

§ 470aaa-7. Rewards and forfeiture**(a) Rewards**

The Secretary may pay from penalties collected under section 470aaa-5 or 470aaa-6 of this title or from appropriated funds—

- (1) consistent with amounts established in regulations by the Secretary; or
- (2) if no such regulation exists, an amount up to ½ of the penalties, to any person who furnishes information which leads to the finding of a civil violation, or the conviction of criminal violation, with respect to which the penalty was paid. If several persons provided the information, the amount shall be divided among the persons. No officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall be eligible for payment under this subsection.

(b) Forfeiture

All paleontological resources with respect to which a violation under section 470aaa-5 or 470aaa-6 of this title occurred and which are in the possession of any person, shall be subject to civil forfeiture, or upon conviction, to criminal forfeiture.

(c) Transfer of seized resources

The Secretary may transfer administration of seized paleontological resources to Federal or non-Federal educational institutions to be used for scientific or educational purposes.

(Pub. L. 111-11, title VI, § 6308, Mar. 30, 2009, 123 Stat. 1176.)

§ 470aaa-8. Confidentiality

Information concerning the nature and specific location of a paleontological resource shall be exempt from disclosure under section 552 of title 5 and any other law unless the Secretary determines that disclosure would—

- (1) further the purposes of this chapter;
- (2) not create risk of harm to or theft or destruction of the resource or the site containing the resource; and
- (3) be in accordance with other applicable laws.

(Pub. L. 111-11, title VI, § 6309, Mar. 30, 2009, 123 Stat. 1176.)

§ 470aaa-9. Regulations

As soon as practical after March 30, 2009, the Secretary shall issue such regulations as are appropriate to carry out this chapter, providing opportunities for public notice and comment.

(Pub. L. 111-11, title VI, § 6310, Mar. 30, 2009, 123 Stat. 1177.)

§ 470aaa-10. Savings provisions

Nothing in this chapter shall be construed to—

- (1) invalidate, modify, or impose any additional restrictions or permitting requirements on any activities permitted at any time under the general mining laws, the mineral or geothermal leasing laws, laws providing for minerals materials disposal, or laws providing for

the management or regulation of the activities authorized by the aforementioned laws including but not limited to the Federal Land Policy Management Act (43 U.S.C. 1701-1784),¹ subchapter 3² of chapter 1007 of title 54, the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201-1358) [30 U.S.C. 1201 et seq.], and the Organic Administration Act (16 U.S.C. 478, 482, 551);

(2) invalidate, modify, or impose any additional restrictions or permitting requirements on any activities permitted at any time under existing laws and authorities relating to reclamation and multiple uses of Federal land;

(3) apply to, or require a permit for, casual collecting of a rock, mineral, or invertebrate or plant fossil that is not protected under this chapter;

(4) affect any land other than Federal land or affect the lawful recovery, collection, or sale of paleontological resources from land other than Federal land;

(5) alter or diminish the authority of a Federal agency under any other law to provide protection for paleontological resources on Federal land in addition to the protection provided under this chapter; or

(6) create any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in that capacity. No person who is not an officer or employee of the United States acting in that capacity shall have standing to file any civil action in a court of the United States to enforce any provision or amendment made by this chapter.

(Pub. L. 111-11, title VI, § 6311, Mar. 30, 2009, 123 Stat. 1177; Pub. L. 113-287, § 5(d)(9), Dec. 19, 2014, 128 Stat. 3265.)

REFERENCES IN TEXT

The Federal Land Policy Management Act (43 U.S.C. 1701-1784), referred to in par. (1), probably means the Federal Land Policy and Management Act of 1976, Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§ 1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

The Surface Mining Control and Reclamation Act of 1977, referred to in par. (1), is Pub. L. 95-87, Aug. 3, 1977, 91 Stat. 445, which is classified generally to chapter 25 (§ 1201 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 1201 of Title 30 and Tables.

The Organic Administration Act, referred to in par. (1), is the popular name for certain provisions of act June 4, 1897, ch. 2, 30 Stat. 34, under the headings “UNDER THE DEPARTMENT OF THE INTERIOR.” and “SURVEYING THE PUBLIC LANDS.”, which are classified to sections 473 to 475, 477, 478, 479 to 482, and 551 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 473 of this title and Tables.

AMENDMENTS

2014—Par. (1). Pub. L. 113-287, which directed amendment of par. (1) by substituting “subchapter 3 of chapter 1007 of title 54” for “Public Law 94-429 (commonly known as the ‘Mining in the Parks Act’ (16 U.S.C. 1901

¹ See References in Text note below.

² So in original. Probably should be “subchapter III”.