

BUREAU OF LAND MANAGEMENT

ORGANIC ACT

In accordance with 43 U.S.C. § 11, employees of the BLM are prohibited from voluntarily acquiring a *direct or indirect* interest in Federal lands.

Federal Lands are defined as public lands or resources or an interest in lands or resources administered or controlled by the Department of Interior, including, but not limited to, all submerged lands lying seaward outside of the area of “lands beneath navigable water” as defined in 43 U.S.C. § 1301(a), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control. 43 C.F.R. § 20.401(a)(2)(i).

DIRECT INTEREST IN FEDERAL LANDS		INDIRECT INTEREST IN FEDERAL LANDS
<ul style="list-style-type: none"> • Any employee ownership or part ownership in Federal lands; or • Any participation in the earnings therefrom; or • The right to occupy or use the property; or • To take any benefits therefrom, based upon a: <ul style="list-style-type: none"> ▪ Contract, ▪ Grant, ▪ Lease, ▪ Permit, ▪ Easement, ▪ Rental agreement, or ▪ Application; • Membership or outside employment in a business which has interests in Federal lands; or • Ownership of stock or other securities in corporations determined by the Department to have an interest in Federal lands directly or through a subsidiary. 		<ul style="list-style-type: none"> • Any ownership or part ownership of an interest in Federal lands by an employee in the name of another where the employee still reaps the benefits; or • Holdings in land, mineral rights, grazing rights or livestock which in any manner are connected with or involve the substantial use of the resources or facilities of the Federal lands; or • Substantial holdings of a spouse or minor child.
EXCLUSIONS		
1. A BLM employee may retain a direct or indirect interest in Federal lands when:		
a. There is little or no relationship between the employee’s functions or duties and the particular interest in Federal lands;	b. The employee, or the spouse or dependent child of the employee, acquired such an interest: <ul style="list-style-type: none"> • By gift, devise, bequest, or court award or settlement, or • Prior to the time the employee entered on duty in the Department; 	c. If the interest is a claim, permit, lease, small tract entry, or other right granted by the Department in Federal lands, the Ethics Office has determined that issuance of a waiver is appropriate in the circumstances.
2. The recreational or other personal and noncommercial use of the Federal lands by an employee, the employee’s spouse or dependent child, on the same terms as use of the Federal lands is available to the general public, is not prohibited.		
3. Except for U.S. mineral surveyors, an individual employed on an intermittent or seasonal basis for a period not exceeding 180 working days in each calendar year, and a special Government employee (SGE) engaged in field work relating to land, range, forest, and mineral conservation and management activities, and the spouse of such an individual or SGE, shall not be precluded from retaining any interest, including renewal or continuation of existing rights, in Federal lands, provided that such individual or SGE or spouse shall not acquire any additional interest in Federal lands during employment.		
4. Pursuant to 43 U.S.C. § 1621(d), these prohibitions do not apply to land grants or other rights granted under 43 U.S.C. chapter 33.		
5. ADVISORY COUNCILS. Nothing in 43 U.S.C. § 11 shall disqualify individuals appointed pursuant to the Federal Land Policy and Management Act of 1976, 43 U.S.C. § 1739, as members of advisory boards or councils, from acquiring or retaining grazing licenses or permits issued pursuant to section 3 of the Taylor Grazing Act (43 U.S.C. 315b), or any other interest in land or resources administered by the BLM: PROVIDED , that in no case shall the member of any such board or council participate in any advice or recommendation concerning such license or permit in which such member is directly or indirectly interested.		
This is a summary of the BLM Organic Act.		
Contact the BLM Ethics Team with Questions: BLM_WO_ETHICS_OFFICE@BLM.GOV		