

- Special nuclear material, see section 2071 et seq. of Title 42.
- Bureau of Labor Statistics—  
Collection, collation, report, and publication of employment statistics in mining, quarrying, and crude petroleum production industries, see section 2 of Title 29, Labor.  
Studies of productivity and labor costs in mining industry, see section 2b of Title 29.
- Bureau of Land Management specifications for descriptions of tracts of land for use in executive orders and proclamations, see Ex. Ord. No. 11030, set out as a note under section 1505 of Title 44, Public Printing and Documents.
- Censuses of mineral industries; collection and publication, five-year periods, see section 131 of Title 13, Census.
- Coal cars, distribution by railroad carriers; penalties for failure to prorate, see sections 11126 and 11901 of Title 49, Transportation.
- College-aid land grants, mineral lands exclusion, see section 301 of Title 7, Agriculture.
- Connally Hot Oil Act, see section 715 et seq. of Title 15, Commerce and Trade.
- Helium gas, see section 167 et seq. of Title 50, War and National Defense.
- Indian lands—  
Conveyance of school properties to local school districts or public agencies, reservation of mineral deposits, see section 293a of Title 25, Indians.  
Subsurface storage of oil or gas, see section 396g of Title 25.
- Indian lands, leases—  
Allotted lands for mining purposes, see section 396 of Title 25.  
Excepted lands, see section 396f of Title 25.  
Mining leases, see section 397 of Title 25.  
Mining leases of lands reserved for agency or school, see section 400a of Title 25.  
Officials authorized to approve leases, see section 396e of Title 25.  
Oil and gas leases, public auction: requirements, see section 396b of Title 25.  
Restricted lands, lessees of: performance bond required, see section 396c of Title 25.  
Rules and regulations governing operations; limitations on oil or gas leases, see section 396d of Title 25.  
Unallotted lands for mining purposes, see section 396a of Title 25.  
Unallotted lands for oil and gas mining purposes, see section 398 of Title 25.  
Unallotted lands for oil and gas mining purposes within Executive order Indian reservations, see section 398a et seq. of Title 25.  
Unallotted mineral lands withdrawn from entry under mining laws, see section 399 of Title 25.
- Military service, utilization of mines, see section 468 of Title 50, Appendix, War and National Defense.
- National forests, monuments, and parks: mineral lands, deposits, and mining, see generally Title 16, Conservation.
- National Museum collections of rocks, minerals, soils, fossils, and other objects of natural history, archaeology, and ethnology, see section 59 of Title 20, Education.
- Natural Gas Act, see section 717 et seq. of Title 15, Commerce and Trade.
- Natural gas pipelines and pipeline facilities safety standards, see section 60101 et seq. of Title 49, Transportation.
- Offenses—  
Clearing public lands to work mining claim, see section 1852 of Title 18, Crimes and Criminal Procedure.  
Coal depredations, public lands, see section 1851 of Title 18.  
Espionage, see section 793 of Title 18.  
Sabotage, see section 2151 et seq. of Title 18.  
Petroleum and petroleum products—  
Interstate transportation, see section 715 et seq. of Title 15, Commerce and Trade.  
Naval petroleum reserves, see section 7421 et seq. of Title 10, Armed Forces.  
Public utility holding companies, see section 79 et seq. of Title 15, Commerce and Trade.  
Small Tract Act, see sections 682a to 682e of Title 43, Public Lands.  
Soil area surveys by Secretary of Agriculture, printing of reports, see section 1342 of Title 44, Public Printing and Documents.  
Soldiers' and Sailors' Civil Relief Act of 1940—  
Mineral permits and leases, suspension of operations and term of permits and leases, see section 566 of to Title 50, Appendix, War and National Defense.  
Mining claims, requirements suspended, see section 565 of Title 50, Appendix.  
Nonforfeiture of rights to public lands under mining and mineral leasing laws, see section 561 of Title 50, Appendix.  
Public land rights of persons under 21 under mining and mineral leasing laws, see section 571 of Title 50, Appendix.  
Strategic and Critical Materials Stock Piling Act, see section 98 et seq. of Title 50.  
Submerged lands mineral rights generally, see section 1301 et seq. of Title 43, Public Lands.  
Taxation, natural resources—  
Deductions, gross income, see section 611 et seq. of Title 26, Internal Revenue Code.  
Sales and exchanges, see section 631 of Title 26.  
Helium gas, production of, see section 167 et seq. of Title 50, War and National Defense.  
United States Geological Survey, printing of mineral resources reports, see section 1318 of Title 44, Public Printing and Documents.

### § 1. United States Bureau of Mines; establishment; director; experts and other employees

There is hereby established in the Department of the Interior a bureau of mining, metallurgy, and mineral technology, to be designated the United States Bureau of Mines, and there shall be a director of said bureau, who shall be thoroughly equipped for the duties of said office by technical education and experience and who shall be appointed by the President, by and with the advice and consent of the Senate; and there shall also be in the said bureau such experts and other employees, to be appointed by the Secretary of the Interior, as may be required to carry out the purposes of sections 1, 3, and 5 to 7 of this title in accordance with the appropriations made from time to time by Congress for such purposes.

(May 16, 1910, ch. 240, § 1, 36 Stat. 369; Feb. 25, 1913, ch. 72, § 1, 37 Stat. 681; Ex. Ord. No. 4239, June 4, 1925; Ex. Ord. No. 6611, Feb. 22, 1934; May 18, 1992, Pub. L. 102-285, § 10(b), 106 Stat. 172.)

#### CHANGE OF NAME

“United States Bureau of Mines” substituted in text for “Bureau of Mines” pursuant to section 10(b) of Pub. L. 102-285, set out below.

Section 10(b) of Pub. L. 102-285 provided that: “The Bureau of Mines established by the Act of May 16, 1910 (30 U.S.C. 1), is designated as and shall hereafter [on and after May 18, 1992] be known as the United States Bureau of Mines.”

#### TRANSFER OF FUNCTIONS

Pub. L. 104-134, title I, § 101(c) [title I], Apr. 26, 1996, 110 Stat. 1321-156, 1321-167; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327, provided in part: “That there hereby are transferred to, and vested

in, the Secretary of Energy: (1) the functions pertaining to the promotion of health and safety in mines and the mineral industry through research vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines at its Pittsburgh Research Center in Pennsylvania, and at its Spokane Research Center in Washington; (2) the functions pertaining to the conduct of inquiries, technological investigations and research concerning the extraction, processing, use and disposal of mineral substances vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines under the minerals and materials science programs at its Pittsburgh Research Center in Pennsylvania, and at its Albany Research Center in Oregon; and (3) the functions pertaining to mineral reclamation industries and the development of methods for the disposal, control, prevention, and reclamation of mineral waste products vested by law in the Secretary of the Interior or the United States Bureau of Mines and performed in fiscal year 1995 by the United States Bureau of Mines at its Pittsburgh Research Center in Pennsylvania: *Provided further*, That, if any of the same functions were performed in fiscal year 1995 at locations other than those listed above, such functions shall not be transferred to the Secretary of Energy from those other locations: *Provided further*, That the Director of the Office of Management and Budget, in consultation with the Secretary of Energy and the Secretary of the Interior, is authorized to make such determinations as may be necessary with regard to the transfer of functions which relate to or are used by the Department of the Interior, or component thereof affected by this transfer of functions, and to make such dispositions of personnel, facilities, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to or to be made available in connection with, the functions transferred herein as are deemed necessary to accomplish the purposes of this transfer: *Provided further*, That all reductions in personnel complements resulting from the provisions of this Act [probably means Pub. L. 104-134, title I, §101(c), Apr. 26, 1996, 110 Stat. 1321-156; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, known as the Department of the Interior and Related Agencies Appropriations Act, 1996, see Tables for classification] shall, as to the functions transferred to the Secretary of Energy, be done by the Secretary of the Interior as though these transfers had not taken place but had been required of the Department of the Interior by all other provisions of this Act before the transfers of function became effective: *Provided further*, That the transfers of function to the Secretary of Energy shall become effective on the date specified by the Director of the Office of Management and Budget, but in no event later than 90 days after enactment into law of this Act [Apr. 26, 1996]: *Provided further*, That the reference to 'function' includes, but is not limited to, any duty, obligation, power, authority, responsibility, right, privilege, and activity, or the plural thereof, as the case may be."

[Pub. L. 104-208, div. A, title I, §101(e) [title II], Sept. 30, 1996, 110 Stat. 3009-233, 3009-244, provided in part: "That the functions described in clause (1) of the first proviso under the subheading 'mines and minerals' under the heading 'Bureau of Mines' in the text of title I of the Department of the Interior and Related Agencies Appropriations Act, 1996, as enacted by section 101(c) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134) [set out above], are hereby transferred to, and vested in, the Secretary of Health and Human Services, subject to section 1531 of title 31, United States Code".]

Functions vested in, or delegated to, Secretary of Energy and Department of Energy under or with respect to sections 1, 3, and 5 to 7 of this title and other authorities relating to certain fossil energy research and

development transferred to, and vested in, Secretary of the Interior, by section 100 of Pub. L. 97-257, 96 Stat. 841, set out as a note under section 7152 of Title 42, The Public Health and Welfare.

Functions of Secretary of the Interior, Department of the Interior, and officers and components of Department of the Interior under sections 1, 3, and 5 to 7 of this title and other authorities exercised by Bureau of Mines relating to fuel supply and demand analysis and data gathering, research and development relating to increased efficiency of production technology of solid fuel minerals other than research relating to mine health and safety and research relating to the environmental and leasing consequences of solid fuel mining, and coal preparation and analysis transferred to, and vested in, Secretary of Energy as part of the creation of Department of Energy by Pub. L. 95-91, Aug. 4, 1977, 91 Stat. 565. See section 7152(d) of Title 42.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

Bureau of Mines originally created in Department of the Interior. Bureau transferred to Department of Commerce by Ex. Ord. No. 4239, but transferred back to Department of the Interior by Ex. Ord. No. 6611.

#### CROSS REFERENCES

Publications of United States Bureau of Mines, see section 1327 of Title 44, Public Printing and Documents.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3, 5, 6, 7, 8 of this title; title 42 sections 5821, 7152.

### **§ 1a. Transfer of activities, employees, records, etc., from Bureau of Foreign and Domestic Commerce to the United States Bureau of Mines**

There is hereby transferred from the Department of Commerce, Bureau of Foreign and Domestic Commerce, to the Department of the Interior, United States Bureau of Mines, all those activities of the Minerals Division of the Bureau of Foreign and Domestic Commerce concerned with economic and statistical analyses of mineral commodities, domestic and foreign, together with all employees, records, files, equipment, publications, and funds pertaining thereto, effective immediately.

(May 9, 1935, ch. 101, §1, 49 Stat. 205; May 18, 1992, Pub. L. 102-285, §10(b), 106 Stat. 172.)

#### CHANGE OF NAME

"United States Bureau of Mines" substituted in text for "Bureau of Mines" pursuant to section 10(b) of Pub. L. 102-285, set out as a note under section 1 of this title.

#### TRANSFER OF FUNCTIONS

See note set out under section 1 of this title.

### **§ 2. Performance of duties in absence of director**

On and after July 1, 1916, in the absence of the Director of the United States Bureau of Mines the assistant director of said bureau shall perform the duties of the director during the latter's absence, and in the absence of the Director and of the Assistant Director of the United States Bureau of Mines the Secretary of the Interior may designate some officer of said bureau to perform the duties of the director during his absence.