

ment, publications, and funds pertaining thereto, effective immediately.

(May 9, 1935, ch. 101, §1, 49 Stat. 205; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

#### CHANGE OF NAME

“United States Bureau of Mines” substituted in text for “Bureau of Mines” pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see Transfer of Functions note set out under section 1 of this title.

### § 2. Performance of duties in absence of director

On and after July 1, 1916, in the absence of the Director of the United States Bureau of Mines the assistant director of said bureau shall perform the duties of the director during the latter's absence, and in the absence of the Director and of the Assistant Director of the United States Bureau of Mines the Secretary of the Interior may designate some officer of said bureau to perform the duties of the director during his absence.

(July 1, 1916, ch. 209, §1, 39 Stat. 303; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

#### CHANGE OF NAME

“United States Bureau of Mines” substituted in text for “Bureau of Mines” pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see Transfer of Functions note set out under section 1 of this title.

### § 3. Duties of United States Bureau of Mines

It shall be the province and duty of the United States Bureau of Mines, subject to the approval of the Secretary of the Interior, to conduct inquiries and scientific and technologic investigations concerning mining, and the preparation, treatment, and utilization of mineral substances with a view to improving health conditions, and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; to investigate explosives and peat; and on behalf of the Government to investigate the mineral fuels and unfinished mineral products belonging to, or for the use of, the United States, with a view to their most efficient mining, preparation, treatment, and use; and to disseminate information concerning these subjects in such manner as will best carry out the purposes of the provisions of sections 1, 3, and 5 to 7 of this title.

(May 16, 1910, ch. 240, §2, 36 Stat. 370; Feb. 25, 1913, ch. 72, §2, 37 Stat. 681; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

#### CHANGE OF NAME

“United States Bureau of Mines” substituted in text for “Bureau of Mines” pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title.

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

### § 4. Investigation of lignite coal and peat

The Secretary of the Interior is authorized and directed to make experiments and investigations, through the United States Bureau of Mines, of lignite coals and peat, to determine the commercial and economic practicability of their utilization in producing fuel oil, gasoline substitutes, ammonia, tar, solid fuels, gas for power, and other purposes. The Secretary of the Interior is authorized and directed subject to applicable regulations under chapters 1 to 11 of title 40 and division C (except sections 3302, 3306(f), 3307(e), 3501(b), 3509, 3906, 4104, 4710, and 4711) of subtitle I of title 41 to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of this section, as soon as the experiments and investigations authorized have been concluded, and report the results of such experiments and investigations to Congress.

(Feb. 25, 1919, ch. 23, §§1, 2, 40 Stat. 1154; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934; Oct. 31, 1951, ch. 654, §2(18), 65 Stat. 707; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

#### CODIFICATION

In text, “chapters 1 to 11 of title 40 and division C (except sections 3302, 3306(f), 3307(e), 3501(b), 3509, 3906, 4104, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949, as amended” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

First sentence of this section is from first clause of section 1 of act Feb. 25, 1919. Second sentence is from section 2 of said act.

#### AMENDMENTS

1951—Act Oct. 31, 1951, inserted reference to applicable regulations of the Federal Property and Administrative Services Act of 1949, as amended.

#### CHANGE OF NAME

“United States Bureau of Mines” substituted in text for “Bureau of Mines” pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see Transfer of Functions note set out under section 1 of this title.

### § 4a. Omitted

#### CODIFICATION

Section, act June 25, 1926, ch. 674, §1, 44 Stat. 768, authorized appropriation of \$100,000 for fiscal year ending June 30, 1927, and the four succeeding fiscal years for investigation of potash deposits.

### § 4b. Cooperation with individuals, municipalities, etc.; contracts with owners; agreements as to prices

The Secretary of the Interior and the Secretary of Commerce jointly are hereby authorized, within their discretion, to cooperate under

formal agreement with individuals, associations, corporations, States, and municipalities, educational institutions, or other bodies, for the purposes of this section: *Provided*, That before undertaking drilling operations upon any tract or tracts of land, the mineral deposits of which are not the property of the United States, the Secretary of the Interior and the Secretary of Commerce jointly shall enter into a contract or contracts with the owners or lessees, or both, of the mineral rights therein, and the aforesaid contract or contracts shall provide, among other things, that, if deposits of potash minerals or oil shall be discovered in pursuance of operations under said contract or contracts and if and when said mineral deposits shall be mined and sold, the owners or lessees, or both, of said mineral rights shall pay to the Government and its co-operators a royalty of not less than 2½ per centum of the sale value of any potash minerals and oil therefrom, said payments to continue until such time as the total amount derived from said royalty is equal to not more than the cost of the exploration, as may be determined by the Secretary of the Interior and the Secretary of Commerce jointly: *Provided further*, That all Federal claims for reimbursement under this section shall automatically expire twenty years from the date of approval of the contracts entered into, in accordance with the provisions thereof, unless sooner terminated by agreement between the owners or lessees of the potash mineral rights and oil and the Secretary of the Interior and the Secretary of Commerce jointly: *Provided further*, That said contract or contracts shall not restrict the Secretary of the Interior and the Secretary of Commerce jointly in the choice of drilling locations within the property or in the conduct of the exploratory operations, so long as such selection or conduct do not interfere unreasonably with the surface of the land or with the improvements thereof, and said contract or contracts shall provide that the United States shall not be liable for damages on account of such reasonable use of the surface as may be necessary in the proper conduct of the work.

(June 25, 1926, ch. 674, §2, 44 Stat. 768; Mar. 3, 1927, ch. 356, 44 Stat. 1388.)

#### AMENDMENTS

1927—Act Mar. 3, 1927, amended provisions generally.

#### § 4c. Investigation of sub-bituminous and lignite coal

The United States Bureau of Mines, under the general direction of the Secretary of the Interior, is authorized to conduct investigations, studies, and experiments on its own initiative and in cooperation with individuals, State institutions, laboratories, and other organizations, with a view to (1) the development of a commercially practicable carbonization method of processing sub-bituminous and lignite coal so as to convert such coal into an all-purpose fuel, to provide fertilizers, and obtain such other by-products thereof as may be commercially valuable; (2) the development of efficient methods, equipment, and devices for burning lignite or char therefrom; and (3) determining and developing methods for more efficient utilization of

such sub-bituminous and lignite coal for purposes of generating electric power.

(May 15, 1936, ch. 397, §1, 49 Stat. 1275; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

#### CHANGE OF NAME

“United States Bureau of Mines” substituted in text for “Bureau of Mines” pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see Transfer of Functions note set out under section 1 of this title.

#### § 4d. Plants, machinery, and equipment

The United States Bureau of Mines is further authorized, under the general direction of the Secretary of the Interior, to erect such plants, construct and purchase such machinery and equipment, and to take such other steps as it may deem necessary and proper to effectuate the purposes of section 4c of this title.

(May 15, 1936, ch. 397, §2, 49 Stat. 1275; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)

#### CHANGE OF NAME

“United States Bureau of Mines” substituted in text for “Bureau of Mines” pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title. For provisions relating to closure and transfer of functions of the United States Bureau of Mines, see Transfer of Functions note set out under section 1 of this title.

#### § 4e. Omitted

#### CODIFICATION

Section, act May 15, 1936, ch. 397, §3, 49 Stat. 1275, appropriated \$100,000 for carrying out provisions of sections 4c and 4d of this title to be expended during certain fiscal years, the last ending June 30, 1939.

#### §§ 4f to 4o. Transferred

#### CODIFICATION

Sections 4f to 4o were transferred to sections 451 to 460, respectively, of this title, and subsequently repealed by Pub. L. 91-173, title V, §509, Dec. 30, 1969, 83 Stat. 803.

#### § 5. Reports of investigations

The Director of the United States Bureau of Mines shall prepare and publish, subject to the direction of the Secretary of the Interior, under the appropriations made from time to time by Congress, reports of inquiries and investigations, with appropriate recommendations of the bureau, concerning the nature, causes, and prevention of accidents, and the improvement of conditions, methods, and equipment, with special reference to health, safety, and prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; the use of explosives and electricity, safety methods and appliances, and rescue and first-aid work in said industries; the causes and prevention of mine fires; and other subjects included under the provisions of sections 1, 3, and 5 to 7 of this title.

(May 16, 1910, ch. 240, §3, 36 Stat. 370; Feb. 25, 1913, ch. 72, §3, 37 Stat. 681; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934; Pub. L. 102-285, §10(b), May 18, 1992, 106 Stat. 172.)