

**CHAPTER 39—MINING ACTIVITY WITHIN  
NATIONAL PARK SYSTEM AREAS**

Sec.	
1901.	Congressional findings and declaration of policy.
1902.	Preservation and management of areas by Secretary of the Interior; promulgation of regulations.
1903 to 1906.	Omitted.
1907.	Recordation of mining claims; publication of notice.
1908.	Damage to natural and historical landmarks; procedures for determination and enforcement of abatement of damaging activities.
1909.	Severability.
1910.	Civil actions for just compensation by mining claim holders.
1911.	Acquisition of land by Secretary.
1912.	Financial disclosure by officer or employee of Secretary.
	(a) Filing and availability of written statements; contents.
	(b) Enforcement procedures.
	(c) Exemptions.
	(d) Violation; penalty.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 410aaa-48, 410aaa-59 of this title.

**§ 1901. Congressional findings and declaration of policy**

The Congress finds and declares that—

(a) the level of technology of mineral exploration and development has changed radically in recent years and continued application of the mining laws of the United States to those areas of the National Park System to which it applies, conflicts with the purposes for which they were established; and

(b) all mining operations in areas of the National Park System should be conducted so as to prevent or minimize damage to the environment and other resource values, and, in certain areas of the National Park System, surface disturbance from mineral development should be temporarily halted while Congress determines whether or not to acquire any valid mineral rights which may exist in such areas.

(Pub. L. 94-429, §1, Sept. 28, 1976, 90 Stat. 1342.)

SHORT TITLE

Pub. L. 94-429, which enacted this chapter, amended sections 123 and 450y-2 of this title, and repealed sections 350, 350a, 447, and 450z of this title, is popularly known as the "Mining in the Parks Act".

CROSS REFERENCES

Coal land, entry of unappropriated or unreserved Federal coal lands, see section 71 of Title 30, Mineral Lands and Mining.

Exploration program for the discovery of minerals, financial assistance, see section 641 of Title 30.

Leases and Prospecting Permits—

Lands subject to disposition, see section 181 of Title 30.

Oil and gas lands, see section 226 of Title 30.

Oil shale lands, see section 241 of Title 30.

Phosphate lands, see section 211 of Title 30.

Potash lands, see section 281 of Title 30.

Sodium lands, see section 261 of Title 30.

Sulphur lands, see section 271 of Title 30.

Mineral Lands and Regulations—

Lands open to purchase by citizens, see section 22 of Title 30.

Locators' rights of possession and enjoyment, see section 26 of Title 30.

Mineral lands reserved, see section 21 of Title 30.

**§ 1902. Preservation and management of areas by Secretary of the Interior; promulgation of regulations**

In order to preserve for the benefit of present and future generations the pristine beauty of areas of the National Park System, and to further the purposes of sections 1, and 2 to 4 of this title, as amended, and the individual organic Acts for the various areas of the National Park System, all activities resulting from the exercise of valid existing mineral rights on patented or unpatented mining claims within any area of the National Park System shall be subject to such regulations prescribed by the Secretary of the Interior as he deems necessary or desirable for the preservation and management of those areas.

(Pub. L. 94-429, §2, Sept. 28, 1976, 90 Stat. 1342.)

CROSS REFERENCES

Disposal of materials on public lands, surface resources, see section 601 of Title 30, Mineral Lands and Mining.

Division of coal lands into leasing tracts, see section 201 of Title 30.

Leases and Prospecting Permits—

Lands subject to disposition, see section 181 of Title 30.

Oil and gas lands, see section 226 of Title 30.

Oil shale lands, see section 241 of Title 30.

Phosphate lands, see section 211 of Title 30.

Potash lands, see section 281 of Title 30.

Sodium lands, see section 261 of Title 30.

Sulphur lands, see section 271 of Title 30.

Mineral Lands and Regulations—

Assignment or subletting of leases, see section 187 of Title 30.

Cancellation of prospecting permits, see section 183 of Title 30.

Limitations on leases held, owned or controlled by persons, associations, or corporations, see section 184 of Title 30.

Prescription of rules and regulations, see section 189 of Title 30.

Reservation of easements or rights-of-way for working purposes, see section 186 of Title 30.

Rights-of-way for pipelines, see section 185 of Title 30.

**§§ 1903 to 1906. Omitted**

CODIFICATION

Section 1903, Pub. L. 94-429, §4, Sept. 28, 1976, 90 Stat. 1343, provided for a 4-year cessation of certain mining operations within the boundaries of Death Valley National Monument, Mount McKinley National Park, and Organ Pipe Cactus National Monument, subject to exceptions.

Section 1904, Pub. L. 94-429, §5, Sept. 28, 1976, 90 Stat. 1343, provided for inapplicability of requirements for annual expenditures on mining claims to mining operations during the 4-year period under section 1903.

Section 1905, Pub. L. 94-429, §6, Sept. 28, 1976, 90 Stat. 1343, provided that within 2 years the Secretary of the Interior determine the validity of unpatented mining claims within Glacier Bay National Monument, Death Valley and Organ Pipe Cactus National Monuments and Mount McKinley National Park, submit to Congress recommendations for acquisition of valid claims, and study and submit to Congress recommendations for