**INFORMATION MEMORANDUM**

**FOR THE ASSISTANT SECRETARY – POLICY, MANAGEMENT AND BUDGET**

THROUGH: Marcilynn A. Burke, Acting Assistant Secretary – Land and Minerals Management

FROM: Mike Pool, Acting Director, Bureau of Land Management

SUBJECT: Proposed Partial Withdrawal Revocation and Transfer of Administrative Jurisdiction, Kirtland Air Force Base, New Mexico

DATE: June 11, 2012

I. INTRODUCTION

On behalf of the United States. Air Force (AF) and the U.S. Department of Energy (DOE), the Bureau of Land Management (BLM) is requesting that the Assistant Secretary for Policy, Management and Budget approve a Public Land Order (PLO) that would partially revoke a withdrawal created by PLO No. 995, dated August 19, 1954, insofar as it affects approximately 82.81acres of public land reserved for military purposes within the Kirtland Air Force Base in New Mexico. The PLO would also transfer administrative jurisdiction to the DOE in order to allow for a subsequent conveyance of the land to the Lovelace Respiratory Research Institute (LRRI) pursuant to Public Law (PL) No. 111-11.

II. BACKGROUND

On March 13, 2012, the AF filed a notice of intent to relinquish 82.81acres of withdrawn public land reserved for military purposes. The land has been held in military reserve status since 1954. The land was developed for the LRRI South Campus, a government-owned privately operated nonprofit scientific research facility located approximately 10 miles southeast of Albuquerque, New Mexico.

On behalf of the United States (U.S.) and pursuant to Section 13005 of the Omnibus Public Land Management Act 2009, PL No. 111-11, the DOE may convey, subject to valid existing rights, all right, title, and interest of the U.S. in and to 135 acres of land mentioned in the Act to the LRRI for research, scientific, or educational use. Section 13005(b)(3) requires the Secretary of the Interior to complete any real property actions, including the revocation of any Federal withdrawals necessary for the DOE to complete the land transfer. Section 13005(b)(7) and (b)(8) also requires that the LBERI assume responsibility for any potential environmental remediation and requires that in the event LBERI does not undertake or complete necessary remediation and the U.S. is required to assume responsibility for the remediation, the DOE assumes responsibility for any remediation.

Of the 135 acres, 52.19 acres were purchased by the U.S. for military use and are considered real property pursuant to the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and are not subject to this action. The remaining 82.81 acres were withdrawn public lands reserved for military use pursuant to PLO No. 995. The public land was resurveyed and designated lot 18, of section 3, T 8 N, R 4 E., New Mexico Principal Meridian. The final acreage figure and legal description noted in the proposed PLO has been reviewed and a Land Description Review Certification by Cadastral Survey was completed on April 2, 2012. We note that the AF has utilized differing acreage amounts in various supporting documents. The acreage amount utilized in the proposed PLO is based upon the certified cadastral survey.

III. POSITION OF INTERESTED PARTIES

No consultation is required as this is an administrative process implementing the terms of the PL No. 111-11.

IV. LEGAL STATUS

There is no litigation associated with this proposed partial revocation and transfer of jurisdiction.