

controlled substances on Bureau of Land Management public lands, from amounts appropriated there are made available to the Secretary of the Interior, in addition to sums made available under other authority of law, \$1,500,000 for fiscal year 1989, and for each fiscal year thereafter, to be used for the employment and training of additional and existing personnel, for equipment and facilities to be used by such personnel, and for expenses related to such employment, training, equipment, and facilities."

**§ 3. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, 636**

Section, acts July 11, 1890, ch. 667, § 1, 26 Stat. 257; June 17, 1910, ch. 297, 36 Stat. 512, provided for the office of an assistant commissioner of the General Land Office, which was subsequently abolished by Reorg. Plan No. 3 of 1946, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100. That Plan provided for a Bureau of Land Management, including an Associate Director and as many Assistant Directors as the Secretary of the Interior may find necessary. See note set out under section 1 of this title.

**§ 3a. Omitted**

CODIFICATION

Section, act June 5, 1942, ch. 336, § 1, 56 Stat. 312, provided for assistant or deputy commissioners of the General Land Office and Bureau of Indian Affairs. Insofar as it related to the General Land Office it was superseded by Reorg. Plan No. 3 of 1946, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, set out as a note under section 1 of this title. Provisions unaffected by the Plan relating to the Bureau of Indian Affairs are set out as section 2a of Title 25, Indians.

**§§ 4, 5. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, 641**

Section 4, act May 22, 1908, ch. 186, 35 Stat. 225, which provided for a temporary assistant commissioner of the General Land Office, was superseded by Reorg. Plan No. 3 of 1946, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, set out as a note under section 1 of this title.

Section 5, R.S. § 447, provided for a recorder of the former General Land Office.

**§ 6. Duties of employees to certify, record, etc., patents**

It shall be the duty of such officers or employees of the Bureau of Land Management as may be designated by the Secretary of the Interior, in pursuance of instructions from the Secretary of the Interior or such officer as he may designate, to certify and affix the seal of the office to all patents for public lands, and to attend to the correct engrossing, recording, and transmission of such patents. They shall prepare alphabetical indexes of the names of patentees, and of persons entitled to patents; and shall prepare such copies and exemplifications of matters on file or recorded in the Bureau of Land Management as the Secretary or such officer may from time to time direct.

(R.S. § 459; 1940 Reorg. Plan No. III, § 4, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

CODIFICATION

R.S. § 459 derived from acts Apr. 25, 1812, ch. 68, § 8, 2 Stat. 717; July 4, 1836, ch. 352, § 4, 5 Stat. 111.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with cer-

tain 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 references to the Commissioner were changed to Secretary of the Interior or such officer as he may designate on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

Office of Recorder of General Land Office abolished and functions of recorder directed to be exercised under direction and supervision of Secretary of the Interior, through such officers or employees of General Land Office as he may designate, on authority of section 4 of Reorg. Plan No. III of 1940, set out in the Appendix to Title 5, Government Organization and Employees. See also sections 8 and 9 of Reorg. Plan No. III of 1940 for provisions relating to transfer of records, property, personnel, and funds.

**§ 7. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, 641**

Section, act May 22, 1908, ch. 186, 35 Stat. 225, authorized Secretary of the Interior to designate a temporary recorder for former General Land Office in certain cases. Reorg. Plan No. III of 1940, § 4, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232, set out in the Appendix to Title 5, Government Organization and Employees, abolished office of Recorder of former General Land Office and provided that his functions should be exercised under direction and supervision of Secretary of the Interior through those officers or employees of former General Land Office as he might designate.

**§ 8. Omitted**

CODIFICATION

Section, act June 29, 1948, ch. 754, 62 Stat. 1114, provided for one clerk in the Bureau of Land Management to sign land patents, was from the Department of the Interior Appropriation Act, 1949, and was not repeated in subsequent appropriation acts.

A prior section 8, R.S. § 450; acts June 19, 1878, ch. 329, 20 Stat. 183; May 24, 1922, ch. 199, 42 Stat. 552; Jan. 24, 1923, ch. 42, 42 Stat. 1174; June 5, 1924, ch. 264, 43 Stat. 391; Mar. 3, 1925, ch. 462, 43 Stat. 1142; May 10, 1926, ch. 277, 44 Stat. 456; Jan. 12, 1927, ch. 27, 44 Stat. 937; Mar. 7, 1928, ch. 137, 45 Stat. 202; Mar. 4, 1929, ch. 705, 45 Stat. 1564; May 14, 1930, ch. 273, 46 Stat. 281; Feb. 14, 1931, ch. 187, 46 Stat. 1117; Apr. 22, 1932, ch. 125, 47 Stat. 92; Feb. 17, 1933, ch. 98, 47 Stat. 822; Mar. 2, 1934, ch. 38, 48 Stat. 364; May 9, 1935, ch. 101, 49 Stat. 180; June 22, 1936, ch. 691, 49 Stat. 1761; Aug. 9, 1937, ch. 570, 50 Stat. 568; May 9, 1938, ch. 187, 52 Stat. 295; May 10, 1939, ch. 119, 53 Stat. 691; June 18, 1940, ch. 395, 54 Stat. 411; June 28, 1941, ch. 259, 55 Stat. 309; July 2, 1942, ch. 473, 56 Stat. 511; July 12, 1943, ch. 219, 57 Stat. 455; June 28, 1944, ch. 298, 58 Stat. 468; July 3, 1945, ch. 262, 59 Stat. 322; July 1, 1946, ch. 529, 60 Stat. 352; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100; July 25, 1947, ch. 337, 61 Stat. 460, was repealed by act June 17, 1948, ch. 496, § 2(a), (d), 62 Stat. 476.

**§ 9. Repealed. June 17, 1948, ch. 496, § 2(b), 62 Stat. 476**

Section, R.S. § 451; act June 19, 1878, ch. 329, 20 Stat. 183, provided for an assistant to sign land patents. See section 15 of this title.

**§ 10. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, 645**

Section, acts May 24, 1922, ch. 199, 42 Stat. 555; Jan. 24, 1923, ch. 42, 42 Stat. 1177, related to depositary acting for commissioner as receiver of public moneys.

### § 11. Restriction on officers, clerks, and employees

The officers, clerks, and employees in the Bureau of Land Management are prohibited from directly or indirectly purchasing or becoming interested in the purchase of any of the public land; and any person who violates this section shall forthwith be removed from his office.

(R.S. § 452; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### CODIFICATION

R.S. § 452 derived from acts Apr. 25, 1812, ch. 68, § 10, 2 Stat. 717; July 4, 1836, ch. 352, § 14, 5 Stat. 112.

#### 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” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

### § 12. Seal, books, and records

The Secretary of the Interior or such officer as he may designate shall retain the charge of the seal adopted for the Bureau of Land Management which may continue to be used, and of the records, books, papers, and other property appertaining to the Bureau of Land Management.

(R.S. § 454; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### CODIFICATION

R.S. § 454 derived from act Apr. 25, 1812, ch. 68, §§ 4, 5, 2 Stat. 717.

#### 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” on authority of section 403 of Reorg. Plan No. 3 of 1946. See note set out under section 1 of this title.

### § 13. Original papers on file as evidence

Whenever the officer, as the Secretary of the Interior may designate, of any United States land office shall be served with a subpoena duces tecum or other valid legal process requiring him to produce, in any United States court or in any court of record of any State, the original application for entry of public lands or the final proof of residence and cultivation or any other original papers on file in the Bureau of Land Management of the United States on which a patent to land has been issued or which furnish the basis for such patent, it shall be the duty of such officer to at once notify the Secretary of the Interior, or such officer as he may designate, of the service of such process, specifying the particular papers he is required to produce, and upon receipt of such notice from any such officer of a United States land office the Secretary or such

officer designated by him shall at once transmit to the officer of such land office the original papers specified in such notice, and which such officer is required to produce, and to attach to such papers a certificate, under seal of his office, properly authenticating them as the original papers upon which patent was issued; and such papers so authenticated shall be received in evidence in all courts of the United States and in the several State courts of the States of the Union: *Provided*, That the Secretary of the Interior shall make rules and regulations to secure the return of such documents to the Bureau of Land Management, after use in evidence, without cost to the United States.

(Apr. 19, 1904, ch. 1398, 33 Stat. 186; 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.

References to Commissioner of General Land Office and registers of United States Land Offices changed to Secretary of the Interior or such officer as he may designate and “Bureau of Land Management” substituted for “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.

### § 14. Returns relative to lands

All returns relative to the public lands shall be made to the Secretary of the Interior or such officer as he may designate.

(R.S. § 456; July 31, 1894, ch. 174, § 7, 28 Stat. 207; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

#### CODIFICATION

R.S. § 456 derived from act Apr. 25, 1812, ch. 68, § 9, 2 Stat. 717.

#### 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.

“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.

### § 15. Issuance and signing of patents by Secretary of the Interior; delegation of authority; notice

All patents for public lands shall be issued and signed by the Secretary of the Interior in the name of the United States: *Provided*, That the Secretary may delegate his authority under this section to officers or employees of the Department of the Interior, but notice of any such delegation shall be given by publication in the Federal Register.

(June 17, 1948, ch. 496, § 1, 62 Stat. 476.)