

## Department of the Interior Departmental Manual

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**Series:** Organization

**Part 135:** Bureau of Land Management

**Chapter 1:** Authorities, Mission, and Goals

**Originating Office:** Bureau of Land Management

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### 135 DM 1

1.1 **Establishment and Authorities.** The Bureau of Land Management (BLM) was established on July 16, 1946, through the consolidation of the General Land Office (created in 1812) and the Grazing Service (formed in 1934). This was in accordance with the provisions of Sections 402 and 403 of the President's Reorganization Plan 3 of 1946 (60 Stat. 1097).

A. **Statutory Authorities.** Numerous laws provide authority or direction for BLM's programs and policies. The statutes identified in the following subsections are considered to be the most significant statutes affecting the BLM.

(1) **General Authority.** The Federal Land Policy and Management Act of 1976 (FLPMA), as amended (43 U.S.C. 1701 et seq.) is the basic authority for BLM activities. It establishes the principle that public lands be retained in Federal ownership and provides for the management, protection, development, and enhancement of the public lands under the principles of multiple use and sustained yield. The Act defines the term "public lands" to mean lands and interests in lands administered by the Secretary of the Interior, through the BLM, without regard to how the United States acquired ownership. Public lands do not include lands located on the Outer Continental Shelf and lands held for the benefit of Indians, Aleuts, and Eskimos.

(2) **Environmental Protection and Enhancement.** The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.) is the basic national charter for protection of the environment. It is intended to help public officials make decisions that are based on an understanding of environmental consequences, and take actions that protect, restore, and enhance the environment.

(3) **Principal Management Authorities.**

(a) Management of the public rangelands was first authorized by the Act of June 28, 1934, as amended (43 U.S.C. 315-315r), commonly known as the Taylor Grazing Act. The Public Rangelands Improvement Act of 1978, as amended (43 U.S.C. 1901 et seq.) expands and amplifies the provisions of the FLPMA relating to the management of public lands for multiple uses.

(b) Revested lands of the Oregon and California Railroad and reconveyed Coos Bay Wagon Road Grant Lands that are classified as timberlands or as power sites that are valuable for timber are managed under the authority of the Act of August 28, 1937 (43 U.S.C. 1181a-1181j), commonly known as the Oregon and California Grant Lands Act.

(c) Public lands in Alaska are managed under the authorities of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601 et seq.) and the Alaska National Interest Lands Conservation Act, as amended (16 U.S.C. 3101 et seq.).

(d) Other authorities for the management of the public lands and their resources include the Act of June 14, 1926, as amended (43 U.S.C. 869 et seq.), commonly known as the Recreation and Public Purposes Act; the Wilderness Act, as amended (16 U.S.C. 1131 et seq.); the Wild and Scenic Rivers Act, as amended (16 U.S.C. 1271 et seq.); the National Trails System Act, as amended (16 U.S.C. 1241 et seq.); the Endangered Species Act, as amended (16 U.S.C. 1531 et seq.); the Clean Air Act of 1990, as amended (42 U.S.C. 7401 et seq.); the Clean Water Act, as amended (33 U.S.C. 1251 et seq.); the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.); the Archaeological Resources Protection Act, as amended (16 U.S.C. 470 et seq.); the Wild Free-Roaming Horse and Burro Act, as amended (16 U.S.C. 1331-1340); the Desert Land Act, as amended (43 U.S.C. 231, 321-323, 325, 327-329); and the Federal Land Exchange Facilitation Act (43 U.S.C. 1701 et seq.). General and financial management functions and practices are governed by the Chief Financial Officers Act of 1990 (31 U.S.C. 901 et seq.). Acquisition of goods and services and management of property are governed by the Federal Property and Administrative Services Act, as amended (40 U.S.C. 471); and the Office of Federal Procurement Policy Act (41 U.S.C. 401).

(e) The Act of May 10, 1872, as amended (30 U.S.C. 21 et seq.), commonly known as the Mining Law of 1872, is the foundation of the existing system for acquiring rights in public mineral lands, and is solely applicable to "locatable" minerals. The primary authority for the management of "leasable" minerals is the Mineral Lands Leasing Act, also known as the Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 et seq.). Among the laws affecting the exploration and development of leasable minerals are the Act of July 31, 1947, as amended (30 U.S.C. 601 et seq.); the Federal Coal Leasing Amendments Act of 1976, as amended (30 U.S.C. 181 et seq.); the Combined Hydrocarbon Leasing Act of 1981 (30 U.S.C. 181); the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351 et seq.); the Geothermal Steam Act of 1970, as amended (30 U.S.C. 1001-1027); the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1201 et seq.); the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.) and the Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226 et seq.).

(f) Other major statutes affecting the management of mineral resources by BLM include the Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a); the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1601 et seq.); the Natural Gas Policy Act of 1978 (15 U.S.C. 3301 et seq.); and The Helium Act, as amended by the Helium Privatization Act of 1996 (50 U.S.C. 167et. seq.); and the Energy Policy Act of 2005 (Public Law 109-58). Industry operations on Indian (except Osage) lands under mineral leases and mineral agreements are administered under the authority of the Indian Allotted Lands

Leasing Act (25 U.S.C. 396), the Tribal Lands Leasing Act (25 U.S.C. 396a - 398), and the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 et seq.).

(g) Statutes affecting the BLM uniform program include the Federal Employees Uniform Act of 1954, as amended (5 U.S.C. 5901 et seq.); and the Federal Salary and Fringe Benefits Act of 1966, (5 U.S.C. 5902 et seq.).

(h) Statutes that require protection of public health and safety and require BLM involvement in handling hazardous materials on the public lands are the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. 9601), the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901); and several other laws dealing with air and water quality.

(i) The principal authorities providing for survey and resurvey of the public lands are contained in 43 U.S.C., Sections 2, 52, 751, 752, 753, 757, 759, 760, 761, 762, 763, 766, 770, 772, 773, and 774.

(j) The principal authority providing for the collection and management of recreation fees is the Federal Lands Recreation Enhancement Act of 2004. The Act permits Federal land management agencies to continue charging modest fees at campgrounds, rental cabins, high-impact recreation areas and at day-use sites that have certain facilities.

B. Delegated Authority. The authority of the Director, BLM, as delegated by the Assistant Secretary - Land and Minerals Management (AS-LM), is set forth in Part 235 of the Departmental Manual. The authority of subordinate officials, officers, and employees of BLM as redelegated by the Director, BLM, is set forth in the BLM Manual 1203 - Delegation of Authority.

**1.2 Historical Development.** The public domain of the United States had its beginning in the early years of our country when the 13 original States ceded some 237 million acres of undeveloped land to the Federal Government. Subsequent acquisitions through the Louisiana Purchase, the Spanish Cession, the Oregon Compromise, the Mexican Cession, the Texas Annexation, the Gadsden Purchase, and the Alaska Purchase expanded the original public domain to more than 1.8 billion acres.

A. Historically, the public domain was used to encourage the settlement and development of vast unpopulated and unimproved areas, particularly in the Western United States. The great movement of the population toward the West which began late in the 18th century increased the needs and demands for land. The policy of unrestricted disposal of the public domain, in effect until the early part of the twentieth century, led to all but approximately 33 percent of the land area of the United States being transferred to private ownership.

B. The General Land Office was created in 1812 to survey and dispose of the public lands. This new agency was placed in the Treasury Department due to its anticipated high revenue collection. In 1849, the General Land Office was transferred to the newly established Department of the Interior (DOI). In 1934, the Grazing Service was established in the DOI to

provide for the orderly use, improvement, and development of public grazing lands as authorized by the Taylor Grazing Act. In 1946, the General Land Office and the Grazing Service were consolidated to form the BLM and, in addition, given the responsibilities for administration of the Oregon and California Grant Lands (O&C Lands) in western Oregon and for certain programs in the Territory of Alaska. Since that time, enactment of many additional laws has expanded the BLM's mission to encompass the management of a wide variety of both surface and subsurface resources in Federal ownership. In 1976, the FLPMA consolidated and established policy for the management of the public lands and restated the mission of the BLM. In 1983, onshore mineral leasing functions were transferred from the Minerals Management Service (MMS) to the BLM. In 1996, the Federal Helium Program was transferred from the Bureau of Mines to the BLM.

C. The BLM presently manages more than 245 million acres of lands remaining in Federal ownership as the legacy of the original public domain. These are the "public lands" as we know them today, and they encompass about one-eighth the total land area of the United States. In addition, the BLM administers 700 million acres of federally owned sub-surface mineral estate throughout the nation.

D. The public lands under the jurisdiction of the BLM are designated "National System of Public Lands".

**1.3 Mission and Priorities.** The mission of the BLM is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. Pursuant to this mission, the priorities of the BLM are to improve the health and productivity of the land to support the BLM multiple-use mission; to cultivate community-based conservation, citizen-centered stewardship, and partnership through consultation, cooperation, and communication; to respect, value and support our employees, giving them resources and opportunities to succeed; and to pursue excellence in business practices, improve accountability to our stakeholders, and deliver better service to our customers.

**1.4 Products and Services.** In carrying out its mission, the BLM provides a wide variety of products and services for its customers and stakeholders, including healthy, productive lands; opportunities for a wide variety of commercial activities; opportunities for recreation and leisure activities; preservation of significant cultural and natural features; land resource and title information; public health, safety, and resource protection; technical and economic assistance; and internal support. The BLM works in collaboration with others, including, but not limited to, public land users; adjacent landowners; universities; State, tribal, and local governments; and other Federal agencies to accomplish its objectives in these product lines.