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H-9687-1 – Certified Federal Surveyor (CFedS) Program Handbook (PUBLIC)

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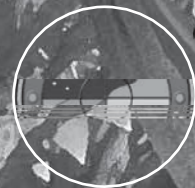
Ray Brady  
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Minerals and Realty Management

H-9687-1

# Certified Federal Surveyor (CFedS) Program Handbook

(PUBLIC)

**BLM**



H-9687-1  
CERTIFIED FEDERAL SURVEYOR (CFedS) PROGRAM HANDBOOK  
(PUBLIC)

DIRECTOR-BUREAU OF LAND MANAGEMENT

In collaboration with

BUREAU OF INDIAN AFFAIRS

and

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

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CERTIFIED FEDERAL SURVEYOR (CFedS) PROGRAM HANDBOOK  
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**Chapter I - Overview**

The Bureau of Land Management (BLM) in collaboration with the Bureau of Indian Affairs (BIA) and Office of the Special Trustee for American Indians (OST) prepared this handbook. This handbook provides direction for the administration of the Certified Federal Surveyor (CFedS) Program and defines the roles, responsibilities and authorities of a CFedS.

A CFedS is a State licensed land surveyor who has successfully completed the certification program. The certification program consists of a comprehensive training and examination process.

**A . Purpose**

The primary purpose of the CFedS Program is to provide American Indian and Alaska Native landowners, tribes, BIA and federal agencies administrating lands adjoining Indian lands with a roster of qualified surveyors, specifically trained to provide boundary services in Indian country.

The initial goal of the CFedS Program is to assure that all cadastral services executed in Indian country are performed in accordance with BLM standards. The long term goal is for all boundary surveys to be accomplished under the direction and control of the appropriate BLM State Office Cadastral Chief (Cadastral Chief). The CFedS Program will provide an additional method for accomplishing cadastral services involving Indian trust assets.

The object of the certification program is to satisfy the Secretary's trust responsibilities involving Indian trust assets as identified in the Fiduciary Trust Model.

**B. Definition of CFedS Cadastral Services**

A CFedS can perform a wide range of cadastral services. These services may include:

- Federal Authority Surveys
- State Authority Surveys
- Administrative Surveys
- Land Description Reviews (LDR)
- Chain of Surveys (COS)

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- Certificate of Inspection and Possessions (CIP)
- Boundary Assurance Certificates (BAC)
- Cadastral Geographic Information System (CGIS) Development & Maintenance
- Maintenance of the Public Land Surveying System (PLSS)

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**Chapter II – CFedS Certification Panel (Panel)**

The following provides specific procedures for the formation and operation of the Panel. The Panel has the authority, subject to the BLM Washington Office Chief Cadastral Surveyor (Chief) to adopt, amend and rescind rules as necessary to carry out the purposes of this program, including, but not limited to, rules regarding program administration, applicant qualifications, training standards, examination standards, continuing education requirements, recertification, Roster administration, and fees associated with the program.

**A. Purpose and Authority**

The Panel, headed by a Chairperson, is the representative body authorized by the Chief for the purpose of training, testing, administration, hearing, considering and determining matters of the CFedS program under the jurisdiction of the National Cadastral Survey Program. The Panel's authority has been delegated from the Chief. The Panel will:

- Administer and execute contractual arrangements deemed necessary for the administration of the program;
- Recommend to the Chief, adoption, amendment and rescission of rules not specifically enumerated in this handbook as necessary to carry out the purposes of this program;
- Make recommendations to the Chief on issuance of directives, including updates to the CFedS Manual, Handbook and related materials;
- Conduct or order investigation of program irregularities, including poor performance of Certificate holder(s);
- Administer the Roster; and
- Report to the Chief on the status of the program.

Nothing in this Handbook shall be construed to deprive the Chief of any power to review any decision of the Panel, or to direct the Panel to reconsider a decision.

**B. Composition of the Panel**

The Panel shall consist of a minimum of seven members appointed by the Chief. At least one member from each of the following groups shall be represented on the Panel:

- Bureau of Land Management;



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- Bureau of Indian Affairs;
- Office of the Special Trustee for American Indians;
- Tribal or Alaska Native representative; and
- Private Survey Sector.

There shall be no set term for Panel membership. The Panel members serve at the pleasure of the Chief. The Chief may appoint additional representatives to serve other interested parties.

**C. Panel Chairperson**

The Panel Chairperson is appointed by the Chief and may be the CFedS Program Manager.

In the absence of the Chairperson, the Chief will appoint a temporary Chairperson to carry out the administration of the Panel. The temporary Chairperson will have all authority and responsibility of the Panel Chairperson.

The Panel Chairperson is responsible for the day to day management of the CFedS Program. In regards to the CFedS Program, the Chairperson will:

- Act as liaison between the Panel and the Chief, BLM Indian Lands Surveyors (BILS), Cadastral Chiefs, CFedS, BIA, Tribes, and the public;
- Determine meeting frequency, dates and location;
- Develop the agenda for Panel meetings;
- Vote only in the instance of a tie vote of the Panel;
- Serve as the moderator at Panel meetings;
- Determine that CFedS applicants meet basic requirements;
- Recommend training and examination procedures;
- Ensure that the examination is administered in a controlled testing environment;
- Recommend fee structure;
- Recommend certification of new CFedS;
- Recommend Roster administration; and
- Execute all documentation on behalf of the Panel:
  - Document votes of Panel;
  - Document actions of the Panel by meeting minutes;

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- Notification of actions to affected parties; and
- Reports actions of the Panel to the Chief.

**D. Duties of Panel Members**

The Panel will provide direction to the Panel Chairperson in the administration of the CFedS Program and vote on the following:

- Approving updates or changes to training and/or examination procedures;
- Establishing criteria for passing the examination based upon recommendations and guidance of the psychometrician;
- Approve fee structure;
- Certifying new CFedS;
- Determine classification status of CFedS, i.e., active or inactive;
- Roster administration recommendations; and
- Approve minutes of the previous meeting.

**E. Establishing Fees**

The fee schedule will be based on a review of fees charged by State colleges and University for similar coursework. Registration fees collected will be deposited into the appropriate CFedS account.

**F. CFedS Trust Fund Account**

- a. The CFedS trust fund will support the CFedS program. The fund may be used for:
  - Salary and travel for the CFedS Program Manager;

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- Salary and travel for the Panel;
- Development of CFedS training; and
- Development and maintenance of cadastral specific computer software for CFedS use.

b. A financial report will be prepared at the end of each fiscal year. The report will include the following:

- Total collected from fees and tuition;
- Expenditures for salary and travel of the CFedS Program Manager;
- Expenditures for salary and travel of the Panel;
- Expenditures for development of training; and
- All other expenditures.

**G. Meeting Attendance and Voting**

A quorum is defined as a minimum of five Panel Members including the Chairperson. All official actions will require votes and will be decided by simple majority of the Panel members voting at the meeting. No proxy votes will be counted.

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**Chapter III – Program Administration**

**A. Program Admission Standards**

All CFedS applicants will be required to:

- Be a registered/licensed land surveyor under state law in at least one state;
- Have no disciplinary actions resulting in the loss of surveying privileges within the last 5 years;

**B. Application Process and Fees**

All applicants must complete an application. A complete application includes, but is not limited to, the following:

- Declaration of registration/licensing as a land surveyor under state law;
- Statement of applicable experience; and
- Applicable fees collected to cover administrative costs, training and examination (cost of examination proctoring is the responsibility of the applicant).

**C. Certification Process**

The certification process consists of the following components:

**1. Training**

In order to become a CFedS, all applicants will be required to successfully complete training, which may include the following topics:

- Records Investigation
- History of the PLSS
- Administrative Procedures
- Indian Land Boundary and Title Law and Cultural Awareness
- Federal and State Boundary Law and Title Examination
- Survey Evidence Analysis
- Restoration of Lost Corners

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- Water Boundaries
- Subdivision of Sections
- Standards for Indian Trust Lands Boundary Evidence
- Specifications for Descriptions of Tracts of Land for Use in Land Orders and Proclamations
- Business Practices

The CFedS Panel will amend the required training as necessary.

**2. Certification Examination**

The Certification Examination will be administered in a controlled testing environment as determined and approved by the Panel. The Certification Examination will contain questions based upon the required training. The frequency of examination, dates and locations will be recommended by the Panel and determined by the Panel Chairperson.

**3. Examination Completion Standards**

Based upon the psychometrics reports and findings, the Panel will determine a successful passing score for the examination. Applicants must demonstrate sufficient proficiency in the required training topics to successfully complete the Certification Examination.

**4. Re-Examination**

In the event an applicant does not pass the Certification Examination, they will be advised of the course area(s) not successfully completed. The applicant will be advised to reconsider and study the deficient course area(s) and successfully complete course quizzes prior to re-examination. Re-examination will include the course area(s) not passed in the original Certification Examination.

The applicant will be allowed to repeat the Certification Examination. In the event the applicant does not pass the examination after the second attempt, the applicant will be required to petition to the Panel Chairperson for continuation in the program.

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If the applicant is approved by the Panel to take the Certification Examination a third time, additional fees will be charged to cover administrative costs. No applicant will be allowed to take the certification examination more than three times.

Any appeal on the examination procedures will be to the Panel, reviewable by the Chief.

**D. Administration of CFedS Roster**

**1. CFedS Roster**

- a. After successful completion of the certification process, the applicant's name will be added to the CFedS Roster, and they will be issued a numbered CFedS certificate and a personal CFedS identification card.
- b. The CFedS Roster, comprised of those surveyors who successfully complete the initial training and Certification Examination, will list state registrations, contact information, and provide a listing of completed advanced continuing education modules.
- c. The BIA, Tribes, individual allottees, as well as other federal agencies and adjoining non-federal landowners will be encouraged to select surveyors from the CFedS Roster when conducting cadastral services that may affect Indian trust assets.
- d. The official CFedS roster will be made available via the world-wide web.

**2. CFedS Certificate Status**

- a. A status of the CFedS Certificate may be changed to Inactive at any time as a result of a State Registration Board's Action.
  - Changes in the status of a CFedS Certificate holder's State registration/license may affect the status of their CFedS Certificate. CFedS Certificate holders are required to notify the Panel Chairperson immediately concerning actions affecting their State registration/license.

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- In the instance where the State registration/license of a CFedS has been suspended or revoked by official actions of one or more state regulatory agencies, the Panel Chairperson, shall issue an order placing that surveyor's CFedS Certificate in an inactive status.
  - Other disciplinary ruling issued by the various State regulatory agencies overseeing the survey registration/licensing program will be examined by the Panel to determine the proper action with respect to the status of the CFedS Certificate.
- b. When the Panel Chairperson receives written notification of possible State Board of Registration violations, the Panel may take any or all of the following actions as appropriate, in response:
- Dismissal of allegation for lack of cause;
  - Letter of Concern  
The Panel will send the CFedS a letter to notify them of concerns related to their performance and duties;
  - Curative Letter Relative to Performance of a CFedS  
The Panel will send the CFedS a Notice of Curative Action notifying the CFedS there are performance issues in conflict with requirements of the program and a list of action(s) that must be performed to cure the deficiency(s); or
  - Decertification and placement of the Certificate into Inactive status.
- c. In extreme cases, not involving State registration/licensing issues, the Panel may determine that the deficiencies in the CFedS' performance warrant decertification and placement of the Certificate into Inactive status.
- d. Certificates with an Inactive status will not be listed on the distributed CFedS Roster.

**3. Appeal of Panel Decisions**

- a. An appeal of the Panel's decision is made directly to the Chief. A statement of reasons, detailing the specific items of disagreement, either of facts or of procedures with the Panel's decision, is required and must be submitted within 60 days of the effective date of the Panel's written decision.

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b. The Chief shall issue a written decision to the Panel (with a copy to the appellant) outlining the appropriate action to be taken.

**4. Certification Renewal**

A CFedS must renew Certification biannually. In order to renew, a CFedS must:

- Provide declaration of State registration(s);
- Successfully complete continuing education course(s) as prescribed by the Panel; and
- Pay the renewal fees

Failure to renew will result in Temporary Suspension for Non-Renewal.



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**Chapter IV - Roles, Responsibilities and Authorities of a CFedS**

A CFedS will perform a wide range of cadastral services within the states(s) where they are registered/licensed to practice land surveying. Certain services will be under the direction and control of the appropriate Cadastral Chief. A CFedS may perform land boundary surveys under State authority as a State licensed surveyor, under BLM commercial service activity contract with the issuing of Special Instructions, or under federal authority as a Federal Authority CFedS survey.

The CFedS is authorized to prepare boundary evidence as it pertains to Indian trust land boundaries under the direction and control of the appropriate Cadastral Chief. The CFedS shall follow the BLM *Manual of Instructions for the Survey of the Public Lands of the United States*, (current edition), its amendments and supplements; and the applicable Department of the Interior *Standards for Indian Trust Lands Boundary Evidence*.

**A. Standards for Indian Trust Lands Boundary Evidence (Boundary Standards)**

The following Standards for Indian Trust Lands Boundary Evidence documents may be prepared by a CFedS:

- Land Description Review Certificate;
- Chain of Surveys Certificate;
- Certificate of Inspection and Possession; and
- Boundary Assurance Certificate.

The Requestor of an accepted Boundary Standards Certification is required, in all cases, to make satisfactory arrangements with the CFedS for the payment of their services and those of their assistants in making the certification, as the BLM will not be held responsible for the same. The Cadastral Chief has no jurisdiction to settle differences relative to the payment of charges for the work between CFedS, and requestors of Boundary Standards Certifications. These are matters between the parties and must be enforced in the ordinary manner.

Nonetheless, proof of a sufficient contract or payment scheme must be submitted to the appropriate Cadastral Chief prior to a CFedS performing this work.

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**B. State Authority Surveys**

Land boundary surveys executed by a CFedS under State authority must meet state standards for boundary surveys as well as the basic BLM standards defined below. The Cadastral Chief will provide instructions on suitable survey procedures when unusual circumstances are encountered. This is also applicable prior to reestablishing a lost corner, accepting a corner established in a non-official survey, subdivision of a section or survey of land described by metes-and-bounds. The basic BLM standards for land boundary surveys are as follows:

- Bearings are determined with reference to the true meridian as defined by the axis of the earth's rotation and bearings are stated in terms of angular measure referred to the true north;
- A full description of recovered evidence is contained in the record;
- Corners are monumented with magnetically detectable metal monuments with metal cap marked to uniquely identify the corner;
- Procedures for accepting, rejecting and reestablishing corners, subdivision of sections, establishing corners, etc. are clearly documented in the record;
- Surveys will be filed/recorded, as appropriate, in the BIA Land Title Record Office (LTRO) as well as state, county, township, parish, borough or Tribal office; and
- The record contains a complete description of new monuments and accessories.

**C. Federal Authority Surveys**

**1. Federal Authority CFedS Surveys**

Federal Authority CFedS Surveys are those executed by a CFedS under Federal authority and will conform to BLM survey standards under the direction and control of the appropriate Cadastral Chief.

**a. Survey Evaluation Guidelines**

The following list divides cadastral surveys into 5 categories based on complexity, with Category I being the least complex and Category V being the most complex:

- Category I: The resurvey of or subdivision of a parcel, where all the corners of the parcel are monumented with an acceptable monument, the corners have been accepted by BLM and the Federal record contains accurate measurements for each line of the parcel. In addition; there should be no water boundary, trespass, or other complicating factors.

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- Category II: Resurvey of or subdivision of a section, where all the official corners of the section are monumented with acceptable monuments, the corners have been accepted by BLM and the Federal record contains accurate measurements of the section boundaries. In addition; there should be no water boundary, trespass, previous section subdivisions, or other complicating factors.
- Category III: Resurvey of or subdivision of a section or parcel, where all the corners of the section or parcel are monumented with an acceptable monument, the corners have been accepted by BLM or have been established or accepted by a CFedS and evaluated by BLM and the official record or CFedS record contains accurate measurements of the pertinent lines. In addition; there should be no water boundary, trespass, conflicting surveys or other complicating factors.
- Category IV: Surveys which may have conflicting surveys or other complicating factors or involve the restoration of official corners, the evaluation of State authority surveys (non-CFedS), original survey of acquired metes and bounds parcels, survey or resurvey of Reservation boundaries. There should be no water boundary or trespass involved.
- Category V: Surveys involving extensive obliteration, water boundaries, trespass, conflicting State authority surveys, probable litigation or other complicating factors.

Only Category I surveys, as described above, will, initially, qualify to be executed as Federal Authority CFedS Surveys. The Panel will recommend to the Chief when the level of difficulty should be raised or lower.

**b. Request for Federal Authority CFedS Survey**

The request for Federal Authority CFedS Survey is prepared by the federal agency, Tribe or individual with administrative authority for the parcel to be surveyed.

Prior to the request being submitted, the federal agency, Tribe or individual with administrative authority will consult with the applicable Cadastral Chief to confirm the scope of the proposed survey falls within the survey evaluation guidelines. The Cadastral Chief shall provide to the applicant the estimated cost of the monuments to be provided for performance of the survey.

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Request will include:

- Applicant's contact information (include primary contact if Tribe or Agency).
- Documentation of Federal Interest.
- Purpose of the survey.
- Legal description of parcel to be identified. A copy of the certificate, trust patent, deed, or other descriptive document must be enclosed.
- Chain of Surveys.
- Statement of affirmation that the applicant is not aware of complicating factors, i.e., water boundaries, trespass, conflicting State authority surveys, probable litigation, etc.
- Survey, monumentation and land description requirements.
- Designated CFedS. A letter from the CFedS indicating that prior arrangements have been negotiated concerning the survey, must accompany the request.
- Documentation that the contract, between the CFedS and the Tribe, agency, BIA and/or individual(s), contains required language.
- Cost estimate. It is **not** the responsibility of BLM to scrutinize cost estimates; however a cursory review will ensure that the estimate appears to be adequate.
- The Requestor of Federal Authority CFedS Survey is required, in all cases, to make satisfactory arrangements with the CFedS for the payment of their services and those of their assistants in making the survey, as the BLM will not be held responsible for the same. The Cadastral Chief has no jurisdiction to settle differences relative to the payment of charges for the work between the CFedS and the requestor. These are matters between the parties and must be enforced in the ordinary manner. Nonetheless, proof of a sufficient contract or payment scheme must be submitted to BLM prior to a CFedS performing this work.
- The deposit is for BLM's inherently governmental activities and administrative costs associated with this survey plus the cost of the monuments and must be included with the survey request. The initial deposit is 10% of the estimated cost plus the cost of the monuments.

The request for survey will be processed by BLM within 10 working days of receipt, resulting in the issuing of an Order for a Federal Authority CFedS Survey, or a letter to the applicant explaining why the Order was not issued and a recommended course of action. The deposit will be returned if an Order for a Federal Authority CFedS Survey is not issued. The deposit will be

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placed in a 7130 account where all inherently governmental activities and administrative costs associated with the oversight, support, review, approval and filing of the survey will be charged.

If the initial deposit is insufficient to cover BLM's expenses, an itemized list of current expenditures and estimate of the remaining cost to BLM will be provided to the applicant. The applicant shall make the additional deposit before the BLM will complete their work. Excess funds will be refunded within 45 days of the filing of the survey.

**c. Order for Federal Authority CFedS Survey**

The Cadastral Chief will issue the Order for the Federal Authority CFedS Survey.

The Order will be issued when the following steps have been completed:

- A properly completed request for Federal Authority CFedS Survey has been received.
- The deposit has been received.
- Verification that the requested survey is a Category I.
- Verification that there is a federal interest in the lands to be surveyed.
- Other necessary research is completed.

The Order is issued to the CFedS with a copy to the BIA and requesting Tribe, agency or individual. The Order will be signed by the Cadastral Chief and will include the following:

- Name and contact information of the BLM cadastral surveyor assigned to the project.
- Instructions specific to the project, including lotting requirements and a plan of survey if pertinent.
- A document describing the roles and responsibilities of the CFedS, BLM and the requesting agency, Tribe or individual. Included in the document will be procedures for changes in the scope of work, procedures for contract inspection, a description of the working relationship of the CFedS and the assigned BLM cadastral surveyor.
- A listing of survey materials provided to the CFedS.
- A copy of the BLM State Office platting standards will be provided. These standards are substantially different than those required for a state authority survey, and may vary slightly between BLM State offices.

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**d. Authorization for Federal Authority CFedS Survey**

The Special Instructions may be written as Generic Special Instructions (page 29) with specific information about each survey contained in numbered Assignment Instructions.

Assignment Instructions will be issued to a BLM cadastral surveyor to act as the technical advisor to the CFedS. The assignment instructions will contain an outline of the inherently government activities to be performed by the BLM cadastral surveyor pertaining to the cadastral survey. The Assigned surveyor's duties and authorization will include, but not be limited to:

- Creating a separate folder for each assignment. The folder will be labeled with the Group and Assignment number, and filed in the Group file.
- Technical direction to the CFedS for complications encountered during the course of the survey.
- Ensure that documentation of all correspondence with the CFedS is placed in the Group file.
- Provide technical direction for the preparation of the final survey returns.
- Provide critical review of the final returns submitted by the CFedS.
- Documentation summary of inherently governmental activities performed during the cadastral survey.

**e. Review of Federal Authority CFedS Surveys**

The commercial services activities will be reviewed by the assigned cadastral surveyor when the following data has been submitted. For Category I surveys, the following information must be provided, at a minimum. Category I surveys are typically submitted in plat only format.

- Proposed plat in final form.
- A record of all field data.
- A record of all calculations.
- Digital pictures of all monuments and accessories of corners accepted or established in the survey.
- Pertinent documents for inclusion in the Group file.
- A signed certificate.

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The commercial services activities review will be completed within 30 working days of the date received and returned to the CFedS for final record preparation. Within 10 working days of final record submission, the Cadastral Chief will accept the survey or when necessary, return the survey for corrections.

**f. Plat Distribution**

The accepted plat of survey will be filed in the BLM Official Records with the duplicate original forwarded to the Eastern States Office for filing. Copies will be provided to the requesting individual, Tribe or Agency and to the CFedS, and/or applicable LTRO.

**2) BLM Commercial Services Activities Contract, With Special Instructions**

CFedS may perform the commercial service activities of Federal authority surveys under contract with BLM. When the contract is issued by BLM the CFedS will generally be issued Special Instructions and will receive technical direction through a Contracting Officer's Technical Representative.

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**APPENDICES**

**1. FREQUENTLY ASKED QUESTIONS**

What is the CFedS Program?

Answer: The CFedS program is a voluntary certification program designed to provide Registered Professional Land Surveyors, in good standing, with training necessary to execute boundary surveys in Indian Country, to basic federal standards.

Who will be managing the CFedS program?

Answer: A Panel established by the Bureau of Land Management (BLM) and composed of members selected from BLM, the Bureau of Indian Affairs (BIA) and the private sector will oversee the program.

What is the purpose of the CFedS program?

Answer: The CFedS program has been authorized by the Secretary of the Interior to enhance the delivery of cadastral services in Indian country.

Who is eligible for the CFedS program?

Answer: Registered Professional Land Surveyors in good standing.

Will the CFedS certification allow me to work in States where I am not presently registered?

Answer: No. This is not a licensing program. You must have a current license for the State in which you are working.

How do I become certified?

Answer: You must complete a training module equivalent to a three-credit college course (approximately 120 hrs.) and successfully complete the Certification Examination.

Why would I want to be certified?

Answer: The CFedS certification is intended to be a significant addition to the resume and credentials of the Registered Professional Land Surveyor and Tribal Surveyor. Upon completion of the program, the surveyor's name will be placed on the CFedS Roster. Individuals, Tribes and the BIA will be encouraged to select surveyors from the CFedS Roster when contracting for cadastral services in Indian country. BLM cadastral survey contracts will include credit for those who have completed the CFedS program.



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Do I have to be certified to provide cadastral services in Indian country?

Answer: The program is voluntary, but certain services must be performed by a CFedS to be accepted by the BLM.

Where will the training be held?

Answer: The course will be delivered by various forms of distance learning.

What courses do I have to take?

Answer: The training will include portions of the BLM's Advanced Cadastral Survey and Land Tenure in Indian Country courses along with new material covering Standards for Indian Trust Lands Boundary Evidence.

Are there tests involved?

Answer: Successful completion of the training portion of the certification program will require completion of several quizzes and tests within the various training modules. In addition to the training, a comprehensive Certification Examination must be successfully completed to receive the CFedS certification.

Can I test out of any of the courses?

Answer: No. The training courses must be completed to be eligible to take the Certification Examination.

Are there continuing education requirements?

Answer: Yes, however the exact requirements have not been determined at this time.

When can I register for the program?

Answer: The program will be fully operational by September 30, 2006.

Will the training qualify for continuing education credits?

Answer: The State(s) of your registration will make that determination.

Will I receive college credit for the course?

Answer: Not at this time.

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**2. LIST OF DEFINITIONS AND USAGE OF TERMS**

BOUNDARY ASSURANCE CERTIFICATE (BAC)

1. The formal expression by a BLM Cadastral Survey or a CFedS of defects, ambiguities, unwritten rights, conflicts, gaps, overlaps, possessions, and failure of legal descriptions and other boundary evidence for a tract of land at the time of the boundary assurance, and the compiler is liable only for a want of care, skill, or diligence, conducted under the direction and control of the State Office Chief Cadastral Surveyor. 2. An assurance of the validity of the land description and boundary location, subject to stated exceptions and caveats.

CERTIFICATE OF INSPECTION AND POSSESSION (CIP)

1. A form of boundary evidence. 2. The formally expressed professional opinion of a Cadastral Surveyor or a CFedS that the boundary and corners are conflict free, in conformance with the land description, and complete and perfect (or otherwise, as stated), and the land surveyor is liable only for a want of care, skill, or diligence, conducted under the direction and control of the State Office Chief Cadastral Surveyor. 3. An assurance of the validity of the boundaries free from possession, use, or more than one location; in conflict with the land description, subject to stated exceptions and caveats.

CERTIFIED FEDERAL SURVEYOR (CFedS)

A Certified Federal Surveyor (CFedS) is a state licensed land surveyor who has successfully completed the certification process established by the BLM Cadastral Survey Program. CFedS will perform a wide range of cadastral services within the state(s) where they are licensed to practice land surveying. Certain services will be under the direction and control of the appropriate BLM Chief Cadastral Surveyor. CFedS will provide more avenues for accomplishing cadastral services for Indian trust assets and restricted fee lands.

CERTIFIED FEDERAL SURVEYOR PROGRAM

The Certified Federal Surveyor program is a voluntary program to train and certify registered/licensed private surveyors who will perform the commercial services activities of boundary surveying and related services to BLM standards. The CFedS

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program is open to state registered/licensed land surveyors, with an emphasis on tribal and BIA agency surveyors.

The program will provide the BIA, other federal agencies with lands adjoining Indian trust assets, tribes, and individual Indians and Alaska Natives with a roster of qualified surveyors. The CFedS certification will be a significant addition to the resume and credentials of the private professional land surveyor and Tribal surveyors.

CHAIN OF SURVEYS (COS)

1. A form of boundary evidence.
2. Successive surveys, or other forms of boundary or corner information/opinion, affecting a particular parcel of land, arranged consecutively, from the government or original survey down to the latest survey or other record.

COMMERCIAL SERVICES ACTIVITY

A commercial services activity is one which is operated by a Federal executive agency and which provides a product or service that could be obtained from a commercial source. Activities that meet the definition of an inherently governmental function are not commercial activities. A commercial activity may be part of an organization or a type of work that is separable from other functions or activities and is suitable for performance by contract.

DIRECT SUPERVISION

The critical examination and evaluation of a subordinate's work product, during and after the preparation, for purposes of compliance with applicable laws, codes, ordinances, and regulations pertaining to professional practice of land boundary surveying. (Source, GMT modification of an AZ/BTR Rule Definition).

FEDERAL AUTHORITY CERTIFIED FEDERAL SURVEYOR SURVEY

Those surveys executed by a CFedS under Federal authority and authorized by an Order for Federal Authority Survey. A cadastral surveyor will be assigned to the project under Special Instructions.

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FEDERAL AUTHORITY SURVEY

**1.** The highest form of boundary evidence available to the Federal government and trust beneficiaries; proof of the geographic limits of the Federal interest. **2.** A formal decision by the Federal government, subject to administrative or judicial appeal, as to the limit of the Federal land or interest in land on the surface of the earth. **3.** Creates, or reestablishes, marks, and defines boundaries of tracts of land. In the general plan, of disposing of the public domain and making all needful rules and regulations in respect thereto, this is a survey under the direction and control of the State Office Chief Cadastral Surveyor, and includes the elements of; a request for survey, special instructions, assignment instructions, field note record of the observations, measurements, monuments, and descriptive of the work performed, a plat that represents the official survey, all subject to review and approval of the Director, Bureau of Land Management, and officially filed in the official records of the United States. See 43 U.S.C. § 2 and 25 U.S.C. § 176. **4.** The sole type of land survey to be used for the land description portion of a patent.

INDIAN TRUST ASSET

Natural resources tied to real property held by the Federal government in Trust, or that is restricted against alienation, for Indian tribes, individual Indians or Alaska Natives.

LAND DESCRIPTION REVIEW (LDR)

**1.** A form of boundary evidence.; **2.** To examine the land descriptions of a conveyance, acquisition, conversion, transfer, or partition of land or interest in land. **3.** Examination of the land descriptions, including all exceptions, exclusions, reservations, subject to, and reversions, back to patent if necessary, of the subject tract and all surrounding tracts for the purpose of identifying patent ambiguities and actual or potential boundary conflicts.

LAND DESCRIPTION REVIEW CERTIFICATE

**1.** The formally expressed professional opinion of a BLM Cadastral Surveyor, a Certified Federal Surveyor, or a pre-approved agency or tribal official or agent that the land description is complete and perfect (or otherwise, as stated), and the complier is liable only for a want of care, skill, or diligence, conducted under the direction and control of the State Office Chief Cadastral Surveyor. **2.** An assurance of the validity of the land description free from patent ambiguities and other void or voidable conditions, subject to stated exceptions and caveats.

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TIMELY MANNER

For filing and/or recording of survey drawings, means not more than ninety (90) calendar days after final approval and acceptance of the survey by the BLM.  
(Source: GMT).

PRE-APPROVED AGENCY OR TRIBAL OFFICIAL OR AGENT (PATO)

An agency or tribal official or agent who has successfully completed the certification process established by the BLM Cadastral Survey Program. PATOA will perform land description reviews. They will provide more avenues for accomplishing land description reviews in order to streamline Indian trust asset transactions.

RESPONSIBLE CHARGE

The degree of control a CFedS is required to maintain over land boundary surveying decisions made personally or by others over which the CFedS exercises supervisory direction and control authority.

The degree of control necessary for a CFedS to be in responsible charge shall be such that the CFedS:

- (i) Personally makes surveying decisions, or reviews and approves proposed decisions including consideration of field observation, physical evidence, and recorded data whenever surveying decisions that could affect the safety or welfare of the public are made. In making said surveying decisions, the CFedS shall be physically present or, through the use of communication devices, be available in a reasonable period of time as appropriate.
- (ii) Judges the validity and applicability of recommendations prior to their incorporation into the work, including the qualifications of those making the recommendations.

(Source: GMT modified version of COLORADO Standard.)

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**3. LIST OF ACRONYMS**

ACSM – American Congress on Surveying and Mapping

ALTA – American Land Title Association

BAC – Boundary Assurance Certificate

BIA – Bureau of Indian Affairs

BLM – Bureau of Land Management

CFedS- Certified Federal Surveyor

CGIS – Cadastral Geographic Information System

CFR – Code of Federal Regulations

CIP – Certification of Inspection and Possession

COS – Chain of Survey

DOI – Department of the Interior

DOJ – Department of Justice

GCDB – Geographic Coordinate Data Base

LRIS – Land Records and Information System

LDR – Land Description Review

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LTM – Land Title Mapper

LTRO – Bureau of Indian Affairs Land Title and Records Office

OPM – Office of Personnel Management

TAAMS – Trust Asset and Accounting Management System

U.S. – United States

U.S.C. – United States Code

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**4. EXAMINATION DEVELOPMENT GUIDELINES**

**Description Of Examinations**

The BLM National Training Center has spent considerable time developing the CFedS Exams as fair measures of professional competence. The content of the exams is based on curriculum of the CFedS training program. The CFedS Examinations are developed following guidelines established in the Standards for Educational and Psychological Testing (1999) published by the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education. The procedures are designed to maximize the fairness and quality of the exams.

Questions on the examinations are developed and reviewed by land surveyors who are members of the CFedS Exam Committee. The CFedS Exam Committee reviews statistical results for each item as well as written feedback from candidates who have just taken the exams. This information is extremely valuable in evaluating the accuracy and fairness of each item in the exams.

Test development workshops are held shortly after the examinations have been administered so that CFedS Exam Committee members can evaluate candidates' comments and statistical information related to the examinations. Substandard items that are identified are eliminated before final scores are determined. The process is designed to maximize the fairness and quality of the examinations as measures of competency.

**Scoring Procedures**

Raw scores are calculated by summing the number of correct responses for each candidate. Credit is given for correct responses while no points are received for incorrect responses. Note that only one response should be marked for each question because questions that contain two or more marked responses or all blank responses (i.e., omitted questions) are scored as incorrect responses. There is no penalty for guessing; therefore, it is to your advantage to answer all questions in the exams.



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Passing Scores

The passing scores on the BLM National Training Center Examinations reflect minimum competency and are established using a criterion-referenced procedure. Members of the CFedS Exam Committee evaluate the difficulty levels of the examination items in relation to minimum competency. Passing scores are adjusted (scaled) based on the average difficulty level of each exam so that candidates have approximately the same chance of passing any version of the examinations.

The BLM National Training Center does not use fixed-percentage passing scores such as 70 percent or 75 percent because such approaches fail to consider the difficulty levels of the questions in an examination and their relationship to minimum competency. Similarly, the BLM National Training Center avoids "grading on the curve" because certification is designed to ensure that practitioners possess enough knowledge to perform professional activities in a way that protects the public welfare. The key issue is whether candidates are competent to practice and not whether they are competent compared to other candidates.

Statistical Analyses

Statistical analyses are conducted on each form of the CFedS Examinations. The statistics are valuable in evaluating the performance of the examinations (e.g., estimated reliability, mean, standard error of measurement etc.). The statistical results indicate the examinations are reliable and performing well.

The statistical analyses are also useful for isolating items that possess unusual statistical properties (e.g., very difficult, negative correlations). Items that possess negative correlations reveal that candidates with high test scores did poorer on these items compared to candidates with low test scores. Any items that exhibit negative correlations are reviewed by the CFedS Exam Committee before scores are mailed to candidates.

Answer Sheets

All examinations are machine-scored. To provide proper scoring of your examination, it is imperative that you listen to the proctor's instructions and follow the instructions printed on the examination booklets and answer sheets. Use only #2 pencils or mechanical pencils with HB lead (marks in ink or felt-tip pens will not be scanned properly). The answer spaces must be completely blackened.

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Test items (questions or problems) are generally organized with an introductory statement (the stem) followed by four options (choices to finish the statement in the stem or answers to the problem). In evaluating options, candidates should read all options and then select the best or most appropriate answer from the options given. You must select one of the options given even if there might be a better response to a question that is not included among any of the options given.

No credit is given for multiple answers. If you decide to change an answer, completely erase the first answer. Incomplete erasures and stray marks may be read as intended answers. NOTE: Your sketches, notes, graphical solutions and calculations are NOT considered to be part of your answer and are not inspected or graded. Graph paper and scratch paper will be provided at the back of the test booklet for you to use if you desire. All work, however, must be turned in with your test booklet.

Candidate Comments

The BLM National Training Center is always working to improve the accuracy of the CFedS Exams. Although each examination has gone through an extensive review process by the CFedS Exam Committee during examination development workshops, the BLM National Training Center encourages candidates to provide comments about specific questions. Candidate comments become part of the exam review process during the post-examination review workshop. Candidate comments are anonymous and used only to improve the quality of the examination questions. Candidates are reminded that they should complete the examination first, then go back and address any questions they have concerns or comments about to ensure that they have time to complete the examination.

References

The CFedS Exams are open-book examinations. References are permitted; however, portable (battery-operated or solar-powered), silent, non-printing, non-alpha programmable calculators are allowed. Please note those calculators or any other wireless electronic devices that have e-mail/Internet/text messaging capability will NOT be allowed. This applies to cellular phones as well. A protractor, straight edge, engineer's scale, and colored pencils should be brought to the examination, as they may be useful for some questions.

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**5. Rules Relating to CFedS Examination Proctors**

The CFedS examination shall be taken in the presence of a proctor approved by the CFedS Certification Panel. The proctor and applicant must sign an affidavit affirming that the exam was taken in accordance with the proctoring rules and requirements listed below, within the specified timeframe. The proctor's job is that of monitor. They receive the examination, the instructions for administering the examination, provide the facility, ensure that the applicant abides by the guidelines for taking the examination and return the examination to the CFedS Certification Panel for grading. It is the responsibility of the applicant to arrange compensation, if required and that the facility and testing environment meet any special requirements of the applicant.

*An approved proctor shall be one of the following:*

- a). Department of Interior official, Section Chief or higher.
- b). An educator, counselor, administrator in a primary, secondary or Collegiate educational system.
- c). A person authorized to administer tests working in a testing center in a community college, college, university, high school or military base.
- d). A librarian or library testing center.
- e). Other individuals approved by the CFedS Certification Panel.

(Note: Proctors cannot be a relative, close personal friend, employee, employer, supervisor, subordinate.)

*Applicants Responsibility Relative to the Proctor*

- a). The examination will be delivered at the date and time specified by the CFedS Certification Panel. It is the applicant's responsibility to make suitable arrangements with the proctor, including compensation.
- b). Complete and submit the requisite proctor information at least 30 calendar days prior to the scheduled examination.
- c). Bring materials necessary to complete the examination, but only items allowed by the examination guidelines.
- d). Provide official picture ID to the proctor to serve as identification.
- e). Identify clearly, during the test, any questions that seem unclear and the reason for the conclusion. The proctor is not to address those questions, but is to forward them to the CFedS Certification Panel.

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*Proctor Responsibilities*

- a). The examination packet will be mailed approximately one week prior to the date of the examination. It is the responsibility of the Proctor to safeguard the contents.
- b). Administer the test according to the guidelines provided in the examination packet.
- c). Mail the examination packet to the CFedS Certification Panel within 24 hours of completion of the examination.
- d). Keep a photocopy of the completed examination in a secure place for two week after which the copy must be destroyed.

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**6. Generic Special Instructions**

Special Instructions

Group No. XXX, State  
Oversight of Category I Federal  
Authority CFedS Surveys

In the oversight of the Category I Federal Authority CFedS Survey you are authorized and directed to provide the described inherently governmental activities associated with this project. You will be guided by the Manual of Surveying instructions, 1973, the provisions of the following Special Instructions, and such Supplemental instructions as may be issued pursuant to complications developed during the progress of the work.

**Appropriation**

The costs of the oversight and support herein directed are payable from contributed funds made available by the requesting Agency, Tribe or individual.

**Limit and Character of Work**

The inherently governmental activities associated with this project will consist of the oversight, support, review, research, direction and inspection necessary to ensure that the survey as described in the assignment instructions is properly executed and correctly identifies the boundaries of the federal interest lands.

**HISTORY OF EARLIER SURVEYS**

A history of those surveys pertinent to the assigned survey will be provided with the assignment instructions.

**METHOD AND ORDER OF PROCEDURE**

To ensure that surveys executed under these special instructions are properly executed your oversight and support may include the following:

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Prior to execution of the survey:

1. Review the Chain of Surveys for accuracy.
2. Contact the assigned CFedS to establish a satisfactory procedure for correspondence.
3. Review the land status records to ensure the federal interest is properly described.
4. Review the survey to ensure that it is a Category I survey.
5. Ensure that the control corners are properly identified.
6. Review the proposed method for parcel subdivision.
7. Prepare a separate file for this survey to be placed in the parent Group File.

During the execution of the survey:

1. Field visit to ensure proper monumentation.
2. Provide guidance in the preparation of the official record.
3. Provide technical direction as needed.

Review of the survey:

1. Review corner descriptions.
2. Check calculations.
3. Review plat for closure, lotting, correct bearings and distances.
4. Review other documentation.
5. Platting standards.
6. Ensure that the survey file in the parent Group File is complete.
7. Verify closures.
8. Verify acreage calculations.
9. Review marginal data.

**MODIFICATION OF INSTRUCTIONS**

Should occasion arise appearing to demand additional instructions, or require an interpretation of these instructions, or which apparently make these instructions inapplicable as prepared, you will be expected to promptly submit a report of the situations with such recommendations for offices considerations.