

PRIOR PROVISIONS

Prior provisions on the subject of reverter were formerly contained in section 869 of this title. See 1954 Amendment note set out under that section. Those prior provisions permanently restricted the lands conveyed to a single use, and did not provide, as in this section, for transfer by the original grantee or its successor.

AMENDMENTS

1988—Pub. L. 100-648 designated existing provision as subsec. (a) and added subssecs. (b) and (c).

1959—Pub. L. 86-292 struck out sentence which provided that this section should cease to be in effect as to any lands patented under sections 869 to 869-4 of this title twenty-five years after the issuance of patent for such lands.

SAVINGS PROVISIONS

Pub. L. 100-648, §3, Nov. 10, 1988, 102 Stat. 3815, provided that: "Nothing in this Act [amending section 869-2 of this title and enacting provisions set out as notes under sections 869 and 869-2 of this title] or the amendments made thereby shall be construed to affect the applicability and operation of the Comprehensive Environmental Response, Compensation[,] and Liability Act [of 1980] (42 U.S.C. 9601 et seq.) as amended, and the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.), as amended."

CONGRESSIONAL REVIEW OF CONVEYANCE OF LAND OR RENUNCIATION OF REVERSIONARY INTERESTS

Pub. L. 100-648, §4, Nov. 10, 1988, 102 Stat. 3815, provided that:

"(a) The Secretary shall not make any conveyance of land or renunciation of reversionary interests under this Act [amending section 869-2 of this title and enacting provisions set out as notes under sections 869 and 869-2 of this title] until he has published in the Federal Register regulations implementing this Act and until sixty days (not counting days on which the House of Representatives or the Senate has adjourned for more than three days) after these regulations have been submitted to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives. [Implementing regulations were published in the Federal Register July 23, 1992, 57 F.R. 32730.]

"(b) During the first three years after enactment of this Act [Nov. 10, 1988] the Secretary shall not make any conveyance of land or renunciation of reversionary interests under this Act until thirty days (not counting days on which the House of Representatives or the Senate has adjourned for more than three days) after notice of intention to do so has been submitted to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives."

§ 869-3. Authority for transfers; applicability of section 869-2 to prior patents; termination of restrictions

The Secretary may authorize transfers of title or changes in use in accordance with the provisions of section 869-2 of this title with respect to any patent heretofore issued under any Act upon application by a patentee qualified to obtain a conveyance under section 869-1(a) or 869-1(c) of this title. If the Secretary, pursuant to such an application, authorizes such transfer or use, all reverter provisions and other limitations on transfer or use, under sections 869 to 869-4 of this title or any other Act affecting the lands involved, shall cease to be in effect twenty-five years after the Secretary authorizes the transfer or use for a changed or additional purpose under the provisions of this section.

(June 14, 1926, ch. 578, §4, as added June 4, 1954, ch. 263, 68 Stat. 175.)

§ 869-4. Disposition of moneys received from or on account of revested Oregon and California Railroad grant lands or reconveyed Coos Bay Wagon Road grant lands

All moneys received from or on account of any revested Oregon and California Railroad grant lands or reconveyed Coos Bay Wagon Road grant lands under sections 869 to 869-4 of this title shall be deposited respectively in the Oregon and California land-grant fund and the Coos Bay Wagon Road grant fund, and shall be applied in the manner prescribed respectively by title II of the Act of August 28, 1937 (50 Stat. 875), as amended (43 U.S.C. 1181f),¹ and by subchapter II of chapter 44 of this title.

(June 14, 1926, ch. 578, §6, as added Pub. L. 86-66, §3, June 23, 1959, 73 Stat. 111.)

REFERENCES IN TEXT

Act of August 28, 1937, referred to in text, is act Aug. 28, 1937, ch. 876, 50 Stat. 874. Title II of the Act enacted section 2605 of this title (formerly classified to section 1181f of this title), repealed section 1174 of this title, and enacted provisions set out as a note under section 2601 of this title. For complete classification of this Act to the Code, see Tables.

§ 869a. Repealed. Pub. L. 86-66, § 1, June 23, 1959, 73 Stat. 110

Section, act Apr. 13, 1928, ch. 370, §§1, 2, 45 Stat. 429, extended provisions of section 869 of this title to former Oregon and California Railroad grant lands revested in the United States and to former Coos Bay Wagon Road grant lands reconveyed to the United States.

§ 870. Grants of land in aid of common or public schools; extension to those mineral in character; effect of leases

Subject to the provisions of subsections (a), (b), and (c) of this section, the several grants to the States of numbered sections in place for the support or in aid of common or public schools be, and they are, extended to embrace numbered school sections mineral in character, unless land has been granted to and/or selected by and certified or approved, to any such State or States as indemnity or in lieu of any land so granted by numbered sections.

(a) The grant of numbered mineral sections under this section shall be of the same effect as prior grants for the numbered nonmineral sections, and titles to such numbered mineral sections shall vest in the States at the time and in the manner and be subject to all the rights of adverse parties recognized by existing law in the grants of numbered nonmineral sections.

(b) The additional grant made by this section is upon the express condition that all sales, grants, deeds, or patents for any of the lands so granted shall hereafter be subject to and contain a reservation to the State of all the coal and other minerals in the lands so sold, granted, deeded, or patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands not heretofore disposed of by the State shall be

¹ See References in Text note below.