

REFERENCES IN TEXT

Section 469a-3 of this title, referred to in text, was repealed and restated as section 312504 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. Prior to repeal of section 469a-3, language in subsec. (c) of that section that required submission of an annual report was struck out by Pub. L. 104-333.

§ 470mm. Surveying of lands; reporting of violations

The Secretaries of the Interior, Agriculture, and Defense and the Chairman of the Board of the Tennessee Valley Authority shall—

- (a) develop plans for surveying lands under their control to determine the nature and extent of archeological resources on those lands;
- (b) prepare a schedule for surveying lands that are likely to contain the most scientifically valuable archeological resources; and
- (c) develop documents for the reporting of suspected violations of this chapter and establish when and how those documents are to be completed by officers, employees, and agents of their respective agencies.

(Pub. L. 96-95, § 14, as added Pub. L. 100-555, Oct. 28, 1988, 102 Stat. 2778.)

CHAPTER 1C—PALEONTOLOGICAL RESOURCES PRESERVATION

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§ 470aaa. Definitions

In this chapter:

(1) Casual collecting

The term “casual collecting” means the collecting of a reasonable amount of common invertebrate and plant paleontological resources for non-commercial personal use, either by surface collection or the use of non-powered hand tools resulting in only negligible disturbance to the Earth’s surface and other resources. As used in this paragraph, the terms “reasonable amount”, “common invertebrate and plant paleontological resources” and “negligible disturbance” shall be determined by the Secretary.

(2) Federal land

The term “Federal land” means—

- (A) land controlled or administered by the Secretary of the Interior, except Indian land; or
- (B) National Forest System land controlled or administered by the Secretary of Agriculture.

(3) Indian Land

The term “Indian Land” means land of Indian tribes, or Indian individuals, which are

either held in trust by the United States or subject to a restriction against alienation imposed by the United States.

(4) Paleontological resource

The term “paleontological resource” means any fossilized remains, traces, or imprints of organisms, preserved in or on the earth’s crust, that are of paleontological interest and that provide information about the history of life on earth, except that the term does not include—

- (A) any materials associated with an archaeological resource (as defined in section 470bb(1) of this title;¹ or
- (B) any cultural item (as defined in section 3001 of title 25).

(5) Secretary

The term “Secretary” means the Secretary of the Interior with respect to land controlled or administered by the Secretary of the Interior or the Secretary of Agriculture with respect to National Forest System land controlled or administered by the Secretary of Agriculture.

(6) State

The term “State” means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

(Pub. L. 111-11, title VI, § 6301, Mar. 30, 2009, 123 Stat. 1172.)

§ 470aaa-1. Management

(a) In general

The Secretary shall manage and protect paleontological resources on Federal land using scientific principles and expertise. The Secretary shall develop appropriate plans for inventory, monitoring, and the scientific and educational use of paleontological resources, in accordance with applicable agency laws, regulations, and policies. These plans shall emphasize inter-agency coordination and collaborative efforts where possible with non-Federal partners, the scientific community, and the general public.

(b) Coordination

To the extent possible, the Secretary of the Interior and the Secretary of Agriculture shall coordinate in the implementation of this chapter.

(Pub. L. 111-11, title VI, § 6302, Mar. 30, 2009, 123 Stat. 1173.)

§ 470aaa-2. Public awareness and education program

The Secretary shall establish a program to increase public awareness about the significance of paleontological resources.

(Pub. L. 111-11, title VI, § 6303, Mar. 30, 2009, 123 Stat. 1173.)

¹ So in original. A closing parenthesis probably should precede the semicolon.