

cal force is absolutely required to keep up the current public business, which clerical force shall be paid out of the surplus fees authorized to be charged by section 84¹ of this title, if any, and if no surplus exists, then out of the appropriation for incidental expenses of district land offices; but no clerk shall be so paid unless his employment has been first sanctioned by the Secretary of the Interior.

(R.S. § 2255; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

REFERENCES IN TEXT

Section 84 of this title, referred to in text, was repealed by Pub. L. 86-649, title II, § 202(b), July 14, 1960, 74 Stat. 507. See section 1734 of this title.

CODIFICATION

R.S. § 2255 derived from act Feb. 18, 1861, ch. 38, § 2, 12 Stat. 131.

TRANSFER OF FUNCTIONS

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 under section 1451 of this title.

Words "by the register" following "to approve the employment" omitted on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

§ 130. Entry of public lands in States where no land offices exist

Public lands situated in States in which there are no land offices may be entered at the Bureau of Land Management, subject to the provisions of law touching the entry of public lands; and the necessary proofs and affidavits required in such cases may be made before some officer competent to administer oaths, whose official character shall be duly certified by the clerk of a court of record. And moneys received by the Secretary of the Interior, or such officer as he may designate, for lands entered by cash entry shall be covered into the Treasury.

(Mar. 3, 1877, ch. 102, § 1, 19 Stat. 315; June 19, 1878, ch. 329, § 1, 20 Stat. 201; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

TRANSFER OF FUNCTIONS

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 under section 1451 of this title.

"Bureau of Land Management" substituted for "General Land Office" and "Secretary of the Interior, or such officer as he may designate," substituted for "Commissioner of the General Land Office" on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

CHAPTER 6—WITHDRAWAL FROM SETTLEMENT, LOCATION, SALE, OR ENTRY

Sec.
141. Repealed.

¹ See References in Text note below.

Sec.
142. Rights of occupants or claimants of oil- or gas-bearing lands; exceptions to withdrawals.
143. Repealed.
144. Entries on land withdrawn as valuable for oil or gas validated.
145. Sale of lands withdrawn.
146. Patents to purchasers of lands withdrawn.
147. Disposition of proceeds of sale of withdrawn lands.
148. Repealed.
149. Exchange of private lands included in Indian reservation for other lands.
150. Withdrawals of land for Indian reservations prohibited.
151. Opening of lands restored to entry after withdrawals.
152. Restoration of lands previously withdrawn.
153. Reservation of lands in North Dakota.
154. Vacation of withdrawals under reclamation law; lands valuable for minerals; reservation of rights, ways, and easements; rules and regulations.
155. Withdrawal, reservation, or restriction of public lands for defense purposes; "public lands" defined; exception.
156. Approval by Congress necessary for withdrawal, reservation, or restriction of over 5,000 acres for any Department of Defense project or facility.
157. Application for withdrawal, reservation, or restriction; specifications.
158. Mineral resources on withdrawn lands; disposition and exploration.

§ 141. Repealed. Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792

Section, act June 25, 1910, ch. 421, § 1, 36 Stat. 847, authorized the withdrawal and reservation of lands for water-power sites and other purposes.

EFFECTIVE DATE OF REPEAL

Section 704(a) of Pub. L. 94-579 provided that this section is repealed 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.

EX. ORD. NO. 10355. DELEGATION OF AUTHORITY

Ex. Ord. No. 10355, eff. May 26, 1952, 17 F.R. 4831, as amended by Pub. L. 101-509, title V, § 529 [title I, § 112(c)], Nov. 5, 1990, 104 Stat. 1427, 1454, provided:

SECTION 1. (a) Subject to the provisions of subsections (b), (c), and (d) of this section, I hereby delegate to the Secretary of the Interior the authority vested in the President by section 1 of the act of June 25, 1910, ch. 421, 36 Stat. 847 [this section], and the authority otherwise vested in him to withdraw or reserve lands of the public domain and other lands owned or controlled by the United States in the continental United States or Alaska for public purposes, including the authority to modify or revoke withdrawals and reservations of such lands heretofore or hereafter made.

(b) All orders issued by the Secretary of the Interior under the authority of this order shall be designated as public land orders and shall be submitted to the Division of the Federal Register, General Services Administration, for filing and for publication in the FEDERAL REGISTER.

(c) No order affecting land under the administrative jurisdiction of any executive department or agency of the Government other than the Department of the Interior shall be issued by the Secretary of the Interior under the authority of this order without the prior ap-