

**IM 2014-004**

Instruction Memorandum

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Washington, DC 20240

<http://www.blm.gov>

October 28, 2013

In Reply Refer To:  
3100/1270 (310) P

Supersedes 2013-026

EMS TRANSMISSION 10/30/2013

Instruction Memorandum No. 2014-004  
Permanent

To: State Directors

From: Assistant Director, Minerals and Realty Management

Subject: Oil and Gas Informal Expressions of Interest

**Program Area:** Oil and Gas Leasing and Freedom of Information Act.

**Purpose:** This Washington Office Instruction Memorandum (IM) directs offices to implement changes to the Bureau of Land Management (BLM) policy regarding the handling of Expressions of Interest (EOI) and replaces the guidance as previously directed by WO-IM-2013-026.

**Policy/Action:** In an effort to improve transparency, the BLM will publish information on EOI submissions received after January 1, 2014, on the website of the BLM state office where the nominated parcel is located. In addition, the BLM will advise EOI submitters that the BLM does not require their name and address to be on their

submission. EOI submitters may exclude any information they consider privileged or confidential.

- Each state office will modify all instructions to EOI submitters and eliminate the requirement for the inclusion of the submitter's name or address.
- State offices must update state websites, handouts, etc. to reflect this change in policy.
- State offices will incorporate the following statement into future Notices of Competitive Oil and Gas Lease Sale:

*The BLM will publish EOI submissions received on or after January 1, 2014, on the website of the BLM state office where the nominated parcel is located. EOI submitters who consider their name and address confidential should not include that information in their EOI. The BLM no longer requires submitters of EOIs to provide their name or address. Submitters may still provide this information for contact purposes; however, the BLM will make this information available to the public.*

**Timeframe:** This policy is effective October 1, 2013, to provide the BLM sufficient time to notify EOI submitters of this new policy and update websites, public room notices, etc.

**Budget Impact:** Minimal.

**Background:** The BLM currently holds the names and other identifying information of EOI submitters confidential until 2 days after a sale in an effort to protect the public's interest in the outcome of the sale. The BLM denied any requests for release of this information pursuant to exemptions 4 and 5 of the Freedom of Information Act as directed by WO-IM-1995-164. The BLM reissued this guidance under WO-IM-2013-026, December 11, 2012, to use exemption 4 only. However, recent court orders regarding the BLM's handling of EOIs have caused BLM to review its policy. The BLM finds that the name of an EOI submitter is of limited value in the development of a competitive oil and gas lease sale and will no longer require it to be submitted with an EOI. Most often, the BLM uses submitter information to contact submitters to clarify the request. The BLM can resolve this issue by allowing the submitters to provide the EOI anonymously and contact the BLM regarding the status of their requests.

**Manual/Handbook Sections Affected:** The BLM will incorporate this guidance into handbook H-3120-1, *Competitive Leases*, during the next revision.

**Coordination:** The Division of Fluid Minerals coordinated preparation of this IM with state and field offices, BLM Communications, BLM Directives, and the Office of the Solicitor.

**Contacts:** If there are any questions concerning this IM, please contact me at 202-208-4201, or your staff may contact Steven Wells, Division Chief (WO-310), at 202-912-7143 or [s1wells@blm.gov](mailto:s1wells@blm.gov); or Atanda Clark, Senior Mineral Leasing Specialist, at 202-912-7156 or [aclark@blm.gov](mailto:aclark@blm.gov).

Signed by:

Michael D. Nedd, Assistant Director  
Minerals and Realty Management

Authenticated by:

Catherine Emmett  
Division of IRM Governance, WO-560