

Public Law 250

CHAPTER 405

AN ACT

August 12, 1953
[S. 1397]

Relating to mining claims located on land with respect to which a permit or lease has been issued, or an application or offer for permit or lease has been made, under the mineral leasing laws, or known to be valuable for minerals subject to disposition under the mineral leasing laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to the provisions of this Act and to any valid intervening rights acquired under laws of the United States, any mining claim located under the mining laws of the United States subsequent to July 31, 1939, and prior to January 1, 1953, on lands of the United States which were, at the time of such location—

Mining claims,
July 31, 1939-Jan.
1, 1953.
Force and effect.

(1) included in a permit or lease issued under the mineral leasing laws; or

(2) covered by an application or offer for a permit or lease which had been filed under the mineral leasing laws; or

(3) known to be valuable for minerals subject to disposition under the mineral leasing laws;

shall be effective to the same extent as if such mining claim had been located on lands which were at the time of such location subject to location under the mining laws of the United States: *Provided, however,* That in order to obtain the benefits of this Act, the owner of any such mining claim shall, not later than one hundred and twenty days after the date of enactment of this Act, post on such claim in the manner required for posting notice of location of mining claims and file for record in the office where the notice or certificate of location of such claim is of record an amended notice of location of such claim, stating that such notice is filed pursuant to the provisions of this Act and for the purpose of obtaining the benefits thereof.

(b) Labor performed or improvements made upon or for the benefit of such mining claims after the original location thereof shall be recognized as applicable thereto for all purposes to the same extent as labor performed and improvements made upon or for the benefit of mining claims which are not affected by this Act.

(c) Any withdrawal or reservation made after the original location of such mining claim affecting land covered by such mining claim is hereby modified and amended so that the effect thereof upon such mining claim shall be the same as if such mining claim had been located upon lands of the United States, which, subsequent to July 31, 1939, and prior to the date of such withdrawal, were subject to location under the mining laws of the United States.

SEC. 2. Any mining claim given force and effect as provided in section 1 of this Act shall be subject to the reservation to the United States of all minerals which, upon the effective date of this Act, are provided in the mineral leasing laws to be disposed of thereunder, and the right of the United States, its lessees, permittees, and licensees, to enter upon the land covered by such mining claim to prospect for, mine, treat, store, and remove such minerals, and to use so much of the surface and subsurface of such mining claim as may be necessary for such purposes, and to enter upon such land whenever reasonably necessary for the purpose of prospecting for, mining, treating, storing, and removing such minerals on and from other lands of the United States; and any patent issued for any such mining claim shall contain such reservation.

SEC. 3. The rights under any mining claim given force and effect by this Act shall also be subject to the reservation to the United States specified in section 5 (b) (7) of the Atomic Energy Act of 1946, as amended, and, in addition, any reservation or reservations required by any other provision or provisions of law; and any patent issued for such mining claim shall contain such reservations.

60 Stat. 762.
42 USC 1805.

SEC. 4. Except as this Act provides for (a) validation of certain mining claims located on lands described in section 1 of this Act, and (b) the modification and amendment of certain withdrawals or reservations of land, nothing in this Act shall affect any power or authority duly vested in the Atomic Energy Commission or any other agency, department or officer of the United States to make leases, withdrawals, reservations or other arrangements with respect to source materials as defined in section 5 (b) (1) of the Atomic Energy Act of 1946, as amended.

48 USC 432-452.
30 USC 22-263
passim, 271-276,
281-284.

SEC. 5. 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.

Approved August 12, 1953.

Public Law 251

CHAPTER 406

AN ACT

August 12, 1953
[H. R. 5328]

To provide for the use of the tribal funds of the Ute Mountain Tribe of the Ute Mountain Reservation, to authorize a per capita payment out of such funds, and for other purposes.

Ute Mountain
Tribe.

Per capita pay-
ment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of existing laws, the tribal funds now on deposit or hereafter deposited in the United States Treasury to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, may be expended or advanced for such purposes and in a manner, including per capita payments, the purchase of land or any interests therein or improvements thereon and water rights, as may be designated by the Ute Mountain Tribal Council and approved by the Secretary of the Interior: *Provided,* That the purchase of taxable lands under this authority shall not operate to remove such lands from the tax rolls: *Provided further,* That neither the transfer to the tribe of tribal funds, nor the distribution thereof to individual members of the tribe, as provided herein, from those funds consisting of compensation for lands acquired by the United States Government, shall be subject to Federal tax: *And provided further,* That any funds advanced for loans by the tribe to individual Indians or associations of Indians shall be subject to regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C., sec. 470).

48 Stat. 986.
Restriction.

SEC. 2. No part of the funds authorized to be expended or advanced pursuant to section 1 shall be paid or disbursed to or received by any agent or attorney on account of any contract for services rendered or to be rendered or expenses in the preparation of any suit against the United States.

Approved August 12, 1953.