

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240
<http://www.blm.gov>

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Instruction Memorandum No. **2010-124**
Expires: 09/30/2011

To: All Field Officials

From: Assistant Director, Minerals and Realty Management

Subject: **Training Requirements for Processing Land Exchange Proposals**

Program Area: Lands – Land Exchanges.

Purpose: This Instruction Memorandum (IM) identifies guidance concerning training for managers, project managers/team leads, and realty specialists for the processing of land exchange proposals.

Policy/Action: The Bureau of Land Management (BLM), in collaboration with the U.S. Forest Service (USFS), has developed a core curriculum of formal training for personnel involved in the processing of land exchange proposals. Technical training includes Beginning Lands and Realty (2000-09), Intermediate Land Tenure (2000-10), Complex Land Tenure Adjustments (2000-15), and the prerequisites for these courses. Managerial training includes National Lands Training for Line Officers and Program Managers (2000-23). Descriptions of these courses and registration procedures are available through DOI LEARN (<https://doilearn2.doi.gov>). The BLM and the USFS will continue to evaluate the core curriculum to ensure the training courses remain current with statutes, regulations, and policies.

Managers and supervisors at all levels have the responsibility to (1) ensure that employees have the knowledge, skills, and ability to perform their assigned duties, (2) determine the capability of their staffs, individually and collectively, to perform required functions, and (3) determine when training is necessary to achieve that performance. In addition, managers and supervisors must provide applicable management oversight and quality control, and they must have sufficient knowledge of statutes, regulations, policies, and procedures to exercise that oversight. Managers, supervisors, and program managers who may be involved in the processing or review of land exchange proposals are strongly encouraged to attend Course 2000-23 at the earliest available opportunity. This course is offered once annually with the next offering scheduled for October or November 2010.

Project managers/team leads and realty specialists involved in the processing or review of land exchange proposals must have knowledge of the applicable statutes, regulations, policies, and procedures. An individual's working knowledge and experience concerning land exchanges will dictate the degree to which an individual may work independently and the managerial controls that must be imposed. Attachment 1 is a list of the minimum competencies required for the processing of land exchanges and definitions of levels of competency that may be used to evaluate an employee's working knowledge of land exchanges, and to determine the need for additional formal or on-the-job training. The competency level must be at either the journey or expert levels for a project manager/team lead or for a realty specialist to work independently.

Courses 2000-09 and 2000-10, and their prerequisites, provide basic instruction in various topics applicable to the processing of land exchanges including environmental analysis, legal land descriptions, real estate law, title, and appraisal concepts. Although these courses address the minimum competencies

described in Attachment 1, completion of these courses, by themselves, should not be considered to meet the standard for journey-level without additional on-the-job experience. Course 2000-09 is offered twice annually with the next offering scheduled for August 31 to November 8, 2010, and Course 2000-10 is offered once annually with the next offering scheduled for July 13 to August 3, 2010. Entry-level personnel that may be involved in the processing of land exchanges should be nominated to attend these courses and should complete the required prerequisites at the earliest opportunity. Course 2000-15 provides advanced instruction in topics applicable to the processing of land tenure adjustment actions, including land exchanges, and is offered once annually with the next offering scheduled for June 21-25, 2010.

Entry-level personnel should only be involved in processing of land exchanges either in an “understudy” role or under the mentorship of a journey- or expert-level realty specialist. States are encouraged to develop formal mentorship programs, including incorporation of such duties in any mentor’s Employee Performance Appraisal Plan.

In order to ensure the continuance of high-quality training, all offices are encouraged to support the National Training Center’s (NTC) need for qualified instructors. Employees interested in becoming instructors should coordinate with their supervisors and the NTC.

The processing of land exchange proposals requires the participation of resource program specialists (e.g., minerals, wildlife, cultural resources, hazardous materials, etc.) for the completion of various resource investigations and reports and to ensure interdisciplinary analysis. Although the participation of these specialists does not necessarily require land exchange-related training, managers and supervisors must ensure those specialists have any necessary qualifications and certifications.

In addition to formal training, the BLM will continue to use other methods of disseminating information on the land exchange program. State and field offices are encouraged to include land tenure actions as topics in lands workshops, and should coordinate with the Washington Office (WO) to request the participation of WO employees in those workshops. The WO will continue to provide information and examples of various steps of the land exchange process through the Land Exchange Directory (http://web.blm.gov/internal/wo-300/wo-350/landexch/2009_BLM_LAND_TENURE_STAFF_DIRECTORY_Final.pdf) to identify individuals who have program responsibility and expertise in land tenure actions, including exchanges, and who may be contacted to provide advice and assistance.

Timeframe: This IM is effective immediately.

Budget Impact: None.

Background: The Government Accountability Office’s (GAO) June 2009 report entitled “*FEDERAL LAND MANAGEMENT: BLM and the Forest Service Have Improved Oversight of the Land Exchange Process, but Additional Actions Are Needed*” (GAO-09-611) identified two recommendations concerning training requirements for processing of land exchanges. This IM will implement the Department of the Interior’s Statement of Actions dated September 10, 2009, in response to these recommendations.

Manual/Handbook Sections Affected: None.

Coordination: This IM was coordinated with the Division of Lands, Realty and Cadastral Survey (WO-350), the National Training Center, Minerals and Realty Division, and realty personnel in each state office.

Contact: Please address any questions to me at 202-208-4201 or your staff may contact Kim Berns, Division Chief, Lands, Realty and Cadastral Survey, at 202-912-7350 or Carolyn Spoon, Branch Chief, Lands and Realty (WO-350), at 202-912-7574.

Signed by: Michael Nedd, Assistant Director,
Minerals and Realty Management

Authenticated by: Robert M. Williams
Division of IRM Governance, WO-560

1 Attachment

[1 - Land Exchange Competencies \(2 pp\)](#)

LAND EXCHANGE COMPETENCIES

Tasks

1. Evaluate feasibility of exchange proposals
2. Initiate segregation of Federal land
3. Conduct field investigations and inspections
4. Determine land status and encumbrances
5. Prepare, collect, evaluate, and consolidate resource data
6. Determine consistency with land use plans and prepare plan amendments, if necessary
7. Prepare environmental analyses (National Environmental Policy Act documentation)
8. Determine need for and type of mitigation measures
9. Request and review mineral reports
10. Prepare and disseminate public notices and mailings
11. Prepare congressional notifications, if necessary
12. Analyze public comments, protests, and appeals
13. Request and review survey work to determine property lines and sufficiency of legal descriptions
14. Prepare and review exchange agreements and reports
15. Provide mapping and request and review Geographic Information System (GIS) services
16. Determine amount and division of processing costs
17. Request or perform records notation and maintenance (i.e., LR 2000, Master Title Plats, Historical Index, etc.)
18. Request appraisals and determine acceptability for agency use
19. Request or perform and review environmental site assessments
20. Request and review title evidence and determine and recommend/arrange curative actions
21. Prepare requests for preliminary and final title opinions from the Office of the Solicitor or the Department of Justice
22. Prepare decision documents
23. Determine the need for equalization payments, and arrange receipt or payment
24. Prepare ledger account documentation, if applicable
25. Arrange title and escrow services including closing costs, recording fees, transfer fees, and prepaid taxes
26. Determine and prepare relocation considerations
27. Coordinate with internal and external customers
28. Request or prepare conveyance documents (patents, deeds, etc.)
29. Complete post-conveyance actions
30. Notify third-party authorizations
31. Terminate or adjust Federal land use authorizations

Levels of Competency

Entry – The employee is at the developmental/trainee level. The employee may have received basic realty training (e.g., courses 2000-09 and/or 2000-10), but has no experience, or limited experience, in processing a land exchange. Work related to the above tasks is performed under close guidance from the supervisor and/or mentor, in terms of objectives,

problem areas to be encountered, judgment being applied, and interpretation of statutes, regulations, and agency policies and procedures. The supervisor and/or mentor regularly checks work in progress and reviews completed work for adequacy, accuracy, adherence to instructions, interpretation of guidelines, judgment used, and additional developmental needs. Generally, this competency level would correspond to grade levels GS-7 and below, but higher-graded employees who have not processed a land exchange may also fit this category.

Journey – The employee is at the full performance level. The employee has received formal and/or on-the-job training and has demonstrated competence in the processing of land exchanges and completion of the above tasks. The employee interprets statutes, regulations, and agency policies and procedures, is able to select applicable techniques and practices, and independently performs assignments. Additional guidance may be provided for more complex assignments (e.g., those without established precedents), in terms of discussion of policies, controversial/sensitive issues, etc., and assistance in resolving conflicts. The employee may have reviewed the work of other employees, at least peer-level review. Quality of work is primarily the responsibility of the employee, and the supervisor spot checks work for interpretation of policies, guidelines, judgment used, and effectiveness of completing assignments. Generally, this competency level would correspond to grade levels GS-11 and above, but lower-graded employees who have processed land exchanges may also fit this category.

Expert – The employee has extensive knowledge of statutes, regulations, and agency policies and procedures, and may have been involved in the development of agency policies and guidelines. The employee has broad experience in processing land exchanges and may have been responsible for formal reviews, either of individual land exchange cases or program-level reviews. The employee is routinely consulted by others for assistance in interpreting statutes, regulations, and agency policies, and in developing solutions for complex and controversial issues. The employee may have trained others in the performance of all, or portions of, the land exchange process, or involved in the design of training curriculums. Quality of work is primarily the responsibility of the employee, and supervisory guidance is of an administrative nature and may include broad general objectives and adherence to agency policies and priorities. Generally, this competency level would correspond to grade levels GS-11 and above.