location, and purchase of forested, cut-over, or denuded lands; consent of State legislature to acquisition of land by the United States.
482k.	Patents affecting forest lands.	516.	Exchange of lands in the public interest; equal value; cutting and removing timber; publication of contemplated exchange.
482l.	Perfection of mining claims within forest.	517.	Title to lands to be acquired.
482m.	Teton National Forest in Wyoming; additional lands.	517a.	Payment of awards in condemnation proceedings.
482n.	Coconino National Forest; mining rights; protection of scenic values.	518.	Acquisition of lands not defeated by rights-of-way, easements, and reservations.
482n-1.	Cutting of timber within forest; reservation of patent rights.	519.	Agricultural lands included in tracts acquired; sale for homesteads.
482n-2.	Perfection of mining claims within forest.	519a.	Transfer of forest reservation lands for military purposes.
482n-3.	Sedona-Oak Creek area.		
482o.	Kaibab National Forest; mining rights; protection of scenic values.		
482p.	Patents affecting lands within forest.		
482q.	Perfection of mining claims within forest.		
483, 484.	Repealed.		
484a.	Exchange of lands in national forests; public schools; deposit of funds by school authority with insufficient exchange land; limitations on use.		
485.	Exchange of lands in national forests; cutting timber in national forests in exchange for lands therein.		
485a.	Omitted.		
486.	Exchange of lands in national forests; reservations of timber, minerals, or easements.		
486a to 486w.	Omitted.		
487.	Cutting timber on land added to Siskiyou National Forest.		
487a.	Cutting timber on lands added to Rogue River National Forest.		
488.	Establishment of exterior boundaries of national forests.		

Sec.		Sec.	
520.	Regulations as to mineral resources.	539g.	Kings River Special Management Area.
521.	Lands acquired to be reserved, held, and administered as national forest lands; designation.	539h.	Greer Spring Special Management Area.
521a.	Administration, management, and consolidation of certain lands.	539i.	Fossil Ridge Recreation Management Area.
521b.	Report of Secretary of Agriculture prior to purchase or exchange of land; contents; waiting period.	539j.	Bowen Gulch Protection Area.
521c.	Definitions.	539k.	Kelly Butte Special Management Area.
521d.	Sale, exchange, or interchange of National Forest System land.	539l.	Designation of James Peak Protection Area, Colorado.
521e.	Small parcels and road rights-of-way.	539l-1.	Inholdings.
521f.	Costs of conveyance and value of improvements.	539l-2.	James Peak Fall River trailhead.
521g.	Road rights-of-way subject to State or local law.	539l-3.	Loop trail study; authorization.
521h.	Regulations; contents.	539l-4.	Other administrative provisions.
521i.	Unaffected lands.	539l-5.	Wilderness potential.
522.	Omitted.	539m.	Findings and purposes.
523.	Rights-of-way through national forests for power and communications facilities.	539m-1.	Definitions.
524.	Rights-of-way for dams, reservoirs, or water plants for municipal, mining, and milling purposes.	539m-2.	T'uf Shur Bien Preservation Trust Area.
525.	Rights-of-way for wagon roads or railroads.	539m-3.	Pueblo rights and interests in the Area.
526.	Establishment and protection of water rights.	539m-4.	Limitations on Pueblo rights and interests in the Area.
527.	Use of Forest Service funds for administration of certain lands.	539m-5.	Management of the Area.
528.	Development and administration of renewable surface resources for multiple use and sustained yield of products and services; Congressional declaration of policy and purpose.	539m-6.	Jurisdiction over the Area.
529.	Authorization of development and administration consideration to relative values of resources; areas of wilderness.	539m-7.	Subdivisions and other property interests.
530.	Cooperation for purposes of development and administration with State and local governmental agencies and others.	539m-8.	Extinguishment of claims.
531.	Definitions.	539m-9.	Construction.
532.	Roads and trails system; Congressional findings and declaration of policy.	539m-10.	Judicial review.
533.	Grant of easements for road rights-of-way; authority of Secretary of Agriculture; regulations.	539m-11.	Provisions relating to contributions and land exchange.
534.	Termination and cancellation of easements; notice; hearing.	539m-12.	Authorization of appropriations.
535.	Forest development roads; acquisition, construction, and maintenance; maximum economy; methods of financing; cost arrangements for construction standards; transfer of unused effective purchaser credit for road construction.	539n.	Crystal Springs Watershed Special Resources Management Unit.
535a.	Forest development roads; prohibition on credits; inclusion of construction costs in notice of sale; special election by small business concerns; construction standards; authorization of harvesting; treatment of road value.	539o.	Ancient Bristlecone Pine Forest.
536.	Recording of instruments; furnishing of instruments affecting public domain lands to Secretary of the Interior.	SUBCHAPTER II—SCENIC AREAS	
537.	Maintenance and reconstruction by road users; funds for maintenance and reconstruction; availability of deposits until expended, transfer of funds, and refunds.	541.	Cascade Head Scenic-Research Area; establishment.
538.	User fees fund for delayed payments to grantors.	541a.	Administration, protection, development, and regulation of use.
539.	Additions to existing national forests; administration.	541b.	Boundaries of scenic-research area; adjustments to subarea boundaries; development of management plan; establishment of subareas; management objectives.
539a.	Mining and mineral leasing on certain national forest lands.	541c.	Extension of boundaries of Siuslaw National Forest; transfer of Federal property to Secretary.
539b.	Fisheries on national forest lands in Alaska.	541d.	Acquisition of property within the scenic-research area; consent of owner; substantial change in use or maintenance of property.
539c.	Cooperative fisheries planning; report to Congress.	541e.	Availability of funds for acquisition of lands, etc., within added area.
539d.	National forest timber utilization program.	541f.	Withdrawal from location, entry and patent under mining laws; withdrawal from disposition under mineral leasing laws.
539e.	Reports.	541g.	Advisory council for scenic-research area; membership; designation of chairman; compensation; consultation by Secretary.
539f.	Nonprofit organization user of national forest lands.	541h.	Cooperation with State of Oregon in administration and protection of lands; civil and criminal jurisdiction; power of taxation.
		542.	Langmuir Research Site; establishment.
		542a.	Congressional findings.
		542b.	Administration, protection, and regulation of use.
		542c.	Land use agreement.
		542d.	Comprehensive management plan.
		543.	Mono Basin National Forest Scenic Area; establishment.
		543a.	Extension of National Forest boundary.
		543b.	Acquisition of lands.
		543c.	Administration.
		543d.	Ecological studies; reports to Congressional committees and to Chief of Forest Service; progress reports.
		543e.	Scenic Area Advisory Board.
		543f.	Traditional Native American uses.
		543g.	Authorization of appropriations.
		543h.	New spending authority.
		544.	Columbia River Gorge National Scenic Area; definitions.
		544a.	Purposes.
		544b.	Establishment of scenic area.

Sec.	
544c.	Columbia River Gorge Commission.
544d.	Scenic area management plan.
544e.	Administration of scenic area.
544f.	Administration of special management areas.
544g.	Land acquisition.
544h.	Interim management.
544i.	Economic development.
544j.	Old Columbia River Highway.
544k.	Tributary rivers and streams.
544l.	Implementation measures.
544m.	Enforcement.
544n.	Authorization of appropriations.
544o.	Savings provisions.
544p.	Severability.
545.	Mount Pleasant National Scenic Area; purposes.
545a.	Establishment of Mount Pleasant National Scenic Area.
545b.	Opal Creek Wilderness and Scenic Recreation Area.
546.	Establishment of Saint Helena Island National Scenic Area, Michigan.
546a.	Boundaries.
546a-1.	Administration and management.
546a-2.	Fish and game.
546a-3.	Minerals.
546a-4.	Acquisition.
546a-5.	Authorization of appropriations.
546b.	Seng Mountain and Bear Creek Scenic Areas, Jefferson National Forest, Virginia.
546b-1.	Maps and boundary descriptions.

SUBCHAPTER I—ESTABLISHMENT AND ADMINISTRATION

§ 471. Repealed. Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792

Section, acts Mar. 3, 1891, ch. 561, § 24, 26 Stat. 1103; Mar. 4, 1907, ch. 2907, 34 Stat. 1271; June 25, 1910, ch. 421, § 2, 36 Stat. 847; Aug. 24, 1912, ch. 369, 37 Stat. 497; June 7, 1924, ch. 348, § 9 (first and fifth sentences), 43 Stat. 655, provided for establishment of national forests by the President, limited inclusion of lands in certain States, and authorized addition of lands suitable for production of timber.

Act Mar. 4, 1907, cited above, was not repealed by Pub. L. 94-579.

EFFECTIVE DATE OF REPEAL

Section 704(a) of Pub. L. 94-579 provided that this section is repealed effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see note set out under section 1701 of Title 43, Public Lands.

§ 471a. Forest reserves in New Mexico and Arizona restricted

No forest reservation shall be created, nor shall any additions be made to one created prior to June 15, 1926, within the limits of the States of New Mexico and Arizona except by Act of Congress.

(June 15, 1926, ch. 587, 44 Stat. 745.)

REFERENCES IN TEXT

Forest reservation, referred to in text, probably should be "national forest". See act Mar. 4, 1907, ch. 2907, 34 Stat. 1269, which provided that forest reserves shall hereafter be known as national forests.

§ 471b. Repealed. Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792

Section, act July 20, 1939, ch. 334, § 1, 53 Stat. 1071, authorized addition of lands within State of Montana to existing or inclusion within new national forests.

EFFECTIVE DATE OF REPEAL

Section 704(a) of Pub. L. 94-579 provided that this section is repealed effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see note set out under section 1701 of Title 43, Public Lands.

§ 471c. Lands in California set aside as reserved forest lands

The tracts of land in the State of California known and described as follows: Commencing at the northwest corner of township 2 north, range 19 east Mount Diablo meridian, thence eastwardly on the line between townships 2 and 3 north, ranges 24 and 25 east; thence southwardly on the line between ranges 24 and 25 east to the Mount Diablo base line; thence eastwardly on said base line to the corner to township 1 south, ranges 25 and 26 east; thence southwardly on the line between ranges 25 and 26 east to the southeast corner of township 2 south, range 25 east; thence eastwardly on the line between townships 2 and 3 south, range 26 east to the corner to townships 2 and 3 south, ranges 26 and 27 east; thence southwardly on the line between ranges 26 and 27 east to the first standard parallel south; thence westwardly on the first standard parallel south to the southwest corner of township 4 south, range 19 east; thence northwardly on the line between ranges 18 and 19 east to the northwest corner of township 2 south, range 19 east; thence westwardly on the line between townships 1 and 2 south to the southwest corner of township 1 south, range 19 east; thence northwardly on the line between ranges 18 and 19 east to the northwest corner of township 2 north, range 19 east, the place of beginning, are reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands; and all persons who shall locate or settle upon, or occupy the same or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom. Nothing in this section and sections 55, 61, and 471d of this title shall be construed as in anywise affecting any bona fide entry of land made within the limits above described under any law of the United States prior to October 1, 1890.

(Oct. 1, 1890, ch. 1263, § 1, 26 Stat. 650.)

CODIFICATION

Section was formerly set out as section 44 of this title. As originally enacted, this section contained two further provisions that "nothing in this act shall be construed as in any wise affecting the grant of lands made to the State of California by virtue of the act entitled 'An act authorizing a grant to the State of California of the Yosemite Valley, and of the land' embracing the Mariposa Big-Tree Grove, approved June thirtieth, eighteen hundred and sixty-four; or as affecting any bona-fide entry of land made within the limits above described under any law of the United States prior to the approval of this act." The first quoted provision was omitted from the Code because the land, granted to the state of California pursuant to the Act cited, was ceded to the United States. Resolution June 11, 1906, No. 27, accepted the recession.