tion, the approval of which will, under section 156 of this title, require an Act of Congress, shall specify—

(1) the name of the requesting agency and intended using agency;

(2) location of the area involved, to include a detailed description of the exterior boundaries and excepted areas, if any, within such proposed withdrawal, reservation, or restriction;

(3) gross land and water acreage within the exterior boundaries of the requested withdrawal, reservation, or restriction, and net public land, water, or public land and water acreage covered by the application;

(4) the purpose or purposes for which the area is proposed to be withdrawn, reserved, or restricted, or if the purpose or purposes are classified for national security reasons, a statement to that effect;

(5) whether the proposed use will result in contamination of any or all of the requested withdrawal, reservation, or restriction area, and if so, whether such contamination will be permanent or temporary;

(6) the period during which the proposed withdrawal, reservation, or restriction will continue in effect;

(7) whether, and if so to what extent, the proposed use will affect continuing full operation of the public land laws and Federal regulations relating to conservation, utilization, and development of mineral resources, timber and other material resources, grazing resources, fish and wildlife resources, water resources, and scenic, wilderness, and recreation and other values; and

(8) if effecting the purpose for which the area is proposed to be withdrawn, reserved, or restricted, will involve the use of water in any State, whether, subject to existing rights under law, the intended using agency has acquired, or proposes to acquire, rights to the use thereof in conformity with State laws and procedures relating to the control, appropriation, use, and distribution of water.

(Pub. L. 85–337, § 3, Feb. 28, 1958, 72 Stat. 28.)

§ 158. Mineral resources on withdrawn lands; disposition and exploration

All withdrawals or reservations of public lands for the use of any agency of the Department of Defense, except lands withdrawn or reserved specifically as naval petroleum, naval oil shale, or naval coal reserves, heretofore or hereafter made by the United States, shall be deemed to be subject to the condition that all minerals, including oil and gas, in the lands so withdrawn or reserved are under the jurisdiction of the Secretary of the Interior and there shall be no disposition of, or exploration for, any minerals in such lands except under the applicable public land mining and mineral leasing laws: *Provided*, That no disposition of, or exploration for, any minerals in such lands shall be made where the Secretary of Defense, after consultation with the Secretary of the Interior, determines that such disposition or exploration is inconsistent with the military use of the lands so withdrawn or reserved.

(Pub. L. 85–337, § 6, Feb. 28, 1958, 72 Stat. 30.)

REFERENCES IN TEXT

The mining laws and the mineral leasing laws, referred to in text, are classified generally to Title 30, Mineral Lands and Mining.

CHAPTER 7—HOMESTEADS

SUBCHAPTER I—GENERAL PROVISIONS

Sec.
161 to 176. Repealed or Transferred.
177. Patents for lands in New Mexico held under color of title.
178. Patents for lands in New Mexico; lands contiguous to Spanish or Mexican land grants.
179, 180. Repealed.

SUBCHAPTER II—RIGHT OF PARTICULAR PERSONS TO MAKE ENTRY

181 to 191. Repealed.

SUBCHAPTER III—LANDS SUBJECT TO ENTRY

201 to 208. Repealed.
209. Extension of public-land laws to certain lands in Oklahoma.
210. Recognition of equitable claims on certain lands in Oklahoma; validation of homestead entries.

SUBCHAPTER IV—LIMITATION AS TO AMOUNT AND ADDITIONAL AND ENLARGED ENTRIES

211 to 224. Repealed.

SUBCHAPTER V—LEAVES OF ABSENCE AND EXCUSES FOR NONRESIDENCE OR NONCULTIVATION

231 to 243a. Repealed.

SUBCHAPTER VI—FINAL PROOF GENERALLY

251 to 256b. Repealed.

SUBCHAPTER VII—PAYMENTS AND REFUNDS

261 to 263. Repealed.

SUBCHAPTER VIII—ALASKA HOMESTEADS

270 to 270–11. Repealed.
270–12. Disposal by United States of coal, oil, or gas deposits reserved to United States; entry, reentry, etc., on lands for prospecting, mining, and removal.
270–13 to 270–17. Repealed.

SUBCHAPTER IX—SOLDIERS' AND SAILORS' HOMESTEAD

271 to 284. Repealed.

SUBCHAPTER X—STOCK-RAISING HOMESTEAD

291 to 298. Repealed.
299. Reservation of coal and mineral rights.
300. Repealed.
301. Rules and regulations.
302. Repealed.

SUBCHAPTER I—GENERAL PROVISIONS

§§ 161 to 164. Repealed. Pub. L. 94–579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787

Section 161, R.S. § 2289; Mar. 3, 1891, ch. 561, § 5, 26 Stat. 1097, related to entry of unappropriated public lands.

Section 162, R.S. § 2290; Mar. 3, 1891, ch. 561, § 5, 26 Stat. 1097; Oct. 28, 1921, ch. 114, § 1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to application for entry on public lands, and contents for affidavit for application.

Section 163, R.S. § 2295; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to

record of application, registration, and return to Bureau of Land Management.

Section 164, R.S. § 2291; June 6, 1912, ch. 153, 37 Stat. 123, related to issuance, etc., of certificate or patent for entered lands.

EFFECTIVE DATE OF REPEAL

Section 702 of Pub. L. 94–579 provided that the repeal made by that section is effective on and after Oct. 21, 1976, except such effective date to be on and after tenth anniversary of date of approval of this Act, Oct. 21, 1976, insofar as homestead laws apply to public lands in Alaska.

SAVINGS PROVISION

Repeal by Pub. L. 94–579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94–579, set out as a note under section 1701 of this title.

§ 165. Transferred

CODIFICATION

Section, act Mar. 3, 1891, ch. 561, § 7, 26 Stat. 1098, which related to suspension of entries for correction of clerical errors, was transferred to section 1165 of this title.

§§ 166 to 175. Repealed. Pub. L. 94–579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787

Section 166, acts May 14, 1880, ch. 89, § 3, 21 Stat. 141; June 6, 1900, ch. 821, 31 Stat. 683; Aug. 9, 1912, ch. 280, 37 Stat. 267, related to time for settlers to file application and for perfection of entry, marriage of entrywoman, and preferential right of entry.

Section 167, acts Apr. 6, 1914, ch. 51, 38 Stat. 312; Mar. 1, 1921, ch. 90, 41 Stat. 1193, related to marriage of entryman to entrywoman.

Section 168, act Oct. 17, 1914, ch. 325, 38 Stat. 740, related to marriage of entrywoman to alien.

Section 169, R.S. § 2297; Mar. 3, 1881, ch. 153, 21 Stat. 511; June 6, 1912, ch. 153, 37 Stat. 124; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to failure to establish residence and reversion of entered lands to Federal Government.

Section 170, act Oct. 22, 1914, ch. 335, 38 Stat. 766, related to rights of wife on abandonment by husband.

Section 171, R.S. § 2292, related to rights inuring to infant children on death of both mother and father.

Section 172, act June 8, 1880, ch. 136, 21 Stat. 166; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to effect of insanity of settlers upon claims.

Section 173, R.S. § 2301; Mar. 3, 1891, ch. 561, § 6, 26 Stat. 1098; June 3, 1896, ch. 312, § 2, 29 Stat. 197, related to commutations of entries after 14 months from date of settlement.

Section 174, R.S. § 2288; Mar. 3, 1891, ch. 561, §§ 3, 4, 26 Stat. 1097; Mar. 3, 1905, ch. 1424, 33 Stat. 991, related to right to transfer claims.

Section 175, R.S. § 2296; Apr. 28, 1922, ch. 155, 42 Stat. 502, related to exemption from execution of homestead land.

EFFECTIVE DATE OF REPEAL

Section 702 of Pub. L. 94–579 provided that the repeal made by that section is effective on and after Oct. 21, 1976, except such effective date to be on and after tenth anniversary of date of approval of this Act, Oct. 21, 1976, insofar as homestead laws apply to public lands in Alaska.

SAVINGS PROVISION

Repeal by Pub. L. 94–579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94–579, set out as a note under section 1701 of this title.

§ 176. Repealed. Pub. L. 94–579, title VII, § 705(a), Oct. 21, 1976, 90 Stat. 2792

Section, act Mar. 2, 1895, ch. 174, §§ 1–3, 28 Stat. 744, provided for appointment of court commissioners for certain Territories.

EFFECTIVE DATE OF REPEAL

Section 705(a) of Pub. L. 94–579 provided that the repeal made by that section is effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Repeal by Pub. L. 94–579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94–579, set out as a note under section 1701 of this title.

§ 177. Patents for lands in New Mexico held under color of title

Whenever it shall be shown to the satisfaction of the Secretary of the Interior that a tract or tracts of public land, not known to be mineral, in the State of New Mexico, not exceeding in the aggregate one hundred and sixty acres, has or have been held in good faith and in peaceful, adverse possession by a citizen of the United States, his ancestors or grantors, for more than twenty years under claim or color of title, and that valuable improvements have been placed on such land, or some part thereof has been reduced to cultivation, the Secretary may, in his discretion, upon the payment of $1.25 per acre, cause a patent or patents to issue for such land to any such citizen: *Provided*, That where the area or areas so held by any such citizen is in excess of one hundred and sixty acres the Secretary may determine what particular subdivisions, not exceeding one hundred and sixty acres in the aggregate, to any such citizen may be patented under this section: *Provided further*, That the term ''citizen'' as used in this section shall be held to include a corporation organized under the laws of the United States or any State or Territory thereof.

(June 8, 1926, ch. 501, 44 Stat. 709.)

§ 178. Patents for lands in New Mexico; lands contiguous to Spanish or Mexican land grants

Whenever it shall be shown to the satisfaction of the Secretary of the Interior that a tract or tracts of public land, contiguous to a Spanish or Mexican land grant, in the State of New Mexico, not exceeding in the aggregate one hundred and sixty acres, has or have been held in good faith and in peaceful, adverse possession by a citizen of the United States, his ancestors or grantors, for more than twenty years under claim or color of title, and that valuable improvements have been placed on such land, or some part thereof has been reduced to cultivation, the Secretary may, in his discretion, upon the payment of $1.25 per acre, cause a patent or patents to issue for such land to any such citizens: *Provided*, That where the area or areas so held by any such citizen is in excess of one hundred and sixty acres the Secretary may determine what particular subdivisions, not exceeding one hundred and sixty acres in the aggregate, to any such citizen may be patented hereunder: *Provided further*,