

Bureau of Land Management, Interior

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(i) *Anniversary date* means the same day and month in succeeding years as that on which the lease became effective.

(j) *Act* means the Mineral Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 *et seq.*).

(k) *Party in interest* means a party who is or will be vested with any interest under the lease as defined in paragraph (l) of this section. No one is a sole party in interest with respect to an application, offer, competitive bid or lease in which any other party has an interest;

(l) *Interest* means ownership in a lease or prospective lease of all or a portion of the record title, working interest, operating rights, overriding royalty, payments out of production, carried interests, net profit share or similar instrument for participation in the benefit derived from a lease. An *interest* may be created by direct or indirect ownership, including options. *Interest* does not mean stock ownership, stockholding or stock control in an application, offer, competitive bid or lease, except for purposes of acreage limitations in §3101.2 of this title and qualifications of lessees in subpart 3102 of this title.

(m) *Surface managing agency* means any Federal agency outside of the Department of the Interior with jurisdiction over the surface overlying federally-owned minerals.

(n) *Service* means the Minerals Management Service.

(o) *Bureau* means the Bureau of Land Management.

[48 FR 33659, July 22, 1983, as amended at 49 FR 2113, Jan. 18, 1984; 53 FR 17351, May 16, 1988; 53 FR 22835, June 17, 1988]

§ 3000.1 Nondiscrimination.

Any person acquiring a lease under this chapter shall comply fully with the equal opportunity provisions of Executive Order 11246 of September 24, 1965, as amended, and the rules, regulations and relevant orders of the Secretary of Labor (41 CFR part 60 and 43 CFR part 17).

§ 3000.2 False statements.

Under the provisions of 18 U.S.C. 1001, it is a crime punishable by 5 years imprisonment or a fine of up to \$10,000, or

both, for any person knowingly and willfully to submit or cause to be submitted to any agency of the United States any false or fraudulent statement(s) as to any matter within the agency's jurisdiction.

§ 3000.3 Unlawful interests.

No member of, or delegate to, Congress, or Resident Commissioner, and no employee of the Department of the Interior, except as provided in 43 CFR part 20, shall be entitled to acquire or hold any Federal lease, or interest therein. (Officer, agent or employee of the Department—see 43 CFR part 20; Member of Congress—see R.S. 3741; 41 U.S.C. 22; 18 U.S.C. 431-433.)

§ 3000.4 Appeals.

Except as provided in §§3101.7-3(b), 3120.1-3, 3165.4, and 3427.2 of this title, any party adversely affected by a decision of the authorized officer made pursuant to the provisions of Group 3000 or Group 3100 of this title shall have a right of appeal pursuant to part 4 of this title.

[53 FR 22835, June 17, 1988]

§ 3000.5 Limitations on time to institute suit to contest a decision of the Secretary.

No action contesting a decision of the Secretary involving any oil or gas lease, offer or application shall be maintained unless such action is commenced or taken within 90 days after the final decision of the Secretary relating to such matter.

§ 3000.6 Filing of documents.

All necessary documents shall be filed in the proper BLM office. A document shall be considered filed when it is received in the proper BLM office during regular business hours (see §1821.2 of this title).

§ 3000.7 Multiple development.

The granting of a permit or lease for the prospecting, development or production of deposits of any one mineral shall not preclude the issuance of other permits or leases for the same lands for

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deposits of other minerals with suitable stipulations for simultaneous operation, nor the allowance of applicable entries, locations or selections of leased lands with a reservation of the mineral deposits to the United States.

§ 3000.8 Management of Federal minerals from reserved mineral estates.

Where nonmineral public land disposal statutes provide that in conveyances of title all or certain minerals shall be reserved to the United States together with the right to prospect for, mine and remove the minerals under applicable law and regulations as the Secretary may prescribe, the lease or sale, and administration and management of the use of such minerals shall be accomplished under the regulations of Groups 3000 and 3100 of this title. Such mineral estates include, but are not limited to, those that have been or will be reserved under the authorities of the Small Tract Act of June 1, 1938, as amended (43 U.S.C. 682(b)) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*).

[53 FR 17351, May 16, 1988]

§ 3000.9 Enforcement.

Provisions of section 41 of the Act shall be enforced by the United States Department of Justice.

[53 FR 22835, June 17, 1988]

Group 3100—Oil and Gas Leasing

NOTE: The information collection requirements contained in parts 3100, 3110, 3120, 3130, 3140, 3150, and 3160 have been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance numbers 1004-0034, 1004-0065, 1004-0067, 1004-0074, 1004-0132, 1004-0134, 1004-0135, 1004-0136, 1004-0137, 1004-0138, and 1004-0145. The information is being collected to allow the authorized officer to determine if an applicant to lease, explore for or develop Federal oil and gas is qualified to hold such lease. This information will be used in making that determination. The obligation to respond is required to obtain a benefit.

(See 48 FR 33661, July 22, 1983, as amended at 48 FR 40889, Sept. 12, 1983; 53 FR 17375, May 16, 1988; 53 FR 31959, Aug. 22, 1988)

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PART 3100—OIL AND GAS LEASING

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