

**Statement of
Brian Steed
Deputy Director for Policy & Programs
Bureau of Land Management
U.S. Department of the Interior**

**Senate Committee on Energy & Natural Resources
Subcommittee on Public Lands, Forests, & Mining**

Oversight Hearing

“To Examine the Law Enforcement Programs at the BLM and USFS, Coordination with Other Federal, State and Local Law Enforcement, and the Effects on Rural Communities”

May 9, 2018

Thank you for the opportunity to discuss the Bureau of Land Management’s (BLM) law enforcement program. The dedicated men and women who make up this program play an integral role in ensuring public safety and fulfilling the BLM’s multiple use mission. Every day, our officers put themselves in harm’s way to investigate vandalism and looting, support emergency response, and provide a safe environment for employees and visitors to the public lands.

While the BLM’s law enforcement program has had a number of challenges recently, we are proud of the work our officers and local and State partners accomplish on behalf of the American people. Consistent with Secretary Zinke’s priority of restoring full collaboration and coordination with local communities and making the Department of the Interior a better neighbor, the BLM is committed to making significant improvements to investigative procedure and program operations, to strengthening our law enforcement partnerships throughout the West, and to working with State, county, and local officials in the most productive ways possible. In addition, the BLM is fully committed to supporting Secretary Zinke’s priority of combating the opioid epidemic ravaging local communities, area Tribes, and Alaska Natives across the West.

Background

Nationally, the BLM manages a wide variety of resources spread over 245 million acres of public lands and 700 million acres of subsurface mineral estate. These public land resources include timber, forage, energy and minerals, recreation areas, wild horse and burro herds, fish and wildlife habitat, wilderness areas and national monuments, and archaeological and paleontological sites. Under the Federal Land Policy and Management Act of 1976 (FLPMA), the Secretary of the Interior is authorized to stand up a law enforcement body to enforce Federal laws and regulations with respect to public lands and their resources. As a result, the BLM has been given specific resource protection and law enforcement responsibilities that further its multiple use mission.

The public lands managed by the BLM are predominantly located in the western U.S., including Alaska, and consist of extensive grassland, forest, high mountain, arctic tundra, and desert

landscapes. Each of these landscapes has a diversity of resources. As a result, the specific duties of each BLM law enforcement officer can vary considerably. For example, in the southwestern desert, officers may spend a considerable amount of time dealing with large numbers of recreational off-highway vehicle users as well as archaeological resources crimes; officers along the southern border frequently contend with the effects of illegal border crossings and drug smuggling; officers in urban interface areas encounter a variety of trespass crimes that include arson and hazardous materials dumping; and officers in the northern states regularly deal with illegal marijuana cultivation activities. In all areas, BLM law enforcement officers work in cooperation with local sheriff's offices, State agencies, and other Federal law enforcement agencies.

Protecting Public Land Resources, People, & the International Border

The BLM has approximately 200 law enforcement rangers (uniformed officers) and approximately 70 special agents (criminal investigators) on staff who promote safety, security, and environmental protection of public lands, public land users, and employees. For example, BLM law enforcement rangers and agents regularly engage with their State and local counterparts to investigate wildland arson, mineral resource theft, hazardous materials dumping, archaeological and historical artifact and paleontological theft, and illegal marijuana cultivation. Good working relationships with local law enforcement and other stakeholders are essential for the BLM to successfully resolve these crimes.

BLM law enforcement officers also work closely with State agencies and county law enforcement offices to protect public safety for large-scale recreational events, including the King of the Hammers off-road race in southern California, Burning Man festival in Nevada, and a variety of off-highway vehicle races in California's Imperial Sand Dunes and Utah's Little Sahara Sand Dunes.

Finally, BLM-managed public lands include nearly 200 miles directly along the international boundary in New Mexico, Arizona, and California. Along international boundaries, the BLM helps protect the public lands along the border through innovative initiatives and partnerships with Federal, State, and county agencies. These efforts are producing tangible results in the areas of illegal smuggling, resource protection, and identifying transnational threats. In Arizona, for example, off-road travel, littering, and vandalism associated with illegal border crossings threatens fragile desert ecosystems and poses risks to visitor safety. In response, the BLM has launched a coordinated strategy – known as Operation SABR – to enhance law enforcement operations and communications, place barriers to deter unauthorized traffic, and remove trash.

Recent Challenges & Looking to the Future

While the BLM's law enforcement rangers and agents have accomplished important work preventing damage to public land resources, the law enforcement program itself has experienced a number of challenges in the recent past. These challenges include very serious allegations of employee misconduct, including destruction of records requested by members of Congress, mishandling of evidence in criminal investigations, and misappropriation of government funds, among others. Such behavior shocks the conscience, and we cannot stress enough how entirely unacceptable it is. Moreover, these actions – in some cases perpetrated by a small number of

individuals – have prevented the BLM from living up to the expectations of the American people.

In the short time that the new BLM leadership has been in place, we have taken a series of actions to begin addressing these problems. Over the past several months, for example, the BLM law enforcement program has directed officers to focus on casework with direct ties to public lands, such as curbing the resource and public safety impacts generated by cross-border smuggling activities and reducing the theft of public land resources, including mineral materials, archeological, paleontological, and historic objects, or timber and forest products.

BLM law enforcement has also made a concerted effort to improve working relationships with internal and external partners, including the Western States Sheriffs' Association (WSSA), which is composed of sheriffs and their command staff from 16 western states. As part of this process, the BLM is also analyzing the benefits of moving the law enforcement program to a location in the West and is evaluating whether the program should be restructured to better fit organizational needs. These measures could potentially enhance interaction and communication with the sheriffs on public safety and enforcement of natural resource rules and regulations. It could also better position BLM law enforcement for interaction with external user groups and other BLM staff, the vast majority of which are stationed in the western United States.

Finally, over the past several months, the BLM has reinforced the need for accountability and professional ethics within the law enforcement program and has been diligent in taking administrative, civil, or criminal action in relation to conduct issues. In addition, the BLM has significantly increased staffing for the Office of Professional Responsibility to help ensure the thorough investigation of complaints of serious misconduct involving BLM employees, including law enforcement officers and managers.

As stated above, the BLM takes allegations of employee misconduct, particularly those associated with its law enforcement officers, extremely seriously. We are committed to maintaining a professional program with only the highest ethical standards. Restoring the public's trust in the BLM's law enforcement program is a top priority of Secretary Zinke and this Administration. The BLM is taking significant steps to make this goal a reality, and will continue to do so in the months ahead.

Conclusion

The BLM's diverse mission creates unique challenges for our agency's law enforcement personnel, who work diligently to provide a safe environment for the public and employees and who deter, detect, and investigate illegal activities on our Nation's public lands. We look forward to working with the Subcommittee on this important issue. Thank you for the opportunity to present this testimony, and I would be glad to answer any questions you may have.