



United States Department of the Interior

IN REPLY REFER TO:

9600 (720)

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

June 29, 1982

Instruction Memorandum No. 82-541
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To: Directorate and AFO's
From: Director
Subject: Cadastral Survey Authorities

We have received a series of legal opinions regarding cadastral survey authorities. These Solicitor Office memorandums dated January 21, 1981, and April 17, 1981, are enclosed (Enclosure Nos. 1 and 2).

After several meetings with the BLM Directorate and with other Federal agencies, we are issuing this Instruction Memorandum to facilitate understanding within the BLM, the Department, and other Federal Agencies, State and local governments, and private citizens (or firms) who are managing Federal Interest Lands, are adjoiners to Federal Interest Lands, or who are in need of the Bureau's Cadastral Survey technical expertise. Several professional societies, congressional delegations, and private citizens have also entered into a philosophical discussion regarding the Public Land Survey System of the United States.

Surveying Authority:

Solicitor and Administrative Law Judges agree this is not a question. Survey authority exists for BLM on any "Federal Interest Land" as well as the Outer Continental Shelf. (See definitions in Cadastral Survey Policy Paper--1981, previously transmitted to all Cadastral Survey chiefs).

Survey Appropriations:

1. Federal appropriations to BLM for surveys may be used anywhere for Public Domain Lands regardless of managing agency.
2. Reimbursable Funding where BLM must do the survey (no option by BLM) such as the Bureau of Indian Affairs, court-ordered, congressional, etc., may be done in any U.S. State and/or territory.

3. Reimbursable Funding where BLM has the option to elect to do the survey can be used anywhere in all 50 States and U.S. territories, at the Federal, State, or local Government Agencies' requests in writing.
4. Contributed Funding where BLM may or may not have the option to elect to do the survey can be used anywhere in all 50 States and U.S. territories at the written request of the private landowners (individuals or firms).

On old reimbursable survey projects where funding is not available, either a special request to Congress for supplemental funding will be necessary on a case-by-case basis or a change in the language of the appropriations act may be necessary. Please contact the Director (720) if you have any questions on these definitions or enclosed authority statements.

Ronald H. Koenig

Assistant Director, Technical Services

2 Enclosures:

- Encl. 1 - Solicitor's Memorandum 1/21/81
- Encl. 2 - Solicitor's Memorandum 4/17/81