

BLM Extends Public Comment Period on Proposed Mining Claim Fee Rule

The Bureau of Land Management (BLM) announced today that it is extending for 90 days the public comment period on a proposed rule to reorganize and simplify the agency's mining claim fee regulations. The deadline for submitting comments is now January 24, 2000, the BLM said in a notice published in today's Federal Register.

"This extension gives all interested parties more time to review the proposed rule," said BLM Deputy Director Tom Fry. "The BLM welcomes additional public input on this proposal, which is intended to make our mining-claim regulations easier for the public to use and understand. It does this by using plain language, consolidating related regulations, clarifying certain provisions, and by eliminating duplicate and obsolete provisions."

Besides reorganizing the regulations and putting them in "plain language," the proposed rule implements mining-related legislation recently passed by Congress. Reflecting the provisions of the legislation, the proposed rule extends for three years the agency's authority to charge fees in connection with the locating, recording, and maintaining of mining claims or sites. These fees fund the agency's mining law administration work.

The proposed rule, in accordance with the bill passed by Congress, also extends the BLM's authority to grant fee waivers to small miners. It also changes the annual fee payment deadline from August 31 to September 1 so that it corresponds to the beginning of the fee assessment year.

Under the proposed rule, published in the August 27 Federal Register, a claimant who locates a mining claim or site would have to pay at the time of recording each claim a one-time \$25 location fee, a one-time \$10 recording fee, and an initial \$100 maintenance fee. The maintenance fee is charged annually unless one has a small miner or other waiver. The maintenance fee of \$100 per claim or per site must be paid by September 1 each year.

Consistent with the congressional legislation, the proposed rule also gives claimants 60 days to correct a defective request for a fee waiver that exempts small miners from the maintenance fee. (A small miner holds no more than 10 mining claims.)

Under this provision, a claimant who has filed a fee waiver request on time -- but one that the BLM later finds to be defective -- will have 60 days from the time of notification to fix the defect. If fixing the defective request is not possible or desirable, a claimant would be able to pay the maintenance fee during this 60-day period, even if the regular deadline for such payment has passed. In the past, claimants who filed defective waiver requests had no opportunity to correct defects, causing them to forfeit their mining claims or sites.

The proposed rule also contains language that defines the amount of mill site land that may be located

in association with mining claims.

The public now has an additional 90 days to comment on the proposed rule. Copies of the proposal are available from the BLM's State Offices and its Washington, D.C., Office; in addition, the complete text of the proposed rule has been posted on the BLM's Internet Home Page (<http://www.blm.gov/nhp/index.htm>). The text is also accessible from the Federal Register Web site (<http://www.gpo.gov>).

The BLM will consider comments received or postmarked on or before January 24, 2000, in preparation of the final rule. Comments may be hand-delivered to the BLM, Administrative Record, Room 401, 1620 L St., N.W., Washington, D.C., or mailed to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, N.W., Washington, D.C. 20240. Comments may also be transmitted electronically via the Internet to WoComment@wo.blm.gov; a commenter should include his or her name and return address, as well as the regulation identifier number "AD31." Comments will be available for review at the L Street address during regular business hours from 7:45 a.m. to 4:15 p.m., Monday through Friday, except holidays.

There are currently about 290,000 active mining claims on Federal land. The BLM collected \$30 million in mining claim fees in Fiscal Year 1998.

The BLM, an agency of the U.S. Department of the Interior, manages more land -- 264 million surface acres -- than any other Federal agency. Most of this public land is located in 12 Western states, including Alaska. The Bureau, which has a budget of \$1.2 billion and a workforce of about 9,000 employees, also administers more than 560 million acres of sub-surface mineral estate throughout the nation. The BLM preserves open space by managing the public lands for multiple uses, including outdoor recreation, livestock grazing, and mining, and by conserving natural, historical, cultural, and other resources found on the public lands.

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