

Order No. 3163, Amendment No. 2 ***Amended material italicized***

SIGNATURE DATE: December 23, 1994

Subject: Delegations -- Patenting of Mining Claims

Sec. 1 **Purpose.** The purpose of this Order is to revoke existing delegations allowing subordinate officials within the Department of the Interior to issue first half final certificates and patents under the authority of the Mining Law of 1872, as amended. This action is being taken to enable the Secretary to assume the review and issuance of such documents and instruments during the ***time period of the patent moratorium which was put into place by the Interior and Related Agencies Appropriations Act of 1994 (for Fiscal Year 1995).*** ***This time period will be used to examine patenting procedures and to determine whether any changes are warranted before reinstating any delegations of this authority.***

Sec. 2 **Authority.** This Order is issued under the authority of Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262).

Sec. 3 **Delegations.**

A. The authority under the Mining Law of 1872, as amended, to issue first half final certificates and patents, insofar as it is encompassed by the following general delegations of authority, is withdrawn:

(1) 209 DM 7.1 - General delegation of the Secretary's authority to the Assistant Secretary - Land and Minerals Management;

(2) 235 DM 1.1 - General program delegation of the Secretary's authority with respect to the management of the public domain and acquired lands to the Director, Bureau of Land Management; and,

(3) BLM Manual 1203.3, Appendix 1, Function 1862
General delegation to the State Directors of all functions relating to the preparation and issuance of patents.

B. Except as specifically provided above, nothing in this Order shall affect the existing authority of subordinate officials within the Department of the Interior to receive and process patent applications and related documents under the Mining Law of 1872, as amended.

Sec. 4 **Conversion to the Departmental Manual.** Conversion to the Departmental Manual shall take place on or before ***December 31, 1995.***

Sec. 5 **Effective Date.** This Order is effective immediately. It will remain in effect until its provisions are converted to the Departmental Manual, or until it is amended, revoked or superseded, whichever occurs first.

/s/ Bruce Babbitt
Secretary of the Interior

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Replaces SO#3163A1 12/16/93

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