

erwise held by the applicant, its successors or assigns” for “three years from October 19, 1980, the holder of the bidding rights may, at its election, use the outstanding bidding rights as a credit against any royalty, rental, or advance royalty payments owed to the United States on any Federal coal lease(s) it may then hold” and inserting provisions that the holder of the bidding rights shall pay the balance due on such bonus payments, rental or royalty payments in cash for transmittal to the States in the same manner and in the same amounts as though the entire payment were made in cash under the provisions of the Mineral Leasing Act of 1920 as amended, and that the bidding rights may be transferred or sold at any time by the owner to any other party with all the rights of the owner to the credit, and after such transfer, the owner shall notify the Secretary.

Subsec. (e). Pub. L. 98-140, §7(b), added subsec. (e).

§ 460II-4. Filing of maps and descriptions

As soon as practicable after October 19, 1980, a map and legal description of the Rattlesnake National Recreational Area and a map and legal description of the Rattlesnake Wilderness shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and legal descriptions shall have the same force and effect as if included in this subchapter: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(Pub. L. 96-476, §5, Oct. 19, 1980, 94 Stat. 2273.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

§ 460II-5. Authorization of appropriations

Effective October 1, 1981, there is hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this subchapter.

(Pub. L. 96-476, §6, Oct. 19, 1980, 94 Stat. 2274.)

[SUBCHAPTER XCVII—RESERVED]

SUBCHAPTER XCVIII—STEESE NATIONAL CONSERVATION AREA AND WHITE MOUNTAINS NATIONAL RECREATION AREA

§ 460mm. Establishment of conservation area

(a) In general

In order to provide for the immediate and future protection of the lands in Federal ownership within the framework of a program of multiple use and sustained yield and for the maintenance of environmental quality, the Steese National Conservation Area is hereby established.

(b) Boundaries; special values

The Steese National Conservation Area shall include approximately one million two hundred twenty thousand acres of public lands, as generally depicted on the map entitled “Steese National Conservation Area—proposed”, and dated

October 1978. Special values to be considered in planning and management of the area are: caribou range and Birch Creek.

(Pub. L. 96-487, title IV, §401, Dec. 2, 1980, 94 Stat. 2396.)

§ 460mm-1. Administration of conservation area

(a) Management and use of land; land use plan

Subject to valid existing rights, the Secretary, through the Bureau of Land Management, shall administer the Steese National Conservation Area established in section 460mm of this title pursuant to the applicable provisions of the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.] dealing with the management and use of land in Federal ownership, and shall, within five years of Dec. 2, 1980, develop a land use plan for each such area, and for the area established in section 460mm-2 of this title.

(b) Transfer of lands; mineral exploration and development

No public lands within the national conservation area shall be transferred out of Federal ownership except by exchange pursuant to section 206 of the Federal Land Policy and Management Act [43 U.S.C. 1716]. Where consistent with the land use plans for the area, mineral development may be permitted pursuant to the Mineral Leasing Act of 1920, as amended, and supplemented (30 U.S.C. 181-287) or the Materials Act of 1947, as amended (30 U.S.C. 601-603). Subject to valid existing rights, the minerals in Federal lands within national conservation areas are hereby withdrawn from location, entry, and patent under the United States mining laws (30 U.S.C. 22-54). Where consistent with the land use plan for the area, the Secretary may classify lands within national conservation areas as suitable for locatable mineral exploration and development and open such lands to entry, location, and patent under the United States mining laws (30 U.S.C. 22-54).

(c) Regulation of mining activities

Subject to valid existing rights, all mining claims located within any such unit shall be subject to such reasonable regulations as the Secretary may prescribe to assure that mining will, to the maximum extent practicable, be consistent with protection of the scenic, scientific, cultural, and other resources of the area and any patent issued after December 2, 1980, shall convey title only to the minerals together with the right to use the surface of lands for mining purposes subject to such reasonable regulations as the Secretary may prescribe as aforesaid.

(Pub. L. 96-487, title IV, §402, Dec. 2, 1980, 94 Stat. 2396.)

Editorial Notes

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, as amended, 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 Mineral Leasing Act of 1920, as amended, and supplemented, referred to in subsec. (b), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 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 181 of Title 30 and Tables.

The Materials Act of 1947, as amended, referred to in subsec. (b), is act July 31, 1947, ch. 406, 61 Stat. 681, as amended, which is classified generally to subchapter I (§601 et seq.) of chapter 15 of Title 30. For complete classification of this Act to the Code, see Short Title note set out under section 601 of Title 30 and Tables.

§ 460mm-2. Establishment of recreation area

There is hereby established the White Mountains National Recreation Area containing approximately one million acres of public lands, as generally depicted on the map entitled "White Mountains National Recreation Area—proposed", and dated October 1978. Subject to valid existing rights, the Secretary shall administer the area in accordance with the provisions of section 460mm-4 of this title and other applicable provisions of this Act, the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.], and other applicable law. In planning for the recreational use and management of this area, the Secretary shall work closely with the State of Alaska.

(Pub. L. 96-487, title IV, §403, Dec. 2, 1980, 94 Stat. 2397.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 96-487, Dec. 2, 1980, 94 Stat. 2371, as amended, known as the Alaska National Interest Lands Conservation Act. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

The Federal Land Policy and Management Act of 1976, referred to in text, is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, as amended, 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.

§ 460mm-3. Rights of holders of unperfected mining claims

(a) "Unperfected mining claim" defined

The term "unperfected mining claim" as used in this section, means a mining claim which is located on lands within the boundaries of the White Mountains National Recreation Area or Steese National Conservation Area established pursuant to this subchapter with respect to which a valid mineral discovery within the meaning of the mining laws of the United States, was not made as of the date of the withdrawal of such area from further appropriation under the mining laws of the United States.

(b) Moratorium on contest proceedings

Any holder of an unperfected mining claim seeking to protect such claim pursuant to this section must have maintained and must continue to maintain such claim in compliance with applicable Federal and State laws, and where applicable, must have obtained and com-

plied with any mining access permit requirements imposed by the Department of the Interior during the 1979 mining season. Prior to September 30, 1982, no unperfected mining claim which has been maintained in accordance with this subsection shall be contested by the United States for failure to have made a valid mineral discovery within the meaning of the mining laws of the United States: *Provided*, That such claim shall be diligently prosecuted during this moratorium on contest proceedings as a condition for the moratorium. Any mining operation undertaken pursuant to this subsection, including but not limited to exploration, development, and extraction, shall be subject to such reasonable regulations as the Secretary may prescribe to assure that such operations will, to the maximum extent practicable, be consistent with protection of the scenic, scientific, cultural, and other resources of the Steese National Conservation Area or the White Mountains National Recreation Area or any affected conservation system units established or expanded by this Act.

(c) Valid mineral discovery

If the holder of an unperfected mining claim notifies the Secretary by filing an application for a patent that, as a result of mining operations in compliance with the requirements of subsection (b), he has made a valid mineral discovery of such claim within the meaning of the mining laws of the United States, and if the Secretary determines that such claim contains a valid mineral discovery, the holder of such claim shall be entitled to the issuance of a patent only to the minerals in such claim pursuant to the mining laws of the United States. The holder of such a patent shall also be entitled to the use of so much of the surface estate of the lands comprising the claim as may be necessary for mining purposes: *Provided*, That all mining operations conducted upon a claim after such a valid mineral discovery has been made, shall be in accordance with such reasonable regulations as may be issued by the Secretary pursuant to the authority granted in subsection (b) of this section.

(d) Validity determination

If an application for a patent is filed by the holder of an unperfected mining claim pursuant to subsection (c) or if a contest proceeding is initiated by the United States after September 30, 1982, the validity of each claim shall be determined as of the date of the patent application or September 30, 1982, whichever is earlier. The holder of an unperfected mining claim not subject to a patent application filed prior to September 30, 1982, shall submit to the Secretary within one hundred and eighty days after such date all mineral data compiled during the contest proceeding moratorium which would support a valid mineral discovery within the meaning of the mining laws of the United States. Failure to submit such data within the one-hundred-and-eighty-day period shall preclude its consideration in a subsequent determination of the validity of each affected claim. Except as specifically provided for in this section, nothing shall alter the criteria applied under the general mining laws of the United States to adjudicate the validity of unperfected mining claims.