

## **Receiving, Managing, and Responding to Electronic Mail and Faxed Protests**

All protest letters sent to BLM via facsimile (fax) or electronic mail (e-mail) will be considered invalid protests unless a properly filed protest is also submitted. BLM will refer to such correspondence as “comments” and respond accordingly. If the protesting party also provides the original signed copy of the protest postmarked by the close of the protest period, then the fax and/or e-mail correspondence will be considered an advance copy of the protest. Advance copies of protests provide BLM an indication of the number of protests that will come in after the close of the protest period.

Planning regulations (43 CFR 1610.5-2) and the BLM Land Use Planning Handbook (H-1601-1, Appendix F, Page 2) require that all protests must be in writing. “Electronic signatures” for certain types of correspondence are now recognized where systems have been established and mechanisms are in place to enable the affected parties to verify the authenticity of the electronic signature. Such systems and mechanisms are not in place for BLM protest procedures. Consequently, BLM requires protests be sent to the protest coordinator via regular mail or overnight mail.

New boilerplate language regarding e-mail and fax protests to include in the agency’s Federal Register Notice of Availability and in the “Dear Reader” letter is provided below:

“E-mail and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, BLM will consider the e-mail or faxed protest as an advance copy and it will receive full consideration. If you wish to provide BLM with such advance notification, please direct faxed protests to the attention of the BLM protest coordinator at 202-452-5112, and emails to [Brenda\\_Hudgens-Williams@blm.gov](mailto:Brenda_Hudgens-Williams@blm.gov).”