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BUREAU OF LAND MANAGEMENT**

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Subject

6120 – Congressionally Required maps and Legal Boundary Descriptions for National Landscape Conservation System Designations (Public)

- 1. Explanation of Materials Transmitted:** This manual describes the policies and authorities for developing Congressionally Required Maps and Legal Boundary Descriptions for National Landscape Conservation System Designations. It also provides guidance for preparing Congressionally Required Maps and Legal Boundary Descriptions and transmission of these documents to Congress. This manual describes creating and maintaining serialized case files of these documents.
- 2. Reports Required:**
- 3. Material Superseded:** None
- 4. Filing Instructions:** File as directed below.

REMOVE:
None

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6120

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Table of Contents

.01	Purpose.....	1
.02	Objectives	1
.03	Authority	1
.04	Responsibility	1
.05	References.....	3
.06	Policy	4
.07	Timeline	4
.08	Legislative National Monuments, National Conservation Areas and Similar Designations, and Wilderness	5
.09	National Monuments Created by Presidential Proclamation	5
.10	Wild and Scenic Rivers.....	5
.11	National Scenic and Historic Trails	6
.12	Preparing Congressionally Required Maps and Legal Boundary Descriptions.....	6
.13	Creating and Maintaining Serialized Case Files	8
.14	Transmission to Congress	9
.15	Geographic Information System Data	10
.16	Revisions and Amendments to Complete Congressionally Required Maps and Legal Descriptions	10
	Appendices.....	i
	Appendix A: Example Certification Sheet for Wild and Scenic River Map and Legal Boundary Description	ii
	Appendix B: Example Label for Map and Legal Boundary Description Folder.....	iii
	Appendix C: Glossary.....	iv

.01 Purpose. This manual outlines steps for preparing, transmitting, storing, and disseminating congressionally required maps and legal boundary descriptions for National Landscape Conservation System (NLCS) designations. The manual applies to maps and legal boundary descriptions the Bureau of Land Management (BLM) is directed to prepare through legislation designating a NLCS unit.

.02 Objective. The objective of this guidance is to establish BLM policy on preparing, transmitting, storing, and disseminating congressionally required maps and legal boundary descriptions for NLCS units. The BLM must document the boundaries of its designated lands and ensure the long-term preservation of this documentation.

.03 Authority.

- A. National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.)
- B. Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.)
- C. Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601 (1-6a, et seq.)
- D. Oregon and California Grant Lands Act of 1937 (43 U.S.C. 1181a, et seq.)
- E. Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101, et seq.)
- F. Wilderness Act of 1964 (16 U.S.C. 1131)
- G. The Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.)
- H. The National Trails System Act of 1968, as amended (16 U.S.C. 1241 et seq.)
- I. 43 CFR, Subpart 8351
- J. National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.)
- K. Executive Order 11030, as amended; 1 CFR 19.1
- L. Departmental Manual Part 170
- M. Departmental Manual Part 757
- N. Specific NLCS designation legislation

.04 Responsibility. Regarding the preparation, transmission, dissemination, and long-term storage of congressionally required maps and legal boundary descriptions:

.04.A 6120 - Congressionally Required Maps and Legal Boundary NLCS Designations – PUBLIC)

- A. The BLM Director, on behalf of the Secretary of the Interior, shall:
 - 1. Ensure compliance with this manual and any specific requirements described in designating legislation.
 - 2. Approve policy and program direction.
- B. The Director, Office of NLCS and Community Programs, shall:
 - 1. Prepare relevant policies.
 - 2. Answer questions regarding the process outlined in this manual.
 - 3. Review for completeness the congressionally required map and legal boundary description folders transmitted by the State Directors, where such folders are required for distribution to Congress.
 - 4. Where required, transmit complete congressionally required map and legal boundary description folders to the Division Chief, Legislative Affairs and Correspondence, for distribution to congressional committees.
- C. The Division Chief, Legislative Affairs and Correspondence, shall:
 - 1. Provide legislative maps to the NLCS and Community Programs Office Director, the State Director for Eastern States, and relevant State Offices.
 - 2. Where required, transmit complete congressionally required maps and legal boundary descriptions to the appropriate congressional committees.
- D. The State Director for Eastern States Office shall:
 - 1. Retain legislative maps.
 - 2. Retain duplicate serialized case files.
 - 3. Disseminate, store, and, where necessary, create electronic images of serialized case file documents.
- E. State Directors, within their jurisdictions, shall:
 - 1. Implement policy and provide statewide program coordination and guidance.
 - 2. Review and ensure timely completion of congressionally required maps and legal boundary descriptions.
 - 3. Ensure that the Chief Cadastral Surveyor certifies congressionally required maps and legal boundary descriptions.

4. Permanently maintain publicly accessible copies of serialized case files in the State Office. In some cases, the State Office will direct a Field Office to maintain the publicly available copy of the case file.
 5. Transmit duplicate serialized case files to the State Director for Eastern States.
 6. Where required, submit completed congressionally required maps and legal boundary descriptions to the Director of the Office of NLCS and Community Partnerships for transmittal to Congress.
 7. Ensure that the BLM public website provides access to digital copies of legislative maps, congressionally required maps and legal boundary descriptions. This may take the form of links to electronic copies created by the BLM Eastern States Office.
- F. District and field managers shall:
1. Implement policy and provide office-wide program coordination and guidance.
 2. Develop, or support the development of, congressionally required maps, legal boundary descriptions, and supporting documents and data.
 3. Assemble serialized case files.

.05 References.

- A. BLM Manual Section 1220 – Records and Information Management
- B. BLM Manual Section 1270 – Records Administration
- C. BLM Manual Section 1274 – Serialized Case File System
- D. BLM Manual Section 1280 – Information Resources Management
- E. BLM Manual Section 8351 – Wild and Scenic Rivers - Policy and Program Direction for Identification, Evaluation, and Management
- F. BLM Manual Section 8560 – Management of Designated Wilderness Areas
- G. BLM Manual Section (unassigned) -- National Scenic and Historic Trails Manual Series
- H. BLM Manual Section 9160 – Mapping Sciences
- I. BLM Manual Section 9600 – Cadastral Survey Program Manual

- J. *BLM Manual of Surveying Instructions*, 2009
- K. BLM Specifications for Description of Tracts of Land in Land Orders and Proclamations
- L. DOI Manual Part 757 – Surveying and Mapping
- M. Federal Geographic Data Committee Cadastral Data Content Standard for the National Spatial Data Infrastructure (refer to OMB Circular No. A-16, revised)

.06 Policy. Completing and maintaining congressionally required maps and legal boundary descriptions is a BLM priority. Once the congressionally required maps and legal boundary descriptions are made official, these documents have the same force and effect as if included in the designating legislation.

- A. Until the BLM has officially filed the congressionally required map and legal boundary description for a designated unit, the legislative map will be used for management decisions. When proposed actions are in the vicinity of an ambiguous boundary on a legislative map, managers should avoid damaging or encroaching on the unit until the congressionally required map and legal boundary description are filed.
- B. Legislation, legislative maps, and relevant portions of the written record are the ultimate points of reference for developing congressionally required maps and legal boundary descriptions. Where a legislative map or boundary is ambiguous, legislative history may be helpful in determining congressional intent.
- C. The legal boundary description must be technically complete, definite, and susceptible to only one interpretation. The description should furnish sufficient information for the identification of the boundary on the ground by a suitable resource specialist or cadastral surveyor.
- D. The BLM does not have the authority to change boundaries designated by Congress.
- E. Congressionally required maps and legal boundary descriptions are official when they are filed with the BLM Eastern States Office and, when required, with the appropriate congressional committees.
- F. When an official Federal authority survey has been officially filed and conforms to the legal boundary description and Congressional intent then that survey defines the legal boundary of the unit. Copies of field notes and plats shall be made a part of all pertinent records.

.07 Timeline. Unless otherwise specified in legislation, congressionally required maps and legal boundary descriptions are to be produced as soon as practicable after the

enactment of designating legislation. However, the Wild and Scenic Rivers Act directs the BLM to establish detailed boundaries of designated river segments within 1 year of designation.

.08 Legislative National Monuments, National Conservation Areas and Similar Designations, and Wilderness.

As with other NLCS units, when a wilderness, legislative national monument, or national conservation area or similarly designated area is designated, the legislation and legislative map will be cited and used for management decisions until the congressionally required map and legal boundary description are officially filed.

.09 National Monuments Created by Presidential Proclamation.

When the President creates a national monument, maps are published in the *Federal Register* as part of the proclamation. These maps are the official legal boundary maps. The BLM is not required to develop any further maps or legal boundary descriptions and no maps need be transmitted to Congress. The proclamation map will be included in a serialized case file. A duplicate of this file will be sent to the Eastern States Office for permanent storage.

.10 Wild and Scenic Rivers.

The Wild and Scenic Rivers Act directs the BLM to establish boundaries within 1 year of designation of a wild and scenic river segment. The notice of availability of the boundaries must be published in the *Federal Register* and forwarded to Congress. The boundaries shall not become official until 90 days after they are published in the *Federal Register*, or after being forwarded to the President of the Senate and the Speaker of the House of Representatives, whichever is later.

- A. Congress generally specifies the river segment termini. The BLM must then draw the official corridor boundary (via a legal boundary description) to protect the river's outstandingly remarkable values, except where such a boundary is specified in the designating legislation.
- B. Pending identification of official corridor boundaries for designated wild and scenic rivers, interim boundaries shall apply. Interim boundaries normally extend from one-quarter mile (one-half mile in Alaska) from the ordinary high water mark for inland rivers and from the line of mean high tide for tidal rivers. These boundaries extend for the entire length of the designated river segment. Interim boundaries are intended to provide the maximum protection to the identified
- C. Outstandingly remarkable values pending final boundary determination.
- D. The Wild and Scenic Rivers Act directs that the official corridor boundary generally comprise the area within one-quarter mile (1,320 feet) of the ordinary high water mark for inland rivers and of the line of mean high tide for tidal rivers. This boundary can encompass a narrower or wider corridor as long as the total average acreage, measured from the ordinary high water mark or line of mean high tide, is no more than 320 acres (640 acres in Alaska) of Federal land per

river mile. The acreage of any islands located within the river bed does not count against the acreage limitation. In the case of braided rivers, boundaries will be measured from the outermost banks unless otherwise directed by law. Congressional approval is required to exceed the 320 or 640 acre average.

Corridor boundaries for designated rivers are delineated by legally identifiable lines such as legal subdivisions, survey or property lines, or permanent, obvious physical features (canyon rims, roads, etc.) which provide the basis for protecting outstandingly remarkable values. In certain cases, including where acquisition of lands may be involved, a survey and/or supplemental plat may be needed to monument or designate the river corridor.

.11 National Scenic and Historic Trails.

- A. Enabling legislation for each national scenic and historic trail provides specific direction on the creation of maps.
- B. When identified as the administrator for a national scenic or historic trail, the BLM will maintain a publically available copy of the legislative map in the state office responsible for administration of the trail.
- C. The National Trails System Act requires the administering agency to identify rights-of-way for national scenic and historic trails. Notices of availability are published in the *Federal Register* upon the completion of congressionally required maps and right-of-way legal boundary descriptions. Congressionally required maps and right-of-way legal boundary descriptions are maintained in a serialized case file.
- D. The BLM may relocate minor segments of a designated trail's right-of-way upon a determination that: a) such a relocation is necessary to protect the purposes for which the trail was established, or b) the relocation is necessary to promote a sound land management program.

.12 Preparing Congressionally Required Maps and Legal Boundary Descriptions. When preparing congressionally required maps and legal boundary descriptions, the ultimate points of reference are legislation, legislative maps, and relevant portions of the Congressional Record.

- A. Review the legislative map.
- B. Create a coded copy of the legislative map: The coded copy is a mapping manuscript(s) that provides point to point detail concerning the intent of a boundary line in relation to other boundaries (public land survey system, surface management agency, wilderness study areas, rights-of-way, etc.), roads, and other geographic features. The coded copy is developed using geospatial technology

which will result in the development of one or more geospatial data layers used for cartographic products and additional geospatial analysis. The coded copy will be referenced during the creation of the legal boundary description. It is not signed by the State Director, but is included in the serialized case file. The information shown on the coded copy includes:

1. The authoritative source document used;
 2. The point of beginning, basis of bearings, and direction of the boundary line;
 3. Specific points along the boundary line used as control points, such as peaks, stream junctions, section corners, or intersection points;
 4. Controlling descriptions, such as “along the line bet. secs. 28 and 29” or “along the ordinary high water mark;”
 5. Off-line ties which may be useful in describing the line where no natural identifying features exist on the line; and
 6. A complete description of boundary evidence used.
- C. Develop a legal boundary description: The legal boundary description provides a sequential description of the boundary, regardless of whether the boundary has been surveyed. When preparing legal boundary descriptions:
1. The coded copy will be referenced when creating the legal boundary description.
 2. Follow procedures outlined in BLM’s current edition of *Specifications for Description of Tracts of Land in Land Orders and Proclamations*.
- D. Create the congressionally required map: The congressionally required map shall be a clear, accurate, and definable expression of congressional intent as portrayed in the legislation, the legislative map, and the congressional record.
1. The boundary, as narrated in the legal boundary description, will be marked on the map in conformance with the BLM’s *Manual of Surveying Instructions*, 2009.
 2. Display the following on the map: State and county lines, official roads and other routes, lands that have been conveyed out of Federal ownership (“alienated lands”), Federal interest lands, and lands administered by other entities within or adjoining the unit boundary.
 3. Display the best available latitude and longitude of at least one point on the boundary. Also display the map’s projection and reference datum.

12.D.4 6120 - Congressionally Required Maps and Legal Boundary NLCS Designations – (PUBLIC)

4. Map legends should remain legible if printed in black and white. Appropriate symbols should be used for depicting map ticks, features, and boundaries.
5. The map title should be placed in the lower right section of the map and include the unit name, State, field office, date prepared, and reference to the designating legislation.
6. Use compilation procedures that retain legibility at a minimum of 1 inch = 1 mile scale, or use a 1:24,000 7½ minute quadrangle or equivalent as the standard base for mapping boundaries. If more detail is required, draw boundaries at a 1 inch= ½ mile (2,640 feet) or 1 inch = ¼ mile (1,320 feet).
7. When printing for filing and preservation purposes, print the congressionally required map on one or more 18 inch x24 inch sheets of paper. Ensure that the map has a 1 inch margin on all sides. If more than one sheet is necessary to print the map, all sheets should be numbered (e.g. 1 of 4) and of the specified size. If more than one sheet is used, a composite index map should be included showing the relative position of each numbered map sheet.

E. Finalize documents:

1. The State Office Chief Cadastral Surveyor and State Director will certify the congressionally required map and legal boundary description (see Appendix A for an example certification sheet).
2. Following the State Director's signature on the certification sheet, stamp the congressionally required map and legal boundary description with "original" and the official filing date. Make a copy of both the congressionally required map and legal boundary descriptions and stamp them with "duplicate" for inclusion in the Eastern States Office copy of the serialized case file.

.13 Creating and Maintaining Serialized Case Files. Once the certification sheet has been signed by the State Director, a serialized case file will be prepared. Use the BLM standards for establishing the serialized case file number and formatting the case file (BLM Manual Section 1274 – Serialized Case File System). As the permanent legal record for designated land boundaries, serialized case files must be carefully stored, indexed, and maintained.

A. Assemble the serialized case file:

1. Label all materials in the serialized case file with a serialized case file number and production date.
2. Case file contents will include the legislative map, the congressionally required map and legal boundary description, the coded copy, the certification sheet, the designating legislation, relevant parts of the congressional record,

the master title or plat, the historic index, transmittal letters and receipts.

3. The congressionally required map and legal boundary description included in the State Office serialized case file should be stamped “original.” The copy of the congressionally required map and legal boundary description included in the Eastern States Office serialized case file should be stamped “duplicate.”

B. Maintain the serialized case file:

1. Each State will maintain a publicly accessible serialized case file for each congressionally or presidentially designated NLCS unit within the State.
2. State Offices will forward a copy of the serialized case file to the Eastern States Office for permanent retention.
3. Any additions or changes to the State’s serialized case file must be forwarded to the Eastern States Office.
4. If a congressionally required map, legal boundary description, or associated serialized case file cannot be located, State Offices must notify the NLCS Office Director immediately and generate a new serialized case file within the fiscal year. An explanation for why new materials have been created must be provided in the serialized case file.
5. If a congressionally required map or legal boundary description is updated or revised, both the new and original versions must be preserved in the State Office serialized case file. The State Office will provide a copy of the new version to the Eastern States Office to be preserved along with the original.

C. References for creating and maintaining serialized case files:

1. BLM Manual 1274 – Serialized Case File System: provides specific direction for creating and maintaining serialized case files.
2. BLM Manual 1275 – Land Status Records: provides specific direction for creating and maintaining land status records.
3. Manual of Surveying Instructions – Provides specific directions for preparing and maintaining surveying records.

.14 Transmission to Congress. The procedure below applies where the BLM is required to submit congressionally required maps and legal boundary descriptions to Congress:

- A. State offices will assemble congressionally required maps and legal boundary description in a BLM manuscript cover. The contents will be identified on the cover with a label similar to the example in Appendix B. The certification and

14.A 6120 - Congressionally Required Maps and Legal Boundary NLCS Designations – (PUBLIC)

legal boundary description will be secured on the left side of the folder and the congressionally required map on the right side of the folder. Two copies of each folder should be transmitted to the Director of the Office of NLCS and Community Programs for distribution to Congress. Two additional copies should be held at the State Office for the serialized case file.

- B. The Director of the Office of NLCS and Community Programs will review the folder for completeness and transmit it to the Division Chief for Legislative Affairs and Correspondence.
- C. The Division Chief for Legislative Affairs and Correspondence will prepare: (1) letters of transmittal to congressional committee chairs, and (2) a document to be used by the committees to acknowledge receipt of each folder. The Division Chief will transmit the letters and folders to the appropriate congressional committees.
- D. Once the document receipts are obtained from Congress, they should be transmitted by the BLM Division Chief for Legislative Affairs and Correspondence to the State Office and the Eastern States Office for inclusion in the serialized case files.

.15 Geographic Information System (GIS) Data. The GIS data representing the designated unit boundary, as described in the congressionally required map and legal boundary description, shall be collected. While GIS data represents the boundary, it is not the official boundary.

- A. Geospatial data layers and associated metadata will be collected, maintained, and stored using the BLM geospatial data standard. State and Field Office personnel are responsible for completing and maintaining the NLCS database with up-to-date boundary and ancillary information.
- B. Each digital line that comprises a unit boundary should have associated Federal Geographic Data Committee-compliant metadata.
- C. Spatial resolution at which information should be gathered (listed in descending order of desirability):
 - 1. Cadastral Survey/Geographic Coordinate Database
 - 2. Global Positioning System data collected and post-processed with documented accuracy at a 2 distance root mean squared (DRMS) (95% confidence) of +/- 3m
 - 3. Digital ortho imagery at minimum 1 meter resolution

4. Digital Line Graph at 1:24,000
5. Digital Raster Graphics at 1:24,000

.16 Revisions and Amendments to Congressionally Required Maps and Legal

Descriptions. Only Congress may amend designated unit boundaries. The BLM may, however, make minor corrections to congressionally required maps and legal boundary descriptions. These corrections must not alter the original congressional intent. Examples of minor corrections include changing a boundary description “NEN” to “NNE,” replacing “steet” with “street,” and redrawing a boundary that parallels a property line but was clearly intended by Congress to be on the property line. Minor corrections do not include actions such as moving a boundary 100 yards because a mine was included inside a boundary. Decisions to make minor corrections must be recorded in serialized case files.

Exceptions:

- A. **Wild and Scenic Rivers:** The BLM may expand wild and scenic river boundaries within the average acreage limits to include lands with newly identified outstandingly remarkable values or to enhance existing values. For all adjustments of an existing map or legal boundary description, follow the same process as for developing a new map or legal boundary description.
- B. **National Scenic and Historic Trails:** Legislative maps generally depict the location of the trail. The BLM selects, and may amend, trail rights-of-way.
- C. **National Monuments Created by Presidential Proclamation:** Boundaries of national monuments created by Presidential Proclamation may only be amended by Presidential Proclamation or legislation.

Appendices

Appendix A: Example Certification Sheet for Wild and Scenic River Map and Legal Boundary Description.

NATIONAL WILD AND SCENIC RIVERS SYSTEM	
<u>[name]</u> Wild and Scenic River	
[name] State Office	
<p>I hereby certify that the maps and legal boundary description herewith represents the boundary of the [name] Wild and Scenic River within the jurisdiction of the [name] State Office</p>	
Signed: _____ <i>Chief Cadastral Surveyor</i>	Date: _____
<p>I hereby certify and accept the map and legal boundary description of the (name) Wild and Scenic River within the jurisdiction of [name] State Office as entered into the National Wild and Scenic Rivers System under Public Law [number].</p>	
Signed: _____ <i>State Office Director</i>	Date: _____

Appendix B: Example Label for Map and Legal Boundary Description Folder.

<p>The exterior boundary of</p> <p>[name] WILD AND SCENIC RIVER</p> <p>[name] State Office</p> <p>[name] Field Office</p> <p>As entered into the National Wild and Scenic Rivers System by the [name] Act of [date], P.L. [number]</p> <p>Date</p>
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Appendix C: Glossary

Cadastral Surveys: These surveys create, reestablish, mark, and define boundaries. Such surveys cannot be ignored, repudiated, altered, or corrected, and the boundaries created or re-established cannot be changed so long as they control rights vested in the lands affected. The official record of a cadastral survey ordinarily consists of a "plat," a written description (field notes) of the field work, and a contract or group file. The plat represents: the lines surveyed showing the length and direction with reference to the true meridian as defined by the axis of the earth's rotation; the boundaries, descriptions, and area of the parcel of land; and, as practicable, a delineation of the culture and improvements within the limits of the survey. The survey records also include an explanation of the boundary evidence used to legally locate the boundaries, with pertinent citations from law, court decisions, and the Secretary of the Interior's decisions.

Coded Copy: The coded copy is a mapping manuscript(s) that provides point to point detail concerning the intent of a boundary line in relation to other boundaries (public land survey system, surface management agency, wilderness study areas, rights of way etc.) roads, and other geographic features. The coded copy is developed using geospatial technology which will result in the development of one or more geospatial data layers used for cartographic products and additional geospatial analysis.

Congressionally Required Map: A map the BLM is directed to prepare through legislation designating a NLCS unit.

Designation: A classification such as wilderness or national monument created by Congress or the president.

Federal Interest Lands: All classes of land owned or managed by the Federal government including negotiated rights-of-way and leases.

Historic Index: A chronological summary of all actions which affect, have affected, or will affect the title to, disposition of, or use status of lands and resources within a township.

Inholding: Any tract of land, right, title, or interest (whether tribal, private, state, or other Federal) within the exterior boundary but not included in the designated NLCS unit.

Interim Boundary: For designated wild and scenic river segments an interim boundary is put in place pending the identification of an official boundary. This interim boundary is conservatively drawn to include one-quarter mile (one-half mile in Alaska) upland from the ordinary high water mark or line of mean high tide on both banks pending designation.

Legal Boundary Description: A written description of an area boundary that is technically complete, definite, and susceptible to only one interpretation.

Legal Subdivision: The subdivision of a township, such as a section, half-section, quarter section, quarter-quarter or sixteenth-section, or lotting, including the lot, section, township and range numbers and the description of the principal meridian to which referred, all according to the approved township plat.

Legislative Map: Refers to the map(s) cited in the public law or executive order when an area is created or designated. Usually this map is prepared with the assistance of the affected BLM Field Office and the Office of Legislative Affairs and Correspondence. Draft versions have no legal weight.

Map: A representation in a plane surface, at an established scale, of the physical features (natural, artificial, or both) of a part of the Earth's surface, with the means of orientation indicated.

Serialized Case File: The BLM standard for permanently preserving official records of congressionally required maps and legal boundary descriptions. Minimum case file contents include the legislative map, the congressionally required map and legal boundary description, the coded copy, the certification sheet, a copy of the designating legislation, relevant parts of the congressional record, the master title or plat, the historic index, transmittal letters, and transmittal receipts. Copies of the serialized case file must be maintained by the applicable state office and the Eastern States Office.

Supplemental Plat: A plat prepared entirely from office records designed to show a revised subdivision of one or more sections without change in the section boundaries and without other modification of the record. Supplemental plats are required where the plat fails to provide units suitable for administration or disposal, or where a modification of its showing is necessary. They are also required to show the segregation of alienated lands from public lands, where the former are included in irregular surveys of patented mineral or other private claims made subsequent to the plat of the subsisting survey, or where the segregation of the claims was overlooked at the time of its approval.