

Title 43—Public Lands: Interior

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PART 1—PRACTICES BEFORE THE DEPARTMENT OF THE INTERIOR

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AUTHORITY: Sec. 5, 23 Stat. 101; 43 U.S.C. 1464.

SOURCE: 29 FR 143, Jan. 7, 1964, unless otherwise noted.

§ 1.1 Purpose.

This part governs the participation of individuals in proceedings, both formal and informal, in which rights are asserted before, or privileges sought from, the Department of the Interior.

§ 1.2 Definitions.

As used in this part the term:

(a) *Department* includes any bureau, office, or other unit of the Department of the Interior, whether in Washington, DC, or in the field, and any officer or employee thereof;

(b) *Solicitor* means the Solicitor of the Department of the Interior or his authorized representative;

(c) *Practice* includes any action taken to support or oppose the assertion of a right before the Department or to support or oppose a request that the Department grant a privilege; and the term "practice" includes any such action whether it relates to the substance of, or to the procedural aspects of handling, a particular matter. The term "practice" does not include the preparation or filing of an application, the filing without comment of documents prepared by one other than the individual making the filing, obtaining from the Department information that is available to the public generally, or the making of inquiries respecting the status of a matter pending before the Department. Also, the term "practice" does not include the representation of an employee who is the subject of disciplinary, loyalty, or other personnel administrative proceedings.

§ 1.3 Who may practice.

(a) Only those individuals who are eligible under the provisions of this sec-

tion may practice before the Department, but this provision shall not be deemed to restrict the dealings of Indian tribes or members of Indian tribes with the Department.

(b) Unless disqualified under the provisions of § 1.4 or by disciplinary action taken pursuant to § 1.6:

(1) Any individual who has been formally admitted to practice before the Department under any prior regulations and who is in good standing on December 31, 1963, shall be permitted to practice before the Department.

(2) Attorneys at law who are admitted to practice before the courts of any State, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Trust Territory of the Pacific Islands, or the District Court of the Virgin Islands will be permitted to practice without filing an application for such privilege.

(3) An individual who is not otherwise entitled to practice before the Department may practice in connection with a particular matter on his own behalf or on behalf of

(i) A member of his family;

(ii) A partnership of which he is a member;

(iii) A corporation, business trust, or an association, if such individual is an officer or full-time employee;

(iv) A receivership, decedent's estate, or a trust or estate of which he is the receiver, administrator, or other similar fiduciary;

(v) The lessee of a mineral lease that is subject to an operating agreement or sublease which has been approved by the Department and which grants to such individual a power of attorney;

(vi) A Federal, State, county, district, territorial, or local government or agency thereof, or a government corporation, or a district or advisory board established pursuant to statute; or

(vii) An association or class of individuals who have no specific interest that will be directly affected by the disposition of the particular matter.

§ 1.4 Disqualifications.

No individual may practice before the Department if such practice would violate the provisions of 18 U.S.C. 203, 205, or 207.