

charges shall be sought or collected by the United States from any qualified applicant who has filed an application for land in the mining claim pursuant to this chapter, based upon occupancy of such claim, whether residential or otherwise, for any period preceding the final administrative determination of the invalidity of the mining claim by the Secretary of the Interior or the voluntary relinquishment of the mining claim, whichever occurs earlier. Nothing contained in this chapter shall be construed as creating any liability for trespass to the United States which would not exist in the absence of this chapter. Relief under this section shall be limited to persons who file applications for conveyances pursuant to section 701 of this title within the period ending June 30, 1971.

(Pub. L. 87-851, § 6, Oct. 23, 1962, 76 Stat. 1128; Pub. L. 90-111, § 2, Oct. 23, 1967, 81 Stat. 311.)

#### AMENDMENTS

1967—Subsec. (b). Pub. L. 90-111 extended from Oct. 23, 1967 to June 30, 1971, the period in which relief shall be accorded under this section to individuals who apply for conveyances pursuant to section 701 of this title.

#### § 707. Reservation of mineral rights

In any conveyance under this chapter the mineral interests of the United States in the lands conveyed are reserved for the term of the estate conveyed. Minerals locatable under the mining laws or disposable under subchapter I of chapter 15 of this title, are withdrawn from all forms of entry and appropriation for the term of the estate. The underlying oil, gas, and other leasable minerals of the United States are reserved for exploration and development purposes, but without the right of surface ingress and egress, and may be leased by the Secretary under the mineral leasing laws.

(Pub. L. 87-851, § 7, Oct. 23, 1962, 76 Stat. 1128.)

#### § 708. Assignments; succession

Rights and privileges to qualify as an applicant under this chapter shall not be assignable, but may pass through devise or descent.

(Pub. L. 87-851, § 8, Oct. 23, 1962, 76 Stat. 1128.)

#### § 709. Disposition of payments and fees

Payments of filing fees and survey costs, and the payments of the purchase price for patents in fee shall be disposed of by the Secretary of the Interior as are such fees, costs, and purchase prices in the disposition of public lands. All payments and fees for occupancy in conveyances of less than the fee, or for permits for life or shorter periods, shall be disposed of by the administering department or agency as are other receipts for the use of the lands involved.

(Pub. L. 87-851, § 9, Oct. 23, 1962, 76 Stat. 1128.)

### CHAPTER 21—METAL AND NONMETALLIC MINE SAFETY

#### §§ 721 to 740. Repealed. Pub. L. 95-164, title III, § 306(a), Nov. 9, 1977, 91 Stat. 1322

This chapter, covering the operation of only metal and nonmetallic mines, is covered by section 801 et seq. of this title following the enactment of Pub. L. 95-164

which brought the operation of all coal and other mines under a single legislative canopy.

Section 721, Pub. L. 89-577, § 2, Sept. 16, 1966, 80 Stat. 772, defined “commerce”, “mine”, “operator”, “Secretary”, and “Board”. See section 802 of this title.

Section 722, Pub. L. 89-577, § 3, Sept. 16, 1966, 80 Stat. 773, described mines to be covered and empowered Secretary of the Interior to decline jurisdiction if effect of the mine on commerce was not sufficiently substantial. See section 801 et seq. of this title.

Section 723, Pub. L. 89-577, § 4, Sept. 16, 1966, 80 Stat. 773, related to investigations of metal and nonmetallic mines to obtain information relating to health and safety conditions. See section 811 of this title.

Section 724, Pub. L. 89-577, § 5, Sept. 16, 1966, 80 Stat. 773, related to admission of investigators to mines. See section 813 of this title.

Section 725, Pub. L. 89-577, § 6, Sept. 16, 1966, 80 Stat. 774, related to development of health and safety standards. See section 811 of this title.

Section 726, Pub. L. 89-577, § 7, Sept. 16, 1966, 80 Stat. 775, related to advisory committees. See section 812 of this title.

Section 727, Pub. L. 89-577, § 8, Sept. 16, 1966, 80 Stat. 775, related to findings and orders. See section 814 of this title.

Section 728, Pub. L. 89-577, § 9, Sept. 16, 1966, 80 Stat. 777, related to review of orders by Secretary of the Interior. See section 815 of this title.

Section 729, Pub. L. 89-577, § 10, Sept. 16, 1966, 80 Stat. 778, created Federal Metal and Nonmetallic Mine Safety Board of Review. See section 823 of this title.

Section 730, Pub. L. 89-577, § 11, Sept. 16, 1966, 80 Stat. 779, related to review functions of Federal Metal and Nonmetallic Mine Safety Board of Review. See section 823 of this title.

Section 731, Pub. L. 89-577, § 12, Sept. 16, 1966, 80 Stat. 781, related to judicial review of final orders of Federal Metal and Nonmetallic Mine Safety Board of Review. See section 816 of this title.

Section 732, Pub. L. 89-577, § 13, Sept. 16, 1966, 80 Stat. 782, related to accident and related reports to Secretary of the Interior. See section 813 of this title.

Section 733, Pub. L. 89-577, § 14, Sept. 16, 1966, 80 Stat. 782, related to penalties to be imposed for violations of the chapter. See section 820 of this title.

Section 734, Pub. L. 89-577, § 15, Sept. 16, 1966, 80 Stat. 782, related to programs of education and training for employers and employees. See section 825 of this title.

Section 735, Pub. L. 89-577, § 16, Sept. 16, 1966, 80 Stat. 782, related to State plans and cooperation with State agencies. See section 811 of this title.

Section 736, Pub. L. 89-577, § 17, Sept. 16, 1966, 80 Stat. 783, related to administration of chapter by Bureau of Mines of Department of the Interior. See section 557a of Title 29, Labor.

Section 737, Pub. L. 89-577, § 18, Sept. 16, 1966, 80 Stat. 784, related to non-applicability of Administrative Procedure Act to proceedings under chapter. See section 815 of this title.

Section 738, Pub. L. 89-577, § 19, Sept. 16, 1966, 80 Stat. 784, related to effect of chapter on State laws. See section 811 of this title.

Section 739, Pub. L. 89-577, § 20, Sept. 16, 1966, 80 Stat. 784, related to annual report of Secretary of the Interior to Congress. See section 557a of Title 29, Labor.

Section 740, Pub. L. 89-577, § 21, Sept. 16, 1966, 80 Stat. 784, authorized appropriations necessary to carry out chapter. See section 824 of this title.

#### EFFECTIVE DATE OF REPEAL

Repeal effective 120 days after Nov. 9, 1977, see section 307 of Pub. L. 95-164, set out as an Effective Date of 1977 Amendment note under section 801 of this title.

### CHAPTER 22—MINE SAFETY AND HEALTH

Sec.  
801. Congressional findings and declaration of purpose.

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| <p>Sec.<br/>802. Definitions.<br/>803. Mines subject to coverage.<br/>804. Interim Compliance Panel.</p> <p style="text-align: center;">SUBCHAPTER I—GENERAL</p> <p>811. Mandatory safety and health standards.<br/>812. Advisory committees.<br/>813. Inspections, investigations, and record-keeping.<br/>814. Citations and orders.<br/>815. Procedure for enforcement.<br/>816. Judicial review of Commission orders.<br/>817. Procedures to counteract dangerous conditions.<br/>818. Injunctions.<br/>819. Posting of orders and decisions.<br/>820. Penalties.<br/>821. Entitlement of miners to full compensation.<br/>822. Representation of Secretary in civil litigation by Solicitor of Labor.<br/>823. Federal Mine Safety and Health Review Commission.<br/>823a. Principal office in District of Columbia; proceedings held elsewhere.<br/>824. Authorization of appropriations.<br/>825. Mandatory health and safety training.<br/>826. Limitation on certain liability for rescue operations.</p> <p style="text-align: center;">SUBCHAPTER II—INTERIM MANDATORY HEALTH STANDARDS</p> <p>841. Mandatory health standards for underground mines; enforcement; review; purpose.<br/>842. Dust concentration and respiratory equipment.<br/>843. Medical examinations.<br/>844. Rock dust and gas hazards; controls.<br/>845. Dust standards in presence of quartz.<br/>846. Noise standards; promulgation of new standards; tests; procedures; protective devices.</p> <p style="text-align: center;">SUBCHAPTER III—INTERIM MANDATORY SAFETY STANDARDS FOR UNDERGROUND COAL MINES</p> <p>861. Mandatory safety standards for underground mines.<br/>862. Roof support.<br/>863. Ventilation.<br/>864. Combustible materials and rock dusting.<br/>865. Electrical equipment.<br/>866. Trailing cables.<br/>867. Grounding of equipment.<br/>868. Underground high-voltage distribution.<br/>869. Underground low- and medium-voltage alternating current circuits.<br/>870. Trolley wires and trolley feeder wires.<br/>871. Fire protection.<br/>872. Maps.<br/>873. Blasting and explosives.<br/>874. Hoisting and mantrips.<br/>875. Emergency shelters; construction; contents; implementation plans.<br/>876. Communication facilities; locations and emergency response plans.<br/>877. General safety provisions.<br/>878. Definitions.</p> <p style="text-align: center;">SUBCHAPTER IV—BLACK LUNG BENEFITS</p> <p style="text-align: center;">PART A—GENERAL PROVISIONS</p> <p>901. Congressional findings and declaration of purpose; short title.<br/>902. Definitions.<br/>903. Field offices.<br/>904. Repealed.</p> <p style="text-align: center;">PART B—CLAIMS FOR BENEFITS FILED ON OR BEFORE DECEMBER 31, 1973</p> <p>921. Regulations and presumptions.<br/>922. Payment of benefits.</p> | <p>Sec.<br/>923. Filing of notice of claim.<br/>924. Time for filing claims.<br/>924a. Repealed.<br/>925. Procedure for the determination of claims during transition period.</p> <p style="text-align: center;">PART C—CLAIMS FOR BENEFITS AFTER DECEMBER 31, 1973</p> <p>931. Benefits under State workmen's compensation laws.<br/>932. Failure to meet workmen's compensation requirements.<br/>932a. Appointment of qualified individuals to hear and determine claims for benefits.<br/>933. Duties of operators in States not qualifying under workmen's compensation laws.<br/>934. "Fund" defined; liability of operators to United States for repayments to fund; procedures applicable; rate of interest.<br/>934a. Repealed.<br/>935. Utilization of services of State and local agencies.<br/>936. Regulations and reports.<br/>937. Contracts and grants.<br/>938. Miners suffering from pneumoconiosis; discrimination prohibited.<br/>939. Authorization of appropriations.<br/>940. Applicability of amendments to part B of this subchapter to this part.<br/>941. Penalty for false statements or representations.<br/>942. Miner benefit entitlement reports; penalty for failure or refusal to file.<br/>943. Black lung insurance program.<br/>944. Statement of reasons for denial of claim.<br/>945. Repealed.</p> <p style="text-align: center;">SUBCHAPTER V—ADMINISTRATIVE PROVISIONS</p> <p>951. Studies and research.<br/>951a. Health, Safety, and Mining Technology Research program.<br/>952. Training and education.<br/>953. Assistance to States.<br/>954. Appointment of administrative personnel and inspectors; qualifications; training programs.<br/>955. State laws.<br/>956. Applicability of administrative procedure provisions.<br/>957. Promulgation of regulations.<br/>958. Annual reports to Congress; contents.<br/>959. Study of coordination of Federal and State activities; report.<br/>960. Limitation on issuance of temporary restraining order or preliminary injunction.<br/>961. Functions transferred under 1977 amendments.<br/>962. Acceptance of contributions and prosecution of projects; cooperative programs to promote health and safety education and training; recognition and funding of Joseph A. Holmes Safety Association; use of funds for costs of mine rescue and survival operations.<br/>963. Technical Study Panel.<br/>964. Scholarships.<br/>965. Brookwood-Sago Mine Safety Grants.<br/>966. Retention of fees.</p> <p><b>§ 801. Congressional findings and declaration of purpose</b></p> <p>Congress declares that—</p> <p>(a) the first priority and concern of all in the coal or other mining industry must be the health and safety of its most precious resource—the miner;</p> <p>(b) deaths and serious injuries from unsafe and unhealthful conditions and practices in</p> |
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