

Order No. 3163, Amendment No. 3 ***Amended material italicized***

SIGNATURE DATE: December 18, 1995

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 ***continue the examination of the patent procedures and to review and issue documents and instruments which are sheltered from the operation of the moratorium Congress originally placed on the issuance of such documents and instruments by sections 112 and 113 of the Interior and Related Agencies Appropriations Act of 1994 (for Fiscal Year 1995) and continued by subsequent legislation. Because Congress has taken such a strong and direct interest in this aspect of Mining Law administration, review by the Secretary is appropriate.***

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half final certificates and patents, insofar as it is encompassed by the following general delegations of authority, is withdrawn: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, 1996.***

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Departmental Manual, or until it is amended, revoked or superseded, whichever occurs first.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#3163A2 12/23/94

Replaces SO#3163A1 12/16/93

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