

nating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

“Officer, as the Secretary of the Interior may designate” substituted for “register” on authority of section 403 of Reorg. Plan No. 3 of 1946, which abolished all registers of district land offices and transferred functions of register of district land office to Secretary of the Interior. See section 403 of Reorg. Plan No. 3 of 1946, set out as a note under section 1 of this title.

#### § 968. Restriction on use of Arkansas pipeline right of way

Nothing in sections 966 to 970 of this title shall authorize the use of such right of way except for the pipe line, and then only so far as may be necessary for its construction, maintenance, and care.

(Apr. 12, 1910, ch. 155, § 3, 36 Stat. 296.)

#### REPEAL OF SECTION

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.*

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579 insofar as applicable to the issuance of rights-of-way not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### § 969. Forfeiture of Arkansas pipeline right of way for nonuser, etc.

If any section of said pipe line shall not be completed within one year after the approval by the Secretary of the Interior of said section, or if any section of said pipe line shall be abandoned or shall not be used for a period of two years, the right of way granted in sections 966 to 970 of this title as to any uncompleted, abandoned, or unused section of said pipe line shall be forfeited to the extent that the same is not completed or is abandoned or unused at the date of the forfeiture, without further action or declaration on the part of the Government or any proceedings or judgment of any court.

(Apr. 12, 1910, ch. 155, § 4, 36 Stat. 296.)

#### REPEAL OF SECTION

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under and through the public lands and lands in the National Forest System.*

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579 insofar as applicable to the issuance of rights-of-way not to be construed as terminating any valid lease, permit, patent, etc., existing on

Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### § 970. Forfeiture of Arkansas pipeline right of way for violation of antitrust law

If any citizen, company, or corporation taking advantage of the benefits of sections 966 to 970 of this title shall violate the Act of July 2, 1890, entitled “An Act to protect trade and commerce against unlawful restraints and monopolies”, (commonly known as the Sherman antitrust act), or any amendment thereof, the right of way granted in sections 966 to 970 of this title shall be forfeited without further action or declaration on the part of the Government or any proceedings or judgment of any court.

(Apr. 12, 1910, ch. 155, § 5, 36 Stat. 296.)

#### REPEAL OF SECTION

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.*

#### REFERENCES IN TEXT

Act of July 2, 1890, referred to in text, is act July 2, 1890, ch. 647, 26 Stat. 209, as amended, known as the Sherman Act, which is classified to sections 1 to 7 of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1 of Title 15 and Tables.

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579 insofar as applicable to the issuance of rights-of-way not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### § 971. Bathhouses, hotels, etc., adjacent to mineral, medicinal, etc., springs on public lands

The Secretary of the Interior, upon such terms and under such regulations as he may deem proper, may permit responsible persons or associations to use and occupy, for the erection of bathhouses, hotels, or other improvements for the accommodation of the public, suitable spaces or tracts of land near or adjacent to mineral, medicinal, or other springs which are located upon unreserved public lands or public lands which have been withdrawn for the protection of such springs: *Provided*, That permits or leases hereunder shall be for periods not exceeding twenty years.

(Mar. 3, 1925, ch. 458, 43 Stat. 1133.)

#### § 971a. Alaskan lands within highway, telephone, and pipeline withdrawals; disposal; amendment of land description of claim or entry on adjoining lands

Upon revocation of a withdrawal for highways, telephone lines, or pipelines, in Alaska, the lands involved shall be subject to disposal only under laws specified by the Secretary of the Interior, subject to easements as established by the Secretary. Notwithstanding any statutory limitation on the area which may be included in an unpatented claim or entry, the Secretary may permit the amendment of the land descrip-

tion of a claim or entry on adjoining lands to include the restored lands.

(Aug. 1, 1956, ch. 848, §1, 70 Stat. 898.)

CODIFICATION

This section was formerly classified to section 420 of Title 48, Territories and Insular Possessions.

**§ 971b. Sale of restored Alaskan lands; preference rights; consent of Federal agency**

The Secretary may sell such restored lands for not less than their appraised value, giving an appropriate preference right to the holders of adjoining claims or entries and to owners of adjoining private lands. If such lands are under the jurisdiction of a Federal department or agency other than the Department of the Interior, any sale thereof shall be made only with the consent of such department or agency.

(Aug. 1, 1956, ch. 848, §2, 70 Stat. 898.)

CODIFICATION

Section was formerly classified to section 420a of Title 48, Territories and Insular Possessions.

**§ 971c. Utilization or occupancy of Alaskan easements; consent of agency**

Lands in Alaska within an easement established under sections 971a to 971e of this title by the Secretary of the Interior may not be utilized or occupied without the permission of the Secretary, or an officer or agency designated by him. If the lands crossed by an easement established under sections 971a to 971e of this title are under the jurisdiction of a Federal department or agency other than the Department of the Interior, or of a State, Territory, or other government subdivision or agency, such permission may be granted only with the consent of such department, agency, or other governmental unit.

(Aug. 1, 1956, ch. 848, §3, 70 Stat. 898.)

CODIFICATION

Section was formerly classified to section 420b of Title 48, Territories and Insular Possessions.

**§ 971d. Effect on valid existing Alaskan rights**

Nothing in sections 971a to 971e of this title shall affect adversely any valid existing rights.

(Aug. 1, 1956, ch. 848, §4, 70 Stat. 898.)

CODIFICATION

Section was formerly classified to section 420c of Title 48, Territories and Insular Possessions.

**§ 971e. Definition of restored Alaskan lands**

For the purposes of sections 971a to 971e of this title, the words "restored lands" include, without limiting the meaning thereof, those lands at Big Delta and Tok Junctions that are withdrawn by public land orders numbered 808 and 975 and that lie between the centerline of the Richardson and Glenn Highways and the land included within United States surveys 2727, 2728, 2770, 2771, 2772, 2773, 2774, 2723, 2724, 2725, and 2726.

(Aug. 1, 1956, ch. 848, §5, as added Pub. L. 86-512, June 11, 1960, 74 Stat. 207.)

CODIFICATION

Section was formerly classified to section 420d of Title 48, Territories and Insular Possessions.

**§§ 975, 975a. Repealed. Pub. L. 97-468, title VI, § 615(a)(1), Jan. 14, 1983, 96 Stat. 2577**

Section 975, acts Mar. 12, 1914, ch. 37, §1, 38 Stat. 305; Apr. 10, 1926, ch. 114, 44 Stat. 239; Aug. 4, 1955, ch. 554, 69 Stat. 494; Nov. 1, 1978, Pub. L. 95-565, §4(a), 92 Stat. 2399; Oct. 10, 1980, Pub. L. 96-423, §15, 94 Stat. 1817, related to location, construction, and operation of Alaska Railroad and powers and duties of President in connection therewith, and security officers. Section was comprised of first and second paragraphs of section 1 of act Mar. 12, 1914. The first paragraph was included in the Act as originally enacted in 1914 and the second paragraph was added in 1980 by Pub. L. 96-423. Amendment of section 1 of act Mar. 12, 1914, by act Mar. 29, 1940, ch. 74, 54 Stat. 80, relating to Mount McKinley National Park, and providing for accommodations for visitors and residents, was set out as section 353a of Title 16, Conservation. Section was formerly classified to section 301 of Title 48, Territories and Insular Possessions.

Section 975a, act Mar. 12, 1914, ch. 37, §1, 38 Stat. 307, related to telegraph and telephone lines in Alaska. Section was comprised of original second paragraph of section 1 of act Mar. 12, 1914. Section was formerly classified to section 302 of Title 48.

EFFECTIVE DATE OF REPEAL

Repeal effective on date of transfer of Alaska Railroad to State [Jan. 5, 1985], pursuant to section 1203 of Title 45, Railroads, see section 615(a) of Pub. L. 97-468.

RENTAL OF ALASKA RAILROAD LANDS; REPORT TO CONGRESS

Pub. L. 95-611, §6, Nov. 8, 1978, 92 Stat. 3090, authorized the Secretary of Transportation to conduct an investigation and study to determine equitable rates to be charged for the rental of Alaska Railroad lands, required submission by the Secretary of a report on the results of such study to the Congress not later than one year after Nov. 8, 1978, and provided that, prior to 180 days after the receipt by Congress of such report, rental charges on lands rented by the Alaska Railroad were not to be increased by more than 100 per centum of the amount charged for such land on Jan. 1, 1977.

APPROPRIATIONS

Act Mar. 12, 1914, ch. 37, §2, 38 Stat. 307, which provided that the cost of the work authorized by sections 975 to 975g should not exceed \$35,000,000, and that in executing the authority granted by those sections the President should not expend nor obligate the United States to expend more than that sum, and also appropriated the sum of \$1,000,000 to be used for carrying out the provisions of those sections, to continue available until expended, was repealed by section 615(a)(1) of Pub. L. 97-468.

**§ 975b. Repealed. Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792**

Section, act Mar. 12, 1914, ch. 37, §1, 38 Stat. 307, authorized the President to withdraw, locate, and dispose of lands for town-site purposes along Alaskan railroad lines. Section was comprised of original fourth paragraph of act Mar. 12, 1914. Section was formerly classified to section 303 of Title 48, Territories and Insular Possessions.

EFFECTIVE DATE OF REPEAL

Pub. L. 94-579, title VII, §704(a), Oct. 21, 1976, 90 Stat. 2792, provided that the repeal made by section 704(a) is 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