

United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
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To: State Directors  
From: Director  
Subject: Policy for Issuance of the Notice of Decision and  
Availability of Information Regarding the Value of  
Property Involved in Land Exchanges

Several offices have requested a clarification of Bureau of Land Management (BLM) policy regarding the issuance of land exchange decisions and the availability of appraisal information. These questions were also the subject of recent discussions with the Department's Office of the Solicitor and the Assistant Secretary, Land and Minerals Management.

Based on these discussions we are providing the following clarification of policy.

**When does BLM Issue Land Exchange Decisions?**

Under 43 CFR 2201.7-1 BLM must complete all environmental analysis, appraisals and other documentation requirements before making a decision on land exchanges. Our administrative record must show that the exchange is in the public interest and complies with law and regulation.

After signing the decision record or record of decision for the land exchange, BLM must publish a notice of availability (Notice of Decision) in newspapers of general circulation. The BLM may also publish a similar notice in the Federal Register. The Notice provides basic information about the decision and the protest period.

**When should BLM release information to the public regarding the valuation of properties involved in the exchange?**

Appraisal information and other valuation material regarding the public and private lands involved in the exchange are part of the administrative record and must be available for public review after publication of the Notice of Decision. This information is available for review during the protest period so that interested members of the public may fully review and comment on BLM's decision.

Review reports and appraisal reports are available to the public unless they contain proprietary or confidential information. Those parts of these reports that do not contain proprietary or confidential information are releasable under the Freedom of Information Act (FOIA).

If you receive a FOIA request for appraisal reports that contain proprietary or confidential information, contact your FOIA specialist and refer to BLM Manual 1278 for additional guidance on handling the request.

Please review your land exchange practices to ensure that they conform with law and regulation. If you have any questions regarding this policy clarification please contact, Bob Barbour at (202) 452-7784 or Dave Cavanaugh at (202)452-7774.

Signed by:  
Mat Millenbach  
Deputy Director

Authenticated by:  
Robert M. Williams  
Directives and Records  
Group,WO540