In Reply Refer to:
3809 (OR-932) P

January 16, 2003

EMS TRANSMISSION 01/17/2003
Instruction Memorandum No. OR-2003-033
Expires: 9/30/2004

To: District and Field Managers
From: State Director
Subject: Designation of Agent for Mine Claimants and Operators

Program Area: Solid Minerals

Purpose: This Instruction Memorandum (IM) clarifies the requirements for designation of an agent.

Policy/Action: Assigning a third party to act as agent for a mining claimant or operator operating on Federal lands under BLM-administered plans or notices requires that there is a notarized, written designation of the agent on file with the appropriate BLM office. The designation must include the notice and/or plan number that the agent is authorized to work on, the period that the authorization covers, and a full description of the agent’s responsibilities. A separate designation for each notice and/or plan must be filed with the BLM field office responsible for handling matters related to the subject mining claim(s). Designating an agent does not relieve the mining claimant or operator of any responsibility or accountability on his or her mining claim with regard to liability for compliance with all federal, state and local laws and regulations. All mining claimants who wish to designate an agent must be informed of this policy in writing.

Timeframe: This policy is effective immediately.

Background: Some mining claimants operating under BLM-administered plans or notices have expressed a desire to have another party act on their behalf, including review of confidential and proprietary information in BLM files. It is inappropriate for BLM employees to provide such information without written permission from the mining claimant or operator.

Manual/Handbook Sections Affected: None.

Coordination: Bob DeViney, Chief, Branch of Realty and Records Services (OR-958); Lisa Blackburn, Freedom of Information Act/Privacy Officer (OR-958).

Contact: John Kalvels, Solid Minerals Program Lead (OR-932), 503-808-6040; Nancy Diaz, Chief, Branch of
Districts with Unions are reminded to notify their unions of this IM and satisfy any bargaining obligations before implementation. Your servicing Human Resources Office or Labor Relations Specialist can provide you assistance in this matter.

Signed by
Charles E. Wassinger
Associate State Director

Authenticated by
Mary O'Leary
Management Assistant

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