

(Aug. 7, 1947, ch. 513, § 4, 61 Stat. 914.)

CODIFICATION

“Chapter 641 of title 10” substituted in text for “the Act of June 30, 1938 (32 Stat. 1252), amending the Act of June 4, 1920 (41 Stat. 813)”, which had been classified to section 524 of former Title 34, Navy, on authority of act Aug. 10, 1956, ch. 1041, § 49(b), 70A Stat. 640, the first section of which enacted Title 10, Armed Forces.

§ 354. Lease of partial or future interests in deposits

Where the United States does not own all of the mineral deposits under any lands sought to be leased and which are affected by this chapter, the Secretary is authorized to lease the interest of the United States in any such mineral deposits when, in the judgment of the Secretary, the public interest will be best served thereby; subject, however, to the provisions of section 352 of this title. Where the United States does not own any interest or owns less than a full interest in the minerals that may be produced from any lands sought to be leased, and which are or will be affected by this chapter and where, under the provisions of its acquisition, the United States is to acquire all or any part of such mineral deposits in the future, the Secretary may lease any interest of the United States then owned or to be acquired in the future in the same manner as provided in the preceding sentence.

(Aug. 7, 1947, ch. 513, § 5, 61 Stat. 914.)

§ 355. Disposition of receipts

(a) Subject to the provisions of section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)), all receipts derived from leases issued under the authority of this chapter shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intention of this provision being that this chapter shall not affect the distribution of receipts pursuant to legislation applicable to such lands: *Provided, however*, That receipts from leases or permits for minerals in lands set apart for Indian use, including lands the jurisdiction of which has been transferred to the Department of the Interior by the Executive order for Indian use, shall be deposited in a special fund in the Treasury until final disposition thereof by the Congress. Notwithstanding the preceding provisions of this section, all receipts derived from leases on lands acquired for military or naval purposes, except the naval petroleum reserves and national oil shale reserves, shall be paid into the Treasury of the United States and disposed of in the same manner as provided under section 35 of the Act of February 25, 1920 (41 Stat. 450; 30 U.S.C. 191), in the case of receipts from sales, bonuses, royalties, and rentals of the public lands under that Act [30 U.S.C. 181 et seq.].

(b) Notwithstanding any other provision of law, any payment to a State under this section shall be made by the Secretary of the Interior and shall be made not later than the last business day of the month following the month in which such moneys or associated reports are received by the Secretary of the Interior, whichever is later. The preceding sentence shall also

apply to any payment to a State derived from a lease for mineral resources issued by the Secretary of the Interior under section 520 of title 16. The Secretary shall pay interest to a State on any amount not paid to the State within that time at the rate prescribed under section 1721¹ of this title from the date payment was required to be made under this subsection until the date payment is made.

(Aug. 7, 1947, ch. 513, § 6, 61 Stat. 915; Pub. L. 97-94, § 1, Dec. 17, 1981, 95 Stat. 1205; Pub. L. 102-486, title XXV, § 2506(a), Oct. 24, 1992, 106 Stat. 3106; Pub. L. 103-66, title X, § 10202(a), Aug. 10, 1993, 107 Stat. 408; Pub. L. 107-76, title VII, § 751(e)(2), Nov. 28, 2001, 115 Stat. 739.)

REFERENCES IN TEXT

The Mineral Leasing Act, referred to in subsec. (a), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended, which is classified generally to chapter 3A (§181 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 181 of this title and Tables.

Section 1721 of this title, referred to in subsec. (b), was in the original “section 111 of the Federal Oil and Gas Royalty Management Act of 1982”, which enacted section 1721 of this title and amended section 191 of this title.

AMENDMENTS

2001—Subsec. (b). Pub. L. 107-76 inserted after first sentence “The preceding sentence shall also apply to any payment to a State derived from a lease for mineral resources issued by the Secretary of the Interior under section 520 of title 16.”

1993—Subsec. (a). Pub. L. 103-66 substituted “Subject to the provisions of section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)), all receipts” for “All receipts” in first sentence.

1992—Pub. L. 102-486 designated existing provisions as subsec. (a) and added subsec. (b).

1981—Pub. L. 97-94 inserted provision that all receipts derived from leases on lands acquired for military or naval purposes, except the naval petroleum reserves and national shale oil reserves, be paid into the Treasury of the United States and disposed of in the same manner as provided under section 35 of the Act of February 25, 1920, in the case of receipts from sales, bonuses, royalties, and rentals of the public lands under that Act.

EFFECTIVE DATE OF 1981 AMENDMENT

Pub. L. 97-94, § 2, Dec. 17, 1981, 95 Stat. 1205, provided that: “The amendment made by the first section of this Act [amending this section] shall take effect with respect to leases entered into after January 1, 1981.”

OUTER CONTINENTAL SHELF; REVENUES FROM LEASES

Disposition of revenues from leases on submerged lands of outer Continental Shelf, see sections 1337(g) and 1338 of Title 43, Public Lands.

§ 356. Furnishing description of lands and title documents; recordation of documents; authenticated copies

Upon request by the Secretary, the heads of all executive departments, independent establishments, or instrumentalities having jurisdiction over any of the lands referred to in section 351 of this title shall furnish to the Secretary the legal description of all of such lands, and all pertinent abstracts, title papers, and other doc-

¹ See References in Text note below.