

Public Law 357

CHAPTER 795

AN ACT

August 11, 1955
[H. R. 6994]

To provide for entry and location, on discovery of a valuable source material, upon public lands of the United States classified as or known to be valuable for coal, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the conditions and provisions of this Act and to any valid intervening rights acquired under the laws of the United States, public lands of the United States classified as or known to be valuable for coal subject to disposition under the mineral leasing laws and which are open to location and entry subject to the conditions and provisions of the Act of August 13, 1954 (68 Stat. 708), unless embraced within a coal prospecting permit or lease, shall also be open to location and entry under the mining laws of the United States upon the discovery of a valuable source material occurring within any seam, bed, or deposit of lignite in such lands: *Provided,* That a copy of the notice of any mining location made for source material occurring in any such bed, seam, or deposit, shall be filed for record in the land office of the Bureau of Land Management for the State in which the claim is situated within ninety days after the date of its location: *Provided further,* That the claimant to any such mining location shall report annually to the Mining Supervisor of the Geological Survey the amount of lignite mined or stripped in the recovery of such valuable source material during each calendar year and tender payment to him of 10 cents per ton thereon. Any mineral patents issued hereunder shall be made subject to the recording and payment requirements of this section and shall contain a reservation to the United States of all Leasing Act minerals owned by the United States other than lignite containing valuable source material and lignite necessary to be stripped or mined in the recovery of such material. Mining claims located and mineral patents issued under the provisions of this Act shall not include rights to lignite not containing valuable source material except to the extent it may be necessary to mine or strip such lignite in order to mine the source material and, with respect to lode claims, shall not include extralateral rights. For all purposes of this Act "source material" and "lignite" shall have the meanings given in section 6 of this Act.

Public lands.
Valuable source
materials.

30 USC 521-531.

Report and pay-
ment for lignite
mined.

SEC. 2. Any mining claim located in a manner prescribed by the mining laws of the United States upon lands of the character described in section 1 of this Act, prior to May 25, 1955, if based upon a discovery of valuable source material contained in lignite shall be effective to the same extent as if such lands at the time of location, and at all times thereafter, had not been classified as or known to be valuable for coal subject to disposition under the mineral leasing laws, subject, however, to the provisions of section 1 hereof: *Provided,* That no extralateral rights shall attach to any mining location validated under this section: *And provided further,* That the locator or locators of such a mining claim shall, not later than one hundred and eighty days from and after the date of this Act, post on the claim and file for record in the office where the notice or certificate of location is of record, an amended notice of the mining location stating that such amended notice is filed pursuant to the provisions of this Act and for the purpose of obtaining the benefits thereof; and that a copy of said amended notice is, within the said one-hundred-and-eighty-day period, filed in the land office of the Bureau of Land Management for the State in which the mining location is situated, and the mining locator thereafter complies with the requirements of this Act.

Claims located
prior to May 25,
1955.

68 Stat. 708,
30 USC 521-531.

42 USC 2011
note.

17 Stat. 91,
30 USC 22 et
seq.

30 USC 81,
30 USC 83-85.

42 USC 2011
note.

30 USC 351 note.

42 USC 2011
note.

Definitions.
48 USC 432-452,
30 USC 22-287,
passim.

SEC. 3. Subject to the provisos of section 2 of this Act, any mining location made under the mining laws of the United States, including the Act of August 13, 1954, on lands of the character described in section 1 of this Act, except locations made for lands within the exterior boundaries of a prior coal prospecting permit or lease, if based upon a discovery of valuable source material in deposits other than deposits of Leasing Act minerals, shall include the right to mine, remove, and dispose of lignite containing valuable source material and lignite necessary to be stripped or mined in the recovery of source material contained in lignite, subject to the reporting and payment requirements of section 1 of this Act, and subject to the provisions of the Atomic Energy Act of 1954 (68 Stat. 919), and upon filing in the land office designated in section 1 hereof, an adequate description of his claim or claims containing such lignite: *Provided*, That nothing in this section shall be construed to limit or restrict the rights acquired by virtue of a mining claim heretofore or hereafter located, under the 1872 Mining Act, as amended, or to impose any additional obligation with respect to the mining and removal of source material which does not occur within any seam, bed, or deposit of lignite.

SEC. 4. The entryman or owner of any land or the assignee of rights therein, including lands granted to States, with respect to which the coal deposits have been reserved to the United States pursuant to the provisions of the Act of March 3, 1909 (35 Stat. 844), or the Act of June 22, 1910 (36 Stat. 583), excepting lands embraced within a coal prospecting permit or lease, upon the discovery of valuable source material in lignite situated within such entered, granted, or patented lands, who, except for the reservation of coal to the United States would have the right to mine and remove such source material, shall have the exclusive right to mine, remove, and dispose of lignite containing such source material and lignite necessary to be stripped or mined in the recovery of such material, subject to the reporting and payment requirements of section 1 of this Act, and subject to the provisions of the Atomic Energy Act of 1954, upon filing in the land office designated in section 1 hereof, an adequate description sufficient to identify the land containing such lignite.

SEC. 5. The holders of coal leases issued under the provision of the mineral leasing laws, including the Act of August 7, 1947 (61 Stat. 913), prior to the date of this Act, or thereafter if based upon a prospecting permit issued prior to that date, upon the discovery during the term of such lease of valuable source material in any bed or deposit of lignite situated within the leased lands, shall have the exclusive right to locate such source material under the provisions of this Act but the mining and disposal of such source material shall be subject to the operating provisions of the lease and to the provisions of the Atomic Energy Act of 1954: *Provided*, That the provisions of this section shall not apply to coal prospecting, permits or leases on lands embraced within entered, granted or patented lands described in section 4 of this Act.

SEC. 6. As used in this Act "mineral leasing laws" shall mean the Act of October 20, 1914 (38 Stat. 741); the Act of February 25, 1920 (41 Stat. 437); the Act of April 17, 1926 (44 Stat. 301); the Act of February 7, 1927 (44 Stat. 1057); and all Acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing Acts; "Leasing Act minerals" shall mean all minerals which, upon the effective date of this Act, are provided in the mineral leasing laws to be disposed of thereunder; "lignite" shall mean coal classified as ASTM designation: D 388-38, according to the standards established in the American Society for Testing Materials on Coal and Coke under standard specifications for Classification of Coals by Rank,

contained in public-land deposits considered as valuable under the coal-land classification standards established by the Secretary of the Interior and prescribed in section 30, Code of Federal Regulations, part 201; and "source material" shall mean uranium, thorium, or any other material which is determined by the Atomic Energy Commission pursuant to the provisions of section 61 of the Atomic Energy Act of 1954 to be source material.

30 CFR Part 201.

68 Stat. 932.
42 USC 2091.

SEC. 7. All moneys received under the provisions of this Act shall be paid into the Treasury of the United States and distributed in the same manner as provided in section 35 of the Mineral Leasing Act of 1920, as amended, and section 9 of the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741).

41 Stat. 450.
30 USC 191.

48 USC 437-439.

SEC. 8. The Secretary of the Interior is authorized to issue such rules and regulations as may be necessary or appropriate to effectuate the purposes of this Act.

SEC. 9. Nothing in this Act shall be deemed to amend or repeal any provisions of the Act of August 13, 1954 (68 Stat. 708), or any right granted thereunder.

30 USC 521-531.

SEC. 10. Twenty years after the effective date of this Act, all lands subject to the provisions of section 1 shall be withdrawn from all forms of entry under this Act. All claims made pursuant to the provisions of this Act shall expire at that time, except for (1) claims for which patent has already been issued, and (2) claims on which application for patent has already been made and on which patent is subsequently issued: *Provided*, That, if the President shall so provide by Executive order, the provisions of this section shall not become effective until thirty years after the effective date of this Act.

Approved August 11, 1955.

Public Law 358

CHAPTER 796

AN ACT

August 11, 1955
[S. 1395]

To amend the Joint resolution entitled "Joint resolution to establish a commission for the celebration of the two hundredth anniversary of the birth of Alexander Hamilton", approved August 20, 1954.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the joint resolution entitled "Joint resolution to establish a commission for the celebration of the two-hundredth anniversary of the birth of Alexander Hamilton", approved August 20, 1954, is amended to read as follows:

Alexander Hamilton.
Bicentennial Commission.
68 Stat. 747.

"Sec. 7. There are hereby authorized to be appropriated such sums, not to exceed \$150,000 in addition to the sum of \$25,000 heretofore appropriated, as the Congress may determine to be necessary to carry out the provisions of this joint resolution."

Appropriation.
Ante, p. 460.

Approved August 11, 1955.

Public Law 359

CHAPTER 797

AN ACT

August 11, 1955
[H. R. 100]

To permit the mining, development, and utilization of the mineral resources of all public lands withdrawn or reserved for power development, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mining Claims Rights Restoration Act of 1955".

Mining Claims Rights Restoration Act of 1955.