

[RESCINDED]

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 0204-37
TO THE ASSISTANT SECRETARY FOR RESOURCE APPLICATIONS

Pursuant to the authority vested in me as Secretary of Energy (“Secretary”) and by Section 642 of the Department of Energy Organization Act (Pub. L. No. 95-91) there is hereby delegated on a nonexclusive basis to the Assistant Secretary for Resource Applications—

1. The authority vested in me under section 302(b) of the Department of Energy Organization Act to promulgate regulations under the Outer Continental Shelf Lands, the Mineral Lands Leasing Act, the Mineral Leasing Act for Acquired Lands, the Geothermal Steam Act of 1970, and the Energy Policy and Conservation Act, which relate to the—
 - (a) fostering of competition for Federal leases (including, but not limited to, prohibition on bidding for development rights by certain types of joint ventures);
 - (b) implementation of alternative bidding systems authorized for the award of Federal leases;
 - (c) establishment of diligence requirements for operations conducted on Federal leases (including, but not limited to, procedures relating to the granting or ordering by the Secretary of the Interior of suspension of operations or production as they relate to such requirements);
 - (d) setting rates of production for Federal leases; and
 - (e) specifying the procedures, terms and conditions for the acquisition and disposition of Federal royalty interests taken in kind.
2. The authority vested in me under section 302(c) of the Department of Energy Organization Act to establish production rates for all Federal leases.
3. The authority vested in me under section 303(b) of the Department of Energy Organization Act to consult with the Secretary of Interior during the preparation of regulations to be promulgated under section 302(b) of the Department of Energy Organization Act and to afford the Secretary of Interior an opportunity to comment on the content and effect of such regulations.
4. Such authority delegated to me to promulgate regulations under the Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159), as amended, as may be reasonably necessary to carry out the authorities delegated to the Assistant Secretary for Resource Applications in paragraph 1 of this Order.

Prior to the exercise of the authority delegated in paragraph 4 of this Order, the Assistant Secretary for Resource Application shall consult with the General Counsel with respect to the appropriateness of the exercise of the authority.

The authority delegated to the Assistant Secretary for Resource Applications in this Order may not be further delegated by the Assistant Secretary for Resource Applications, in whole or in part.

In exercising the authority delegated by this Order, the delegate shall be governed by any applicable rules and regulations of the Department of Energy and any applicable policies and procedures prescribed by the Secretary.

Nothing in this delegation by the Secretary shall prescribe the Secretary for exercising any of the authority so delegated whenever, in his judgment, his exercise of such authority is necessary or appropriate to administer the functions vested in him.

All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order unless or until rescinded, amended or superseded.

This Order is effective July 20, 1979.

/s/
James R. Schlesinger
Secretary